

Franklin Park Subdivision and Land
Development Ordinance:
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ARTICLE 100. General Provisions

§ 184-101. Title

This chapter shall be known and may be cited as the "Franklin Park Borough Subdivision and Land Development Ordinance."

§ 184-102. Purpose.

The purpose of this chapter is the promotion of the health, safety, morals, convenience and general welfare of the present and future inhabitants of Franklin Park Borough by:

- A. Guiding the future growth and development of the Borough.
- B. Providing for adequate natural light, air and privacy.
- C. Securing safety from fire, flood and other danger.
- D. Avoiding overcrowding of the land and undue congestion of population and encouraging the orderly and beneficial development of all parts of the Borough.
- E. Guiding public and private policy and action in order to provide adequate and efficient transportation, water, sewage, recreation and public improvements and facilities.
- F. Establishing reasonable standards of design and procedures for subdivision and land development and the use of land.
- G. Ensuring the availability of public facilities and their capacity to serve the proposed subdivision or development.
- H. Ensuring that streets in and bordering a subdivision or land development be coordinated and be of such widths and grades and in such locations as are deemed necessary to accommodate prospective traffic and facilitate fire protection and the passage of other emergency vehicles.
- I. Ensuring the adequacy of drainage facilities, including adequate easements and rights-of-way to be provided and encouraging the appropriate use and management of natural resources.
- J. Assuring that land that is subject to flooding, subsidence or underground fires either shall be made safe for the purposes for which such land is proposed to be used or that such land shall be set aside for uses which shall not endanger life or property or future aggravate or increase the existing menace.
- K. Encouraging and promoting flexibility, economy and ingenuity in the layout and design of subdivisions and land developments, including provisions authorizing the planning agency to alter site requirements and encouraging other practices which are in accordance with modern and evolving principals of site planning and development.

§ 184-103. Interpretation.

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

§ 184-104. Applicability.

This chapter shall not, in general, apply to any existing lot(s) or development(s), provided that such lot(s) or development(s) were in a legally subdivided, recorded plan on the effective date of this chapter. In cases where said lot(s) or development(s) are resubdivided or become part of a further or new plan, such lot(s) or development(s) may require compliance with any or all of these regulations as recommended by the Borough Planning Commission and determined by the Borough Council.

§ 184-105. Authority.

The Borough Council of the Borough of Franklin Park is authorized, subject to the holding of the required public hearing, to adopt rules and regulations concerning plans for land development and subdivision and may approve, conditionally approve or disapprove plans of development and subdivision falling within its jurisdiction.

§ 184-106. Reviewing Authority.

- A. The Borough Planning Commission is hereby designated as an advisory body to the Borough Council of Franklin Park and is charged by Borough Council with the duty of making investigations, reports and recommendations on the plans, specifications and design of both improvements and the construction of proposed land developments and subdivisions and is hereby authorized to review and recommend to Borough Council that Council either grant approval, conditional approval or disapproval of applications for subdivision and land development plan approval.
- B. The Borough of Franklin Park Environmental Advisory Council is hereby designated as an advisory body to the Planning Commission and the Borough Council of the Borough of Franklin Park and is charged by Borough Council with the duty of making investigations, reports and recommendations on the plans, specifications and design of both improvements and the construction of proposed land developments and subdivision as they pertain to the environmental objectives of the Borough, for the following sections of this and other Ordinances of the Borough:
 - (1) Conservation Subdivision
 - (2) Landscaping and Buffering
 - (3) Natural Resources Overlay
 - (4) Other Sections as Requested by Borough Council

§ 184-107. Jurisdiction.

The provisions of this chapter shall apply to all the area within the boundaries of the Borough of Franklin Park, Allegheny County, Pennsylvania, excluding all land owned by the Borough of Franklin Park. The use of all Borough land shall be at the discretion of the Franklin Park Borough Council.

§ 184-108. Compliance required.

On or after the effective date of this chapter, no subdivision or land development of any lot, tract or parcel of land shall be made and no street, alley, sanitary sewer, storm drain, water main, gas, oil or transmission line or other improvements in connection therewith shall be laid out, constructed or dedicated for public use or travel or for the common use of the occupants of a building abutting thereon, except in direct accordance with this chapter.

§ 184-109. Approval.

On or after the effective date of this chapter, no subdivision or development, except those heretofore recorded, may be sold, no permit to erect, alter or repair any building upon the land may be issued and no building may be erected unless and until a plan of such shall have been

approved and properly recorded, until the improvements required by the Borough Council in connection therewith shall have either been constructed or guaranteed as required by this chapter.

§ 184-110. Appendixes.

Attached to this chapter are appendixes detailing specifications with respect to standards set forth in this chapter. These appendixes may be changed from time to time by resolution of the Borough Council, as Borough conditions and accepted engineering practices warrant.

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ARTICLE 200. Procedural Requirements

§ 184-201. Required approvals.

The developer shall obtain required approval(s) by following the appropriate process as specified in this article.

§ 184-202. Time limits on review process.

The review process on all applications for approval of a plan—whether preliminary or final, shall be concluded by the Planning Commission and the Borough Council not later than ninety (90) days following the date of the regular meeting of the Planning Commission next following the date the application is filed, unless said next regular meeting of the Planning Commission occurs more than thirty (30) days following the filing of the application. Said ninety (90) day period should be measured from the thirtieth (30th) day following the day the application has been filed, and the Borough Council shall render its decision and communicate it to the applicant within such time. The aforementioned decision of the Borough Council shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision and within the overall ninety (90) day period.

§ 184-203. Classification of development to determine procedure.

The classification of development (major, minor or exempt) determined at the pre-application conference establishes the required approval procedure. Appendix G. sets forth, as an example only, the development procedure as it shall occur within the Borough. Any divergence from Appendix G and Article 200 which may occur shall nullify Appendix G, and Article II shall take precedence.

§ 184-204. Pre-application conference.

- A. Each applicant shall confer with the Zoning Officer to schedule a pre-application conference. It shall be the responsibility of the Zoning Officer to arrange a conference with other Borough officials, if appropriate.
- B. The applicant may request, or the Borough Zoning Officer may recommend, a pre-application conference with the Borough Planning Commission. The pre-application conference with the Planning Commission is voluntary and no formal application or fee is required. This opportunity is afforded to the applicant or his representative to obtain information and guidance before entering into binding commitments or incurring substantial expenses for plan preparation. A pre-application conference with the Planning Commission shall not constitute formal filing of an application for approval of a subdivision or land development, nor shall it bind the Planning Commission to approve any concept presented in the pre-application conference and shall not protect the application from any subsequent changes in ordinance provisions which may affect the proposed development which may occur between the date of the pre-application conference and the official date of filing of a formal application for approval of a proposed subdivision or land development.
- C. While no formal application is required for a pre-application conference, the applicant should provide one (1) copy of readily available information with the request for the pre-application conference which will show the location of the property and any special features such as streams, floodplains, easements or other conditions that may affect the development of the property. Readily available resources which may be used, if applicable, include the deed for

the property, a property survey, the block and lot maps prepared by the Allegheny County Assessor's Office, the United States Geological Survey (USGS) Quadrangle Map showing natural features and topography, the National Flood Insurance Administration (NFIA) Flood Hazard Boundary Maps, the Natural Resources Conservation Service Maps of soil types and the United States Bureau of Mines coal mine maps.

§ 184-205. Classes of applications.

Applications for approval of a proposed subdivision or land development shall be classified according to the categories listed below and shall be processed according to the requirements of this chapter for each class of application. Land development shall be interpreted as set forth in the definition of the same listed in § 184-1402.

- A. Major development.
 - (1) Any proposed residential development of five (5) dwelling units or more.
 - (2) All nonresidential development.
 - (3) Any development requiring a new street, extension of municipal facilities, new improvements or easements.
- B. Minor development.
 - (1) Any proposed residential development of less than 5 dwelling units fronting on an existing street, which does not involve any new street(s), public or private, or extension of municipal facilities, new improvements or easements.
- C. Exempt development.
 - (1) Any division(s) of land for agricultural purposes not involving any new streets or easements of access, provided that applicable zoning and subdivision regulations are met.
 - (2) Accessory uses and/or structures as defined in Chapter 212, Zoning.
 - (3) The conversion of an existing single-family dwelling or two (2)-family dwelling into not more than three (3) dwelling units, unless such units are intended to be a condominium.
 - (4) The addition of an accessory building, including farm buildings less than six hundred (600) square feet, on a lot or lots subordinate to an existing principal building.
 - (5) An addition to an existing non-residential structure than totals less than ten percent (10%) of the total gross floor area of the existing non-residential structure on the site.
 - (6) The addition or conversion of buildings or rides within the confines of an amusement park, except the expansion of an amusement park onto newly acquired acreage.

ARTICLE 300. Major Developments

§ 184-301. Major development procedures.

The review process for a major development shall include a pre-application conference, a preliminary application and preliminary approval and a final application and final approval, as specified in this section. Non-residential developments requiring land development approval does not require preliminary plan approval and shall be governed by the provisions of §184-503(D).and (E) .

A. Preliminary plan (application for preliminary plan approval).

- (1) An application for preliminary plan approval shall be applicable when the applicant proposes a plan that is to be developed in more than one (1) phase. The preliminary plan application shall be an application for a master plan for all of the proposed phases of the subdivision plan. The plans shall conform with the Pennsylvania Department of. The applicant may seek preliminary and final approval at one (1) time, in the event that the proposed major development proposes only one (1) phase, and may be granted final approval provided the final plan complies with all of the applicable requirements contained within this Ordinance.
- (2) Following the pre-application conference, copies of a preliminary plan shall be submitted to and received by the Zoning Officer. The Zoning Officer shall receive preliminary plan applications by 12:00 noon on Friday of each week based on the schedule available at the Borough Building, the twenty-fifth (25th) day prior to the scheduled Planning Commission meeting. At the time of filing, required fees shall also be submitted. The Zoning Officer shall review the preliminary plan and determine the adequacy of the information submitted. The application for preliminary approval shall at a minimum include:
 - (a) The correct number of copies of all plats and reports as referenced in this article.
 - (b) Meet all requirements for submission. The review of the submission requirements shall not include a review of the correctness of the plan, but rather a review that the required items for review have been submitted.
 - (c) Include all original signatures of all property owners or agents for property owners involved in the application ;
 - (d) Evidence of filing of all necessary permits from any regulatory agency having jurisdiction over the project.
- (3) Should the preliminary plan be determined to be adequate, based upon the criteria in 184-301(A) (2) (a) through (d) and the fee received by the Zoning Officer, said plan shall be considered officially filed, recorded as such, and the developer notified. The Borough Engineer shall be notified of all plans which are officially filed within three (3) business days of the recording of the plan as official filed. Only when the plan is officially filed shall the maximum ninety (90) day review period limitation be placed in effect. Should the preliminary plan be determined to be inadequate by the Zoning Officer, the plan shall be returned to the applicant, and the applicant may revise and resubmit said plan as advised by the Zoning Officer. Each revised plan shall have no consequence on the allowed ninety (90) day review period.
- (4) The Zoning Officer shall submit the preliminary plan to the county for review after such preliminary plan is determined adequate and officially filed.
- (5) The Zoning Officer applicant shall submit four (4) complete sets of preliminary plans and information to the Environmental Advisory Council for review within three (3) business days of such preliminary plan is determined adequate and officially filed

- (6) The Zoning Officer shall submit to the Borough Engineer for review, one (1) complete full size set of preliminary plans and information within three (3) business days of the date such preliminary plan is determined adequate and officially filed. The Borough Engineer shall provide written comments of the preliminary plan review and recommendation to the Zoning Officer by the Friday prior to the scheduled Planning Commission meeting.
- B. Planning Commission review.
- (1) The Planning Commission shall meet to review the preliminary plan at the next regularly scheduled meeting, but no more than thirty (30) days following the submission of the preliminary plan. The Planning Commission shall meet, review the application and communicate its recommendations to the Borough Council. The Borough Engineer also shall review the application and communicate recommendations to the Planning Commission within this period by noon on the Friday prior to the Planning Commission meeting.
 - (2) The Planning Commission review shall indicate to the Council whether the preliminary plan is in compliance with the objectives of the Comprehensive Plan and minimum plan requirements of these regulations, as defined in Article 400 and Article 500 of this Chapter
 - (3) The Environmental Advisory Council shall meet to review the preliminary plan at the next regularly scheduled meeting, but no more than thirty (30) days following the submission of the preliminary plan. The Environmental Advisory Council shall meet, review the application and communicate its recommendations to the Planning Commission and Borough Council by noon prior to the scheduled Planning Commission meeting or Borough Council meeting. The Environmental Advisory Council review shall indicate to the Planning Commission and Council whether the preliminary plan is proposed in accordance with the environmental objectives of the Borough's ordinances and whether any special circumstances merit attention by the governing body and/or its agents.
 - (4) The Planning Commission may recommend to the Council approval, conditional approval or denial of preliminary plans.
- C. Borough Council public meeting.
- (1) After the action of the Planning Commission on the application, a public meeting pursuant to public notice shall be held by the Borough Council.
 - (2) The Borough Council render a decision on the application at a public meeting, and notify the applicant by official written communication within fifteen (15) days of the decision to the developer, either: stating the decision to either:
 - (a) Grant preliminary approval of the preliminary development plan as submitted;
 - (b) Grant preliminary approval of the preliminary development plan subject to specified conditions not included in the preliminary plan as submitted; or
 - (c) Deny preliminary approval.
 - (3) Failure to so act within the required ninety (90) Day Review Period shall be deemed to be a grant of preliminary approval of the preliminary plan as submitted unless the applicant has agreed, in writing, to an extension of time or change in the prescribed manner of presentation of communication of the decision. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite to the provisions of the statute or ordinance relied upon. The developer may, within ten (10) days after receiving a copy of the official written communication of the Borough Council, notify such Borough of his refusal to accept all such conditions, in which event preliminary approval of the preliminary plan is deemed to be denied.

- (4) Within five (5) years of such approval, no subsequent change or amendment in the Chapter 212, Zoning, this chapter or other governing ordinance or plan 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.
- (5) Resolution indicating approval. Borough Council shall furnish the developer with a signed copy of a resolution indicating final approval of the proposed plan contingent upon the developer obtaining satisfactory financial security. The final plat shall not be signed or recorded until the performance guarantee and development agreement is executed. The resolution shall expire and shall be deemed to be revoked if the performance guarantee and development agreement are not executed within ninety (90) days, unless a written extension is granted by Borough Council. Such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.

D. Mediation option.

- (1) Borough Council may offer the mediation option as an aid in completing the proceedings authorized by this chapter. Mediation shall supplement, not replace, those procedures in this chapter once they have been formally initiated. Nothing in this section shall be interpreted as expanding or limiting the Borough's police powers or as modifying any principles of substantive law. That is, the mediated solution shall comply with all applicable provisions of Chapter 212, Zoning, this chapter and all other applicable laws and regulations.
- (2) Participation in mediation shall be wholly voluntary. The appropriateness of mediation shall be determined by the particulars in each case and the willingness of the parties to negotiate. In offering the mediation option, Borough Council shall assure that in each case, the mediating parties, assisted by the mediator as appropriate, develop terms and conditions for:
 - (a) Funding mediation.
 - (b) Selecting a mediator who, at a minimum, shall have a working knowledge of municipal zoning and subdivision procedures and demonstrated skills in mediation.
 - (c) Completing mediation, including time limits for such completion.
 - (d) Suspending time limits otherwise authorized in this chapter or in the Pennsylvania Municipalities Planning Code (Act 247, as amended), provided that there is written consent by the mediating parties, and by the applicant or Borough Council, if either is not a party to the mediation.
 - (e) Identifying all affected parties and affording them the opportunity to participate.
 - (f) Subject to the legal restraints, determining whether some or all of the mediation sessions shall be open or closed to the public in conformance with the provisions of the Sunshine Act.
 - (g) Assuring that the mediated solutions are in writing and signed by the parties and become subject to review and approval by Borough Council pursuant to the procedures for approval set forth in this chapter.
 - (h) No offers or statements made in the mediation sessions, excluding the final written mediated agreement, shall be admissible as evidence in any subsequent judicial or administrative proceedings.

E. Record plan.

- (1) A development plan, or any part thereof, which has been given final approval shall be so certified without delay by the Borough Council and shall be filed in the office of the Recorder of Deeds within ninety (90) days of the approval of the final plan before any development shall take place in accordance therewith. However, said plan cannot be recorded without prior county approval.

- (a) A land development plan shall not be required to be recorded in the Allegheny County Recorder of Deeds Office, if the land development is proposed on a lot or lots of record, unless a declaration plan is required to be recorded by the Pennsylvania Unit Property Act for a condominium development.
 - (b) Any land development which involves the subdivision, resubdivision or consolidation of property or the dedication of easements or rights of way for public improvements shall present a final plat for recording purposes with the application for final approval of the land development. The final plat for recording shall be prepared in accordance with the requirements of Article 400 of this chapter for minor developments.
- (2) In the event that a development plan, or a section thereof, is given final approval and thereafter the landowner shall abandon such plan or the section thereof that has been finally approved and shall so notify the Borough Council in writing, or in the event that the landowner shall fail to commence development within one (1) year after final approval has been granted, no development or further development shall take place on the property included in the development plan until after the Borough is notified of the reasons for such delay.
- (3) The final plan shall comply with the provisions of other existing ordinances related to development within the Borough.

ARTICLE 400. Minor Development Procedures

§ 184-401. Minor development procedures

The review process for a minor development shall include an optional pre-application conference and final application and final approval, as specified in this section.

- A. Final plan (application for final plan approval)
 - (1) The final plans submitted to the Zoning Officer shall include all requirements as specified in § 184-204 and any other information deemed pertinent at the pre-application conference with the Zoning Officer, per 184-204 of this Ordinance.
 - (2) Upon approval of the Zoning Officer, the President of Borough Council and the Chairman of the Planning Commission shall be notified if the plan is approved. If not approved by the Zoning Office, the applicant may submit the plan to Council for their consideration.
- B. Failure to so act within such period of time shall be deemed to be a grant of final approval of the final plan as submitted unless the applicant has agreed, in writing, to an extension of time or change in the prescribed manner of presentation of communication of the decision. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite to the provisions of the statute or ordinance relied upon. The developer may, within ten (10) days after receiving a copy of the official written communication of the Borough Council, notify such Borough of his refusal to accept all such conditions, in which event final approval of the final plan is deemed to be denied.

ARTICLE 500. Preliminary and Final Plan Requirements for Major Subdivisions

§ 184-501. Preliminary Plan requirements.

- A. Preliminary plan requirements for subdivisions. Preliminary subdivision plans shall be submitted at a scale of not less than one (1) inch equals one hundred (100) feet on a maximum sheet size of forty-two-and-twenty-two-hundredths (42.22) inches by thirty-and-thirty-four-hundredths (30.34) inches. Preliminary design drawings shall be submitted at a scale of one (1) inch equals fifty (50) feet on a maximum sheet size of twenty-four-and-twenty-two-hundredths (24.22) inches by thirty-six-and-thirty-four-hundredths (36.34) inches. Record plans shall be submitted at a maximum scale of one (1) inch equals one hundred (100) feet on sheet sizes seventeen (17) inches by twenty-two (22) inches or twenty-two (22) inches by thirty-four (34) inches. Preliminary plans shall show the following information:
- (1) The information shown on any plans discussed at the pre-application conference which are still relevant.
 - (2) Any land to be dedicated for public or common use.
 - (3) Existing and final contours at intervals of two (2) feet. In areas with slopes greater than fifteen percent (15%), five (5) foot contour intervals may be used.
 - (4) Tentative grades of proposed streets to existing streets to a point four hundred (400) feet beyond the boundaries of the tract being subdivided.
 - (5) The location and size of sanitary sewers, storm drains, culverts, watercourses, on-site sewage facilities, if applicable, water mains, fire hydrants, special structures and all appurtenances.
 - (6) All building setback lines on each lot, with distances from the street right-of-way for lots to be used for other than residences.
 - (7) The disposition of all buildings and structures indicating retention or demolition. The character and use of buildings and structures to be retained shall be noted on the plan.
 - (8) The purpose, location, width and boundaries by dimensions of all rights-of-way and/or easements to be created for all surface and underground drainage, utilities or other pertinent reasons.
 - (9) Typical cross sections and center line profile for each new or widened street cartway, as well as the profile for sanitary sewers and storm drains, including manholes, inlets and catch basins.
 - (10) Soil erosion and sediment control facilities, including the layout of water-detention structures, bridges and culverts.
 - (11) All landscaping facilities for screening, buffering, conservation, shade and aesthetics. Facilities may include trees, shrubs, fences and/or earthwork.
 - (12) Subdivision characteristics shall be noted on the plan indicating:
 - (a) The number of acres being subdivided.
 - (b) The number of lots created.
 - (c) The number, type and character of buildings.
 - (d) The linear feet of new road and widened road.
 - (e) The minimum, maximum and average lot size.
 - (13) The intended use for an entire contiguous tract of land under one (1) ownership.
 - (14) Existing and proposed street names, rights-of-way and paving widths.
 - (15) Tract boundaries described by the relative metes and bounds as surveyed by a registered surveyor.
 - (16) A preliminary stormwater management narrative including computations supporting the proposed size and location of stormwater facilities.

- (17) Adjacent subdivisions and the names of current or former owners of neighboring properties.
- (18) A preliminary soil erosion and sedimentation control plan showing the location of proposed erosion and sedimentation control facilities.
- (19) Off-site features, including general topography and watercourses, within 200 feet of the tract boundaries.
- (20) A Transportation Impact Study (TIS) for all land developments which propose a total of seventy-five (75) or more lots, or located on any arterial street as defined by this Ordinance per the standards and requirements contained in Section §184-906 of this Ordinance.
- (21) A plan showing proposed traffic control signage to be reviewed by the Borough Police Department and the Borough Engineer.
- (22) An Environmental Impact Assessment to be reviewed by the Environmental Advisory Council.

§ 184-502. Final Plan Requirements for Subdivisions.

- A. Final plan requirements for subdivisions. Final subdivision plans shall likewise be submitted at a scale of not less than one (1) inch equals one hundred (100) feet on a maximum sheet size of forty-two-and-twenty-two-hundredths (42.22) inches by thirty -and-thirty-four-hundredths (30.34) inches. Final design drawings shall be submitted at a scale of one (1) inch equals fifty (50) feet on a maximum sheet size of twenty-four-and-twenty-two-hundredths (24.22) inches by thirty-six-and-thirty-four-hundredths (36.34) inches. Record plans shall be submitted at a maximum scale of one (1) inch equals one hundred (100) feet on sheet sizes seventeen (17) inches by twenty-two (22) inches or twenty-two (22) inches by thirty-four (34) inches. Final plans shall show the following information:
- (1) The information shown on the approved preliminary plan.
 - (2) The beginning and ending dates of proposed immediate construction.
 - (3) The curb elevation at tangent points or horizontal curves at road or alley intersections and at the projected intersections of the curblines.
 - (4) The location and size of sanitary sewers and lateral connections with distances between manholes, water, gas, electric and other utility pipes or conduits and of storm drains, inlets and manholes. All design calculations relative to sizing and surface loading for storm and sanitary sewers shall be provided. Tabular listings of design flow rate velocities invert and surface elevations of all manholes and hydraulics shall be provided.
 - (5) The location, type and size of curbs and all paving widths.
 - (6) The location and species of all shade trees and the location and type of fire hydrants and streetlights.
 - (7) Profiles and elevations of the ground along the center lines of proposed roads.
 - (8) Profiles of sanitary sewers with profiles over the sewer of the present and finished ground surface, showing manhole locations beginning with the lowest manhole.
 - (9) Profiles of storm drains showing manhole and/or inlet locations and swales.
 - (10) Profiles of water mains.
 - (11) The ultimate right-of-way width and location and the width of the cartway.
 - (12) The type, depth and crown of paving.
 - (13) Grading of the sidewalk area should be carried to the full width of the ultimate right-of-way and slopes of cut or fill extended beyond the ultimate right-of-way.
 - (14) The location, width, type and depth of sidewalks.
 - (15) The typical location, size and depths of sewers and utilities.
 - (16) The accurate location of all monuments. All monuments shall be placed at the property corners of the subdivision at a minimum.

- (17) All design calculations and details of the stormwater management system, as specified in § 184-911. A numbering system pertaining to all proposed lots within a subdivision unique to each phase of the subdivision should there be more than one (1) phase proposed to be constructed.
- (18) All survey control points for all street descriptions and ties to the same, together with the location of existing and proposed monumentation. Wherever possible, such monumentation shall be referenced by state plane coordinates and datum elevations.
- (19) Proof of title to the tract according to official records maintained in the Allegheny County Recorder's office.
- (20) Certification by a registered professional engineer, registered in the Commonwealth of Pennsylvania that the plans and documents have been prepared in accordance with both sound engineering principles and best management practices.
- (21) A written application for final plan approval on the form titled "request for final approval" as provided by the Borough.
- (22) A reproducible copy of the final plat pertaining to the proposed subdivision. The record plan shall include that location of all permanent storm water management facilities and the party responsible to maintain the storm water management facility, including all permanent drainage ditches and swales.
- (23) A letter from the Allegheny County Conservation District indicating that the Erosion and Sedimentation Control Plan for the proposed subdivision has been deemed adequate by said agency.
- (24) Financial security to guarantee completion of public improvements in the plan posted in accordance with the requirements of Section 509 of the Pennsylvania Municipalities Planning Code.
- (25) The location, width, type area and depth of all American with Disabilities (ADA) approved ramps.
- (26) Identify and permanently protect wetlands
- (27) A letter or appropriate permit from the Pennsylvania Department of Environmental Protection for impacts to wetlands and streams

§ 184-503. Preliminary Plan Requirements for Land Developments

- A. Preliminary plan requirements for land developments. Preliminary land development plans shall be submitted at a scale of not less than one (1) inch equals fifty (50) feet on a maximum sheet size of forty-two-and-twenty-two-hundredths (42.22) inches by thirty -and-thirty-four-hundredths (30.34) inches. Preliminary land development plans shall show the following information:
 - (1) The name of the proposed development; North arrow; scale, name and address of the landowner; name and address of the applicant, if not the landowner; and name, address, license number and seal of the person preparing the land development plan.
 - (2) Dates of preparation and revisions.
 - (3) A location map showing the tract in relationship to surrounding properties, streets and streams within one thousand (1,000) feet of the land development.
 - (4) Tract boundaries described by the relative metes and bounds as surveyed by a Pennsylvania registered surveyor, including the name and address of the surveyor and the surveyors seal.
 - (5) The names, as shown on current tax records, of all owners of property within one thousand (1,000) feet of the land development, together with the County Assessor's Office Block and Lot Numbers for the properties.
 - (6) Area of the tract to be developed in square feet and acres, to the nearest thousandth of an acre.

- (7) Existing and proposed contours, at intervals of two (2) feet for slopes of less than ten percent (10%) and at intervals of five (5) feet for slopes of ten percent (10%) or greater, Existing contours are to be indicated by dashed lines and proposed contours are to be indicated by solid lines.
- (8) A slope map, indicating the location and the land area in each of the following slope categories and the percentage of each category proposed to be disturbed:
 - (a) Zero percent (0%) to seven percent (7%) slopes.
 - (b) Eight percent (8%) to fifteen percent (15%) slopes.
 - (c) Sixteen percent (16%) to twenty-four percent (24%) slopes.
 - (d) Twenty-five percent (25%) or greater slopes.
- (9) Natural features, such as topography and watercourses within two hundred (200) feet of the tract boundaries.
- (10) If applicable, flood hazard zone boundaries.
- (11) The proposed use, location, area, height and dimensions of all existing and proposed buildings or structures, if any, including the dimensions of all front, rear and side yards and the first floor elevations of all buildings.
- (12) The number and density of all dwelling units, if residential.
- (13) The zoning classification of the property.
- (14) The layout of all parking areas and a computation of the number of parking spaces required by Chapter 212, Zoning, for all existing and proposed uses and the number of parking spaces to be provided.
- (15) Patterns of pedestrian and vehicular circulation on the site; ingress, egress and circulation into and out of the site.
- (16) Location, size and specifications for private improvements, such as curbs, sidewalks, handicap ramps, driveways, parking areas, landscaping strips or planters, wheelstops and the like.
- (17) Location and specifications for lighting of parking areas, walkways and buildings.
- (18) The location and types of proposed landscaping materials.
- (19) The location, height and dimensions of proposed signs.
- (20) A Transportation Impact Study (TIS) for all land developments which propose a total of seventy-five (75) or more multifamily dwelling units or fifty thousand (50,000) square feet of gross floor area of nonresidential building or buildings, per the standards and requirements contained in Section 184-906 of this Ordinance.
- (21) A preliminary stormwater management narrative, including computations supporting the proposed size and location of stormwater facilities.
- (22) A preliminary erosion and sedimentation control plan showing the location of proposed erosion and sedimentation control facilities.
- (23) Where evidence exists of deep mining, strip mining, landslide-prone soil, proposed embankment (slopes) twenty (20) feet at slope of 2:1 (two (2) foot horizontal to one (1) foot vertical) or other geologic hazards on the site, a geologic report by a qualified registered professional engineer whose credentials are acceptable to the Borough regarding soil and subsurface conditions and the probable measures needed to be considered in the design of the development, the location of structures and the design of foundations, if any.
- (24) If applicable, a notation on the plan that access to a state highway shall only be authorized by a highway occupancy permit issued by the Pennsylvania Department of Transportation (Penn DOT) under Section 420 of the State Highway Law (P.L. 1242, No. 428 of June 1, 1945).
- (25) An Environmental Impact Assessment to be reviewed by the Environmental Advisory Council.

- (26) A plan showing proposed traffic control signage to be reviewed by the Borough Police Department and the Borough Engineer.

§ 184-504. Final Plan Requirements for Land Developments

- A. Final plan requirements for land developments. Final land development plans shall be submitted at a scale of not less than one (1) inch equals fifty (50) feet on a maximum sheet size of forty-two-and-twenty-two-hundredths (42.22) inches by thirty -and-thirty-four-hundredths (30.34) inches. Final land development plans shall show the following information:
- (1) The name of the proposed development; North arrow; scale; name and address of the landowner; name and address of the applicant, if not the landowner; name, address, license number and seal of the person preparing the land development plan.
 - (2) Dates of preparation and revisions.
 - (3) A location map showing the tract in relationship to surrounding properties, streets and streams within one thousand (1,000) feet of the land development.
 - (4) Tract boundaries described by the relative metes and bounds as surveyed by a Pennsylvania registered surveyor, including the name and address of the surveyor and the surveyor's seal.
 - (5) The names, as shown on current tax records, of all owners of property within one thousand (1,000) feet of the land development, together with the County Assessor's Office Block and Lot Numbers for the properties.
 - (6) Area of the tract to be developed in square feet and acres, to the nearest thousandth of an acre.
 - (7) The final location of all buildings and the dimensions of all yards, indicating compliance with all applicable requirements of Chapter 212, Zoning.
 - (8) A final grading plan prepared in conformance with the Franklin Park Borough Grading Ordinance (# to be filled in)
 - (9) A final erosion and sedimentation control plan prepared in accordance with the requirements of § 184-911 of this chapter.
 - (10) A final stormwater management plan prepared in accordance with § 184-911 of this chapter.
 - (11) A final landscaping plan showing the location, type and size of all plant materials and compliance with all applicable buffer area requirements of this chapter, Chapter 212, Zoning, and the parking area landscaping requirements of § 184-907A of this chapter.
 - (12) Final design drawings for all proposed buildings, including floor plans.
 - (13) The final design of all parking and loading areas showing compliance with all requirements of §184-907 of this chapter.
 - (14) If applicable, evidence of approval of the necessary Penn DOT Highway Occupancy Permit required for driveway access to a state highway.

ARTICLE 600. Conservation Subdivision Design

§ 184-601. General Regulations.

- A. Applicability of Regulations. All applications for Conservation Subdivisions, shall comply with all other provisions of this Ordinance and the provisions of Article 1700 of the Borough Zoning Ordinance, unless otherwise specified by this Article.

§ 184-602. Application Submission Requirements

- A. Applicability of Subdivision and Land Development Ordinance. The applicant shall follow all requirements for application and approval for a preliminary and final subdivision as stated in Article 500 of this Ordinance, in addition to the requirements stated in this Article.
- B. Plan and Map Requirements. The following plans and maps shall bear the name, signature, address, and telephone number of the engineer, land surveyor, or landscape architect responsible for preparing the plan or map.
- C. Existing Resources and Site Analysis Map. For all subdivisions, the developer shall prepare an Existing Resources and Site Analysis Map to provide a comprehensive analysis of existing conditions both on the proposed development site and within five hundred (500) feet of the site. Conditions beyond the parcel boundaries may be described on the basis of existing published data available from governmental agencies and from aerial photographs. The Borough shall review the Map to assess its accuracy, conformance with municipal ordinances, and likely impact upon the natural and cultural resources on the property. Such maps shall generally be prepared at the scale of one (1) inch equals one hundred (100) feet or one (1) inch equals two hundred (200) feet, whichever would fit best on a single standard size sheet (24.22 inches x 36.34 inches). The following information shall be included on this Map:
 - (1) Topography, the contour lines of which shall generally be at two (2) foot intervals, determined by photogrammetry (although ten (10) foot intervals are permissible beyond the parcel boundaries, interpolated from USGS published maps). Slopes between fifteen percent (15%) and twenty-five percent (25%) and those exceeding twenty-five percent (25%) shall be clearly indicated.
 - (2) The location and delineation of ponds, streams, ditches, drains, and natural drainage swales, as well as the one hundred (100)-year flood plains and wetland,.
 - (3) Vegetative cover conditions on the property according to general cover type, including cultivated land, permanent grassland, meadow, pasture, hedgerow, woodland and wetland, trees with a caliper in excess of fifteen (15) inches, the actual canopy line of existing trees and woodlands. Additional areas of wetlands on the proposed development parcel shall also be indicated, as evident from testing, visual inspection, or from the presence of wetland vegetation.
 - (4) Soil series, types and phases, as mapped by the U.S. Department of Agriculture, Natural Resources Conservation Service in the published soil survey for the county, and accompanying data published for each soil relating to its suitability for construction (and, in unsewered areas, for septic suitability).
 - (5) Ridge lines and watershed boundaries shall be identified.
 - (6) A viewshed analysis showing the location and extent of views into the property from public roads and from public parks, public forests, and state game lands.
 - (7) Geologic formations on the proposed development parcel, including rock outcroppings, cliffs, and areas of slide-prone soils, such as Pennsylvania Redbeds, based on available published information or more detailed data obtained by the applicant.

- (8) All existing man-made features including but not limited to streets, driveways, farm roads, woods roads, buildings, foundations, walls, wells, drainage fields, dumps, utilities, fire hydrants, and storm and sanitary sewers.
 - (9) Locations of all historically significant sites or structures on the tract, including but not limited to cellarholes, stone walls, earthworks, and graves.
 - (10) Locations of trails that have been in public use (pedestrian, equestrian, bicycle, etc.).
 - (11) All easements and other encumbrances of property which are or have been filed of record with the Recorder of Deeds of Allegheny County shall be shown on the plan.
 - (12) Total acreage of the tract, the Adjusted Tract Area and the constrained land area with detailed supporting calculations from formulas included in Article 1700 of the Borough Zoning Ordinance.
- D. Four-Step Design Process for Conservation subdivisions The application for preliminary approval for a conservation subdivision shall include documentation of a four-step design process, as described below, in determining the layout of proposed greenway lands, house sites, and streets and lot lines.
- (1) Step 1: Delineation of Greenway ;Lands
 - (a) The minimum percentage and acreage of required greenway lands as determined by Article 1700 of the Zoning Ordinance lands shall be calculated by the applicant and submitted as part of the Preliminary Plan in accordance with the provisions of this ordinance.
 - (b) Greenway lands shall include all primary conservation areas and those secondary conservation areas with the highest resource significance.
 - (c) The Borough's Natural Resource Composite Map in the Comprehensive Plan shall also be referenced and considered. The applicant shall prioritize natural and cultural resources on the tract in terms of their highest to least suitability for inclusion in the proposed open space, in consultation with the planning commission and the Environmental Advisory Council.
 - (d) On the basis of those priorities and practical considerations given to the tract's configuration, its context in relation to resource areas on adjoining and neighboring properties, and the applicant's subdivision objectives, secondary conservation areas shall be delineated to meet at least the minimum area percentage requirements for greenway lands and in a manner clearly indicating their boundaries as well as the types of resources included within them.
 - (2) Step 2: Alignment of streets and trails
 - (a) A street plan shall be designed to provide vehicular access to each house, complying with the standards within this Article and bearing a logical relationship to topographic conditions. Impacts of the street plan on proposed greenway lands shall be minimized, particularly with respect to crossing environmentally sensitive areas such as wetlands and traversing slopes exceeding fifteen percent (15%). Street connections shall generally be encouraged to minimize the number of new cul-de-sacs to be maintained by the Borough and to facilitate access to and from homes in different parts of the tract (and adjoining parcels).
 - (3) Step 3: Location of House Sites
 - (a) Potential house sites shall be tentatively located along the proposed streets House sites should generally be located not closer than one hundred (100) feet from primary conservation areas and fifty (50) feet from secondary conservation areas taking into consideration the potential negative impacts of residential development on such areas as well as the potential positive benefits of such locations to provide attractive views and visual settings for residences.

- (4) Step 4: Drawing in the Lot Lines
 - (a) Upon completion of the preceding three (3) steps, lot lines shall be drawn as required to delineate the boundaries of individual residential lots.
- E. Preliminary Improvements Plan
 - (1) This plan shall include the following items:
 - (a) Existing and approximate proposed lot lines, lot areas, any existing easements and rights-of-way.
 - (b) The boundaries of greenway lands shall be indicated.
 - (c) Delineation of the proposed phases and a schedule of deadlines within which applications for final approval of each phase are intended to be filed.
 - (d) Typical street cross-section drawing(s) for all proposed streets shall be shown, including details relating to thickness, crowning, and construction materials.
 - (e) Exact locations of existing utility easements and approximate locations of proposed utility easements.
 - (f) Approximate layout of all proposed sanitary and storm sewers and location of all inlets and culverts and any proposed connections with existing facilities. (These data may be on a separate plan.)
 - (g) Approximate location of proposed shade trees, plus locations of existing vegetation to be retained.
- F. Community Association Document. A Community Association Document, also known as a Homeowner Association Document or a Condominium Association Document, shall be provided for all subdivision and land development applications that propose lands or facilities to be used or owned in common by all the residents of that subdivision or land development and not deeded to the Borough. The elements of the Community Association Document shall include but shall not necessarily be limited to the following:
 - (1) A description of all lands and facilities to be owned by the Community Association. This description shall include a map of the proposal highlighting the precise location of those lands and facilities.
 - (2) Statements setting forth the powers, duties, and responsibilities of the Community Association, including the services to be provided.
 - (3) A Declaration of Covenants, Conditions, and Restrictions, giving perpetual easement to the lands and facilities owned by the Community Association. The Declaration shall be a legal document that also provides for automatic Association membership for all owners in the subdivision or land development and shall describe the mechanism by which owners participate in the Association, including voting, elections, and meetings. Furthermore, it shall give power to the Association to own and maintain the common property and to make and enforce rules.
 - (4) Statements prescribing the process by which Community Association decisions are reached and setting forth the authority to act.
 - (5) Statements requiring each owner within the subdivision or land development to become a member of the Community Association. Statements setting cross covenants or contractual terms binding each owner to all other owners for mutual benefit and enforcement.
 - (6) Requirements for all owners to provide a pro rata share of the cost of the operations of the Community Association.
 - (7) A process of collection and enforcement to obtain funds from owners who fail to comply.
 - (8) A process for transition of control of the Community Association from the developer to the unit owners.
 - (9) Statements describing how the lands and facilities of the Community Association will be insured, including limit of liability.

G. Greenway Ownership and Management Plan

- (1) Using the Conceptual Preliminary Plan as a base map, the boundaries, acreage, and proposed ownership of all proposed Greenway areas shall be shown. In addition, the applicant shall also submit a Greenway Ownership and Management Plan detailing the entities responsible for maintaining various elements of the property and describing management objectives and techniques for each part of the property.

§ 184-603. Provisions for Street Cross Sections and Street Standards.

- A. The following street cross-section requirements shall apply for plans developed as a Conservation Subdivision in lieu of the standards specified in 184-905 of this Chapter.
 - (1) Cluster Option: Two (2) ten-and-one-half (10.5) foot travel lanes and eighteen (18) inch curbs; Two (2) eight (8) foot planting strips for street trees, street lights and utility easements, Two (2) five (5) foot concrete sidewalks.
 - (2) Country Lot Option: Two (2) ten-and-one-half (10.5) feet travel lanes; Two (2) eight (8) foot planting strips for street trees, street lights and utility easements. Balance of right-of-way shall be for pedestrian trails and/or additional utility easements.
- B. A circular planter islands with curbs is required with a radius of no more than (15) feet, in the center of a cul-de-sac, subject to private maintenance responsibilities as specified on the Plan.
- C. All other provisions of this Ordinance shall apply to the construction of streets within a Conservation Subdivision.

§ 184-605. Applicability of Public Dedication of Land and Fee-in-Lieu Requirements to Conservation Subdivisions

- A. The public dedication of land requirements under 184-904 of the Subdivision and Land Development Ordinance shall apply to all Conservation Subdivisions; provided, however, that the amount of land to be dedicated as recreational use area or open space/green area shall be credited by the Borough toward meeting the minimum Greenway Land requirement of this Article.

The applicant may request and the Board of Supervisors may grant that the public dedication of land requirement be satisfied by payment of a fee in accordance with the terms of Section 184-904 of this Ordinance. In such case, the applicant shall pay the fee and deduct the amount of land that otherwise would have been dedicated from the Greenway Land to be set aside. In no case shall such deduction exceed twenty percent (20%) of the minimum Greenway Land.

ARTICLE 700. Performance Guarantee, Financial Security and Acceptance of Public Improvements

- A. No plan shall be recorded or permits issued until as a condition for the approval of a final plat, the developer shall provide, for deposit with the Borough, a performance guarantee in the form of a financial security. The amount of the financial security shall be sufficient to cover the costs of public improvements and common amenities including, but not limited to roads, storm water detention and/or retention basins, and other related drainage facilities, recreational facilities, open space improvements, landscaping, and buffers or screen plantings which may be required, by this ordinance and/or as shown on the final plat.
- B. The amount of financial security to be posted for the completion of the public 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. The amount of the financial security shall be based on a cost estimate submitted by the developer or be prepared by the Borough engineer at the developer's request. The cost estimate shall be certified as being "a fair and reasonable estimate" of the cost of the public improvements.
- C. The financial security shall provide for, and secure to the public the completion of any public improvements as required in the final approval within twenty-four (24) months of the approval, or within another time period, mutually agreed upon by the developer and the Borough. In those circumstances separate bonds shall provide for those public improvements with a longer time period. The amount of the financial security may be adjusted annually in accordance with Section 509 (f) of the Municipalities Planning Code (MPC).
- D. Federal or Commonwealth of Pennsylvania chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions shall be deemed acceptable forms of financial security. Such financial security shall be posted with a bonding company or a federal or Commonwealth of Pennsylvania chartered lending institution chosen by the party posing the financial security, provided said bonding company or lending institution is authorized to conduct business within the Commonwealth of Pennsylvania.
- E. The Borough shall furnish the applicant with a signed copy of a resolution indicating approval of the applicant's final plan contingent upon the obtaining of a satisfactory financial security. The final plat shall not be signed by the Borough Council until a satisfactory financial security is presented.
- F. The developer shall also pay the required inspection fee, per Article 1100 of this Ordinance, prior to the release of the plan for recordation.
- G. Acceptance of Public improvements.
 - (1) Prior to the acceptance of the public improvements, the following shall be submitted to the Borough:
 - a. Written report certified by the Borough Engineer that all required public improvements are completed according to specifications.
 - b. Maintenance guarantee submitted by the developer, for public improvements in the amount of fifteen percent (15%) of the actual cost of the installation of the public improvements for a period of eighteen (18) months from the date of acceptance.
 - c. Additional performance guarantee for any remaining sidewalks.

ARTICLE 800. Developers Agreement and Recording of Plans

§ 184-801. Developers Agreement

The Borough Council shall require that the developer to execute a developers agreement with the Borough prepared by the Borough Solicitor at the expense of the Developer. Such developer's agreement shall contain provisions that are reasonably required to guarantee compliance with the conditions of approval, if any, and to guarantee the proper installation of on-site and off-site improvements related to the subdivision or land development in a reasonable time period established by the Borough. Said developers agreement shall be executed; the required performance guarantee shall be posted; and all required fees shall be paid before the Borough approves and signs the final plat for recording purposes. No plan shall be signed for recording until certified copies of all permits and approvals required by applicable Federal, State, County and Borough Codes and Regulations are received by the Borough and the financial security for completing public improvements is received by the Borough.

§ 184-802. Recoding of Plans

- A. Granting of Preliminary Approval by the Borough Council shall not entitle the applicant to record such plan at the Recorder of Deeds Office.
- B. The final plan, as approved and signed by the President of the Borough Council and the Borough Secretary shall be recorded in the Office of the Recorder of Deeds of Allegheny County., within ninety (90) days of the decision by the Borough Council, except in the event that the plan is approved with a condition requiring a developers agreement and the posting of financial security, the ninety (90) day period shall commence upon the execution of that developers agreement, with the date of execution of that agreement placed in the plan as the date of final approval. The developer's agreement and the posting of financial security shall occur within six (6) months of the decision on the plan by the Borough Council of, unless an extension is granted by the Borough Council, in writing. Upon review of the financial security by the Borough, Council shall consider approval of the plan for recordation, the acceptance of financial security, and execution of the developer's agreement at its next regularly scheduled meeting. In the event that the developer's agreement is not executed by all parties within this period, or an extension is granted, the final plan approval shall be considered null and void. The Recorder of Deeds shall not accept any plat for recording unless such plat officially notes the approval of Borough Council, and review by the County.

ARTICLE 900. Design Standards

§ 184-901. Application of standards.

- A. The following standards, land development principles and requirements shall be applied by the Borough Council in evaluating all submitted plans for proposed subdivisions and land developments
- B. The standards and requirements outlined in this article shall be considered minimum standards and requirements for the promotion of the public health, safety, morals and general welfare.
- C. Whenever federal, state or other local regulations impose more restrictive standards and requirements than those outlined in this article, such other regulations shall control.
- D. Items not specifically addressed in this Ordinance shall be governed by the current specifications and standards of the Pennsylvania Department of Transportation.

References to related design standards can be found in Chapter 212, Zoning.

§ 184-902. Zoning guidelines; general requirements.

Related zoning guidelines and subdivision standards shall in all cases be enforced. If a zoning guideline and subdivision standard should conflict, then in all instances the zoning guideline shall govern. In addition, the following principles of subdivision and land development, general requirements and minimum standards of design shall be observed by the applicant in all instances:

- A. All portions of a tract being subdivided shall be taken up in lots, streets, public lands or other proposed uses so that remnants and landlocked areas shall not be created.
- B. When only a portion of a tract is being reviewed, but where future subdivision or development is possible, the applicant shall demonstrate that the remainder of the tract or parcel may be subdivided or developed in conformance with existing zoning provisions and this chapter by submitting a sketch as a condition of plan approval.
- C. Whenever possible, the applicant shall preserve trees, groves, waterways, scenic points, historic sites, buildings and other community assets and landmarks, according to the provisions contained in this Chapter.
- D. Subdivision and land developments shall be laid out so as to avoid the necessity for excessive cut or fill, and in conformance with the Franklin Park Borough Grading Ordinance __ to be filled in_____.
- E. No building or structure shall be constructed on low-lying land which is identified as flood-prone by NFIA or is subject to annual flooding or upon land which is naturally poorly drained unless remedial measures are implemented. The provisions of 212-1503 Floodplains shall apply in this instance.
- F. Where no public water supply is available to serve the subdivision or land development, the Borough Council shall, prior to final approval, require the subdivider, developer or builder to obtain from the Pennsylvania Department of Environmental Protection (DEP) certificates of approval as to the quality and adequacy of the water supply proposed and approval of the type and construction methods to be employed in the installation of the individual water supply system, in accordance with current commonwealth regulations.
- G. Where the subdivision or land development is inaccessible to sanitary sewers, the Borough Council shall, prior to final approval, require the subdivider, developer or builder to obtain certificates of approval for the sewage facilities to be provided in accordance with current county and commonwealth regulations. If the proposal is for a package treatment system, the

Borough Council shall require the applicant to obtain certificates of approval from the Pennsylvania DEP and Public Utilities Commission.

- H. Proposed subdivision and land developments shall be coordinated with the existing nearby neighborhood, whether or not within the Borough, so that the community as a whole may develop harmoniously through the continuation of streets, provision of landscape buffers, pedestrian access and other techniques.
- I. Permanent monuments.
 - (1) Permanent monuments shall be set accurately and established at:
 - (a) Intersections of all outside boundary lines of the plat.
 - (b) Intersections of those boundary lines with all street lines.
 - (c) Diagonally opposite corners of each street intersection.
 - (d) The beginnings and ends of all curves.
 - (e) Points on curves where the radius or direction changes.
 - (f) Other points as are necessary to establish all lines of the plan definitely, except those outlining individual lots.
 - (2) In general, permanent monuments shall be placed at all critical points necessary to lay out correctly any lot in the subdivision.
 - (3) Concrete monuments, cast in place or precast, shall be at least thirty (30) inches long, have a flat top, be round or square, be at least six (6) inches in diameter and be tapered such that the bottom dimensions are at least two (2) inches larger than the top. The actual point may be a three-eighths- (3/8) inch diameter brass pin four (4) inches long, a cross cut, a tack in lead or a solid brass or aluminum mark with a minimum head diameter of one-and-three-eighths (1 3/8) inches with a ribbed shank at least two (2) inches long. Monuments made of steel reinforcing rods shall be at least three-fourths (3/4) inch in diameter. Copper-weld monument rods shall have a minimum head diameter of one-and one-half (1 1/2) inches with a minimum shank dimension of five-eighths (5/8) inch. Aluminum monuments shall be two-and-three-eighths (2 3/8) -inch diameter pipe or three-fourths-(3/4) inch diameter rods as manufactured by Bernsten, or an approved equivalent.

§ 184-903. Community facilities.

- A. The subdivider, developer or builder shall, where specified by the Borough Council, construct and install at no expense to the Borough the streets, curbs, sidewalks, water mains, sanitary and storm sewers, streetlights, signs and shade trees, fire hydrants, monuments, lot pins, surface water detention areas, ground cover, utilities and other items specified in this chapter. The construction and installation of such facilities and utilities shall be subject to inspection by appropriate Borough officials during the progress of the work.
- B. Areas provided or reserved for community facilities shall be adequate to provide for building sites, landscaping, off-street parking or other uses as appropriate to the use proposed. The Borough Council reserves the right to accept or refuse offers of dedication for public use.
- C. Applicants are requested to give careful consideration to the desirability of providing adequate rights-of-way and paving on existing streets and reserving areas and easements for facilities normally required in residential areas, including private recreation and sanitary sewer facilities in those areas that cannot be immediately joined to the existing stormwater, water and sanitary sewer systems of the Borough.
- D. In developments where it is impractical to reserve areas for community facilities, the applicant should consider other ways of improving community facilities within the Borough and should submit such plans, in writing, to the Borough Council.
- E. Land proposed to be reserved for public recreation and open space shall meet the standards of § 184-904 below.

§ 184-904. Dedication of open space; fees in lieu thereof.

The following provisions shall apply to all major developments as defined by Article 300 of this chapter which propose dwelling units:

A. Mandatory dedication of open space.

- (1) In no event shall the total area of open space to be dedicated to the Borough be less than five (5) contiguous acres. If the land proposed to be dedicated is in a sparsely developed area of the Borough and there is future potential to consolidate the dedicated land with a future dedication on adjoining property, Borough Council may waive this minimum acreage requirement.
- (2) An area of open space equal to at least one thousand (1,000) square feet per lot or dwelling unit shall be dedicated to the Borough for recreational purposes.
- (3) An area equal to at least four hundred (400) square feet per lot or dwelling unit shall be developed for active recreation open space. All such land proposed for active recreation open space shall be suitable to the use intended.
- (4) The type of facilities proposed shall be subject to approval by Borough Council, upon recommendation of the Borough Recreation Board and the Borough Planning Commission. In determining the appropriateness of the facilities, Borough Council shall consider the safety of the general public and future liability and maintenance costs to the Borough.
- (5) The developer shall install facilities on the land dedicated to the Borough which are appropriate to the needs of the residents of the proposed subdivision or land development.
- (6) All land proposed for active recreation use shall be seeded and ready to be used for the purpose intended within twelve (12) months of occupancy of the first dwelling unit in the subdivision or residential land development.
- (7) All development of active recreation open space shall be subject to the requirements of Section 509 of the Pennsylvania Municipalities Planning Code for posting financial security to guarantee the completion of required public improvements.
- (8) Borough Council, in its sole discretion, shall determine whether dedication and development of public land within the proposed subdivision or land development or contribution of fees in lieu of dedication are more appropriate in a given case, based on the goals of the Borough's Open Space and Recreation Plan.
- (9) The Borough shall have the right to make annual inspection of any private recreational facilities and common open space and may institute the procedures for maintenance of such facilities authorized by Subsection 705(f) of the Pennsylvania Municipalities Planning Code, as now or hereafter amended.
- (10) The applicant or developer shall offer the dedication to the public of the required open space for recreation subject to approval by Borough Council and the execution of legal agreements between the applicant or developer and Borough Council for construction of recreational facilities on said land by the applicant or developer. Dedication and construction of public facilities shall be subject to posting of the performance and maintenance bonds required for public improvements to be accepted by the Borough.
- (11) The applicant or developer shall prepare a legal description with metes and bounds of the land being offered for dedication, which dedication the Borough may accept by vote of the Borough Council.
- (12) The plat for recording shall set forth the location of any open space, park or recreational land and shall reflect either the dedication and acceptance by the Borough or the method by which the perpetual administration and maintenance of the land and facilities is to be accomplished.

B. Criteria for land to be dedicated to the Borough.

- (1) The recreational area provided shall be easily and safely accessible from all areas of the development to be served, shall have good ingress and egress and shall have a minimum of one hundred (100) feet of frontage on a public road. Land set aside for active recreational facilities shall be located within two thousand (2,000) feet of all residents of the proposed development with no major physical impediments or barriers to cross.
- (2) The recreational area provided shall have suitable topography and soil conditions for use as a recreation area. At least one-half (1/2) of any land proposed as open space shall be above the one-hundred (100) year-flood elevation. No more than twenty-five percent (25%) of the area to be dedicated shall be comprised of wetlands.
- (3) At least one-half (1/2) of the area to be dedicated shall have slopes less than twenty-five percent (25%) which are suitable for active and passive recreation. Slopes greater than twenty-five percent (25%) shall be accepted for passive recreation only.
- (4) The size, shape and location of the recreational area provided shall be suitable for development as a park or parklet. No single side of a property with a rectangular configuration shall amount to more than forty percent (40%) of the perimeter of the entire tract provided for recreational purposes.
- (5) The area shall be easily accessible to essential utilities including power, water, sewerage and telephone. If any of these facilities are placed underground, no part of them or their supportive equipment shall protrude above ground level, except as may be authorized by Borough Council after a determination that there will be no adverse impact on the health, safety or welfare of the general public.
- (6) The finished grade of the recreational area provided shall have a slope of three percent (3%) or less.

C. Fees in lieu of mandatory dedication.

- (1) Where the applicant or developer elects not to offer to dedicate open space for recreation purposes or Borough Council determines, after review, that as a result of size, shape, location, topography or other physical features of the open space offered for dedication, that the setting aside of land for open space, park and recreation use as required by this section is impractical, not feasible or inconsistent with the goals of the Borough open space and recreation plan, the applicant or developer may elect or shall be required to pay a fee in lieu of dedication, in order to finance the provision by the Borough of open space and recreational facilities for use by future residents of the subdivision or land development.
- (2) As authorized by Section 503, Subsection (11) of the Pennsylvania Municipalities Planning Code and the Borough's Recreation and Open Space Plan, a fee in lieu of dedication of open space for recreation is hereby established in the amount of eight hundred dollars (\$800) per lot or dwelling and payable at the time of issuance of the building permit for the lot.
- (3) The fee authorized by this section, upon receipt by the Borough shall be deposited in the Borough's Recreation Capital Reserve Fund under an interest bearing account. All fees collected shall be clearly identified as to the plan from which they were collected and the specific recreational purpose accessible to the future residents of the plan for which they are intended to be expended. Interest earned on such accounts shall become funds of that account. Funds from such accounts shall be expended only in properly allocable portions of the cost incurred to construct the specific recreational facilities for which the funds were collected. The Borough Manager shall maintain such financial records for the Recreation Capital Reserve Fund to show the source and disbursement of all revenues and ensure that moneys are expended in accordance with the requirements of Section 503(11) of the Pennsylvania Municipalities Planning Code (Act 247, as amended by Act 170 of 1988).

- (4) The fees in lieu of the provision of open space for recreation shall be used, unless the person paying such fee shall agree otherwise, only for the purpose of providing park and recreational facilities accessible to the subdivision or land development for which such fees are paid.

§ 184-905. Streets.

- A. General requirements. All streets shall comply with the standards specified in Subsection D below. All new and widened portions of existing rights-of-way intended for public use shall be dedicated to the Borough. County roads shall first be offered to the county. An offer of dedication shall be placed on the recorded plan for commonwealth roads, subject to final acceptance based on compliance with the following requirements:
 - (1) The proposed street pattern shall be related to existing streets and to such county and commonwealth road plans as have been duly adopted.
 - (2) Streets shall be arranged in a manner to meet with the approval of the Borough Council, considered in relation to both existing and planned streets, and located so as to allow proper development of surrounding properties. Secondary and through streets shall be connected with such existing streets and highways to form continuations thereof. Residential streets shall be laid out to discourage their use as secondary or through highways. All curb breaks shall be reported to the appropriate Borough official of the district within which they occur.
 - (3) Streets shall be adjusted to the contour of the land so as to produce usable lots and streets of reasonable grade, alignment and drainage.
 - (4) Streets shall be graded to the minimum conditions shown on the sections of Appendix ==. Provisions made for slopes beyond the ultimate right-of-way shall be in conformance with Borough standards as specified in this chapter.
 - (5) Access shall be given to all lots and portions of the tract in the subdivision and to adjacent unsubdivided territory by streets. Streets giving such access shall be improved to the limits of the subdivision. Remnants, reserve strips and landlocked areas shall not be created.
 - (6) New streets shall be laid out to continue existing streets at the existing right-of-way and cartway width or the minimum standards of the chapter, whichever is greatest.
 - (7) Dead-end streets are prohibited, unless designed as a cul-de-sac or designed as a stub street with a temporary turnaround for access exclusively to neighboring tracts, with no more than two (2) lots taking access thereto.
 - (8) Continuations of existing streets shall be known by the same name. Names for new streets shall not duplicate or closely resemble names of existing streets in the Borough or zip code area serving the Borough. All street names shall be approved by the Borough Council and coordinated by the developer with the post office.
 - (9) Names for new streets are subject to the following restrictions
 - (a) A private street must be named as a "Lane."
 - (b) A Borough cul-de-sac or stub street must be named as a "Court."
 - (c) All other Borough streets must be named as a "Drive."
 - (10) No building, structure, fence, wall or other obstruction shall be located within the ultimate right-of-way of a street, except as allowed by the Borough Council.
 - (11) The dedication of half streets at the edges of a new subdivision is prohibited. If circumstances render this impracticable, adequate provisions for concurrent dedication of the remaining half of the street must be furnished by the subdivider, developer or builder. When there exists a half street in an adjoining subdivision, the remaining half shall be provided by the proposed development if, in the opinion of the Borough Council, the need is valid.

- (12) Where permitted by the Borough Council, private streets shall comply with the same design standards for public streets as prescribed in this chapter. Where a street not offered for dedication to public use is permitted, the Borough Council shall require the applicant to submit and record with the plan a copy of the agreement made with the Borough on his behalf and that of his heirs and assigns. The agreement must be signed by the Borough Solicitor as well as the Borough Council and must establish conditions under which a street may be later offered for dedication. The agreement shall stipulate that:
- (a) The street shall conform to Borough standards as prescribed by this chapter, or the owners shall include with the offer of dedication sufficient money, as estimated by the Borough Engineer, to restore the street to comply with Borough standards. The applicant may propose a reduction of Borough standards for private streets serving three (3) lots or less, subject to the review and recommendation of the Borough Engineer.
 - (b) The offer to dedicate the street shall be made only for the street as a whole.
- B. Street classifications. The street classifications listed in Subsection B (1) through (3) are to be used for all planned subdivisions. Existing streets have been classified as arterials, collectors or minors. (See § 212-200 of Chapter 212, Zoning, for the specific definition of each classification.) New streets shall be classified according to their function as follows:
- (1) Arterial Street: a major street serving as a principal or heavy traffic street of considerable continuity and used primarily as a traffic artery for intercommunications between large areas. This definition specifically includes Ingomar Heights Road, Rochester Road, Brandt School Road, Reis Run Road, Nicholson Road and Bayne-Wexford Road.
 - (2) Collector street: a street which carries traffic from minor streets to arterial or major streets, including the principal entrance streets of a development and the streets for circulation within such a development. This definition specifically includes McDevitt Road, Magee Road Extension, West Ingomar Road, Locust Road, Cole Road, Wexford Run Road, McAleer Road and Pine Creek Road.
 - (3) Minor street: a street predominantly serving as an access street to a particular lot or serving another minor function as subclassified below:
 - (a) Residential streets. Residential streets shall be those streets which are used to provide access to properties, connect with other residential streets and/or streets of a higher classification.
 - (b) Marginal access streets. Marginal access streets are streets which are parallel and adjacent to an arterial street and which provide access to abutting properties and separation from through traffic. They serve to reduce the number of access points which intersect the larger road, thereby increasing the efficiency and safety of traffic flow along the major road while providing access to abutting development.
 - i. The Borough Council reserves the right to require marginal access streets along any street where local vehicular access to individual lots would create congestion and/or hazards to traffic flow and safety by reason of street grades, land forms, vegetation, frequency of driveway intersections, limited sight distances, heavy traffic volumes and/or high-speed traffic flows.
 - ii. The location of a marginal access street shall be essentially parallel and adjacent to the street along whose margin it is located.
 - iii. The right-of-way for this type of street shall abut and be measured from the ultimate right-of-way of the parallel street.
 - iv. When forming a necessary leg of another classification of street, a street shall be governed by the regulations of the higher street classification.
 - v. A landscaped barrier island, at least twenty (20) feet wide, shall physically separate the cartways of the marginal access street and the parallel street.

- vi. Sidewalks, when required, shall be located on the outermost portion of the marginal access street right-of-way, abutting the building lots.
- vii. Marginal access streets shall be constructed to the standards of minor streets, except as noted in § 184-905(C)(3)(a)
- (c) Other streets. This classification includes the following types of streets:
 - i. Private streets: see Subsection C(1) below.
 - ii. Single-access streets: see Subsection C(2) below.
 - iii. Cul-de-sac streets: see Subsection C(2)(a) through (c) below.
 - iv. Loop Street: A street similar to a single-access street, but with two (2) access points from the same street.
 - v. Alleys: see Subsection C(3) below.
- (4) Where the classification of a new street is in question, the classification shall be determined on the basis of traffic load, using a factor of ten (10) trips per day per lot served. Based on this factor, average daily traffic (ADT) of three thousand (3,000) or more shall classify a street as arterial, ADT from eight hundred (800) to three thousand (3,000) shall classify a street as collector and ADT of less than eight hundred (800) shall classify a street as minor.
- C. Other streets. Other streets are subclassifications of minor streets. Because of their uniqueness and abundance, they are discussed in greater detail in this subsection.
 - (1) Private streets may be permitted to serve the function of collector and minor streets, when approved by the Borough Council upon recommendation of the Planning Commission. Private streets are generally intended to be used as permanent cul-de-sac streets rather than as through streets connecting two (2) public streets. Private streets shall comply with the following:
 - (a) Private streets shall be constructed with a right-of-way of fifty (50) feet when serving one (1) or two (2) dwelling units. When serving more than two (2) dwelling units, private streets shall be constructed to the same standards and shall be subject to the same restrictions as public streets.
 - (b) The Borough shall have no maintenance obligation for approved private streets. The maintenance of such private streets shall be the full and sole responsibility of the owner, association or the legally binding organization of landowners with access rights, subject to the criteria below:
 - i. An association or other legally binding organization of landowners with access rights on the private street shall be formed and administered for the purpose of maintenance of the private street.
 - ii. All property owners in such an association shall have an equal share in the rights and bear an equal share of the costs of maintaining the private streets.
 - iii. Documents governing such association shall be filed with the Borough Council upon the recommendation of the Borough solicitor, who shall have authority for the approval of such association.
 - iv. All properties depending on a private street for access shall be guaranteed an irrevocable right to that access under the terms of a right-of-way, access easement or other legal covenant. Such access right shall be clearly noted on the subdivision and/or land development plans which create a private street, shall be included in deeds for all properties with access rights and shall be recorded in the office of the Recorder of Deeds of Allegheny County.
 - v. Documents governing maintenance associations for private streets shall be recorded with each deed for properties with access rights.
 - vi. Provision shall be made for the private streets for emergency vehicles only as approved and seen necessary by Borough officials.

- (c) Whenever a subdivider proposes to establish a street which is not offered for dedication to public use, the Borough Council may require the subdivider to submit and also to record with the plan a copy of an agreement made with the Borough Council on behalf of his/her heirs, successors and assigns. The agreement shall establish the conditions under which the street may later be offered for dedication and should stipulate but not be limited to the following:
 - i. The street shall conform to municipal specifications, or the owners of the private street shall include sufficient funds with the offer of dedication to restore the street to conformance with municipal specifications. The street will be classified as described in Subsection B above for these purposes.
 - ii. An offer to dedicate the street shall be made only for the street as a whole.
 - iii. Agreement by the owners of fifty-one percent (51%) of the front footage shall be binding on the owners of the remaining lots. Such condition shall be noted in the deeds for these properties.
- (2) Single-access streets. Any street which is served by only one (1) intersection with a through street shall be considered a single-access street, regardless of the street's configuration within the proposed subdivision or land development. Included in this classification of streets are permanent or temporary cul-de-sac streets, multiple cul-de-sac streets and stub streets. Single-access streets shall be subject to the requirements for the appropriate classification of street notwithstanding their single-access status.
 - (a) Permanent cul-de-sac streets:
 - i. Shall be streets with one (1) end open for vehicular access and the other end terminating in a vehicular turnaround.
 - ii. Shall be provided with a vehicular turnaround at the closed end with a right-of-way radius of at least fifty (50) feet and a paving radius of at least forty (40) feet.
 - iii. Shall not exceed five hundred (500) feet in length for nonresidential uses. Measurement of the length shall be made from the right-of-way line of the through street to the most distant point on the right-of-way of the turnaround, measured along the cul-de-sac center line. For residential uses, permanent cul-de-sac streets shall not serve more than twenty (20) dwelling units unless approved by Borough Council as a modification to this chapter. Special conditions justifying the granting of a modification to the length of cul-de-sac requirement may include but need not be limited to extreme topographical restrictions (slopes, floodplain, etc.), oddly shaped tract configurations and lack of alternative outlets because of surrounding developed conditions. In no instance shall Council grant a modification that would allow a cul-de-sac to exceed one thousand (1,000) feet.
 - iv. Shall be constructed to the same standards as minor streets, except as noted in Subsection C(2)(a).
 - v. Shall not approved as part of a four-way intersection or as a continuation of a through road unless special conditions warrant approval of either of the above by the Borough Council.
 - vi. The Borough Council may consider central landscaped islands within cul-de-sacs. In such instances the paved roadway around the island shall not have a pavement width of less than twenty-four (24) feet. This can be increased or decreased in specific cases for the public interest at the discretion of the Council upon review and recommendation of the Borough Engineer.
 - (b) Temporary cul-de-sac streets:
 - i. May be temporarily closed at one (1) end, with the intent to extend the street onto the abutting tract upon its development.

- ii. Shall be built to the tract boundary line at a location and grade that are logical for extension onto the abutting tract but shall not exceed five hundred (500) feet in length for nonresidential uses or twenty (20) dwelling units for residential uses, unless approved by the Borough Council when warranted by special conditions.
 - iii. Shall not be extended as a cul-de-sac street but shall be connected to another through street, unless approved by the Borough Council when warranted by special conditions.
 - iv. Shall form a logical step in the circulation pattern.
 - v. Shall be provided with a vehicular turnaround at the closed end, abutting the tract boundary, with a paving radius of at least forty (40) feet, or hammerhead, as approved by Borough Council. Construction shall meet the same requirements as for a permanent cul-de-sac turnaround. Those portions of the turnaround extending beyond the street right-of-way shall be located on temporary access easements, valid only until the road is extended. Upon the extension of the street, the full rights and responsibilities for the area of the temporary easements shall revert to the owner of the lots on which they were located.
 - vi. The developer responsible for the extension of the street shall also be responsible for the following:
 - a. Removal of all curbing construction of the temporary turnaround beyond the width of the streets paving.
 - b. Installation of new construction to complete the street connection as required.
 - c. Extension of utilities as necessary.
 - d. Repair of any improvements damaged in this process.
 - e. Grading, installation and/or restoration of lawn areas where affected by this removal and construction process.
- (c) Multiple cul-de-sac streets:
- i. Shall be single-access streets which terminate in more than one (1) vehicular turnaround.
 - ii. May be permitted where the length of each individual cul-de-sac is less than five hundred (500) feet for nonresidential uses or twenty (20) dwelling units for residential uses.
 - iii. May be permitted to exceed either or both of the limits of five hundred (500) feet or twenty (20) dwelling units when approved by the Borough Council if warranted by special conditions, such as steep topography or land configuration or when qualified as a temporary cul-de-sac.
 - iv. Shall be served by an appropriately located emergency accessway when required by the Council.
 - v. Shall be constructed to the same requirements as a permanent cul-de-sac.
- (d) Stub streets:
- i. Shall be provided in appropriate locations for vehicular access to abutting undeveloped lands when requested by the Borough Council upon the recommendation of the Planning Commission and Borough Engineer.
 - ii. Shall not be provided with a vehicular turnaround.
 - iii. Shall be constructed to the property line in accordance with the standards of this chapter applicable to the classification of street it will be upon extension.
 - iv. Shall serve no more than two (2) lots when used as a dead-end street. The developer shall pave access to the two (2) lots from a higher road classification according to the standards set forth in this chapter.
 - v. Any new lots created by extending a stub street must front on a fifty-foot right-of-way. The developer shall pave the distance of one (1) minimum lot width for the applicable zoning district and make arrangements to extend the pavement to

additional lots, should a stub street be extended to a higher road classification, as described in this chapter.

(3) Alleys.

- (a) Alleys are not permitted in residential developments, except for instances where they are logical extensions of existing alleys.
- (b) Alleys, where permitted, are bound by the standards set forth in this subsection.
- (c) Alleys shall be provided in commercial and industrial districts, except that the Borough Council may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading and parking consistent with and adequate for the uses proposed.
- (d) The width of alley paving shall not be less than sixteen (16) feet.
- (e) Alley intersections and sharp changes in alignment shall be avoided but, if necessary, corners shall be cut off sufficiently to permit safe vehicular movement.
- (f) Dead-end alleys shall be avoided where possible but, if unavoidable, shall be provided with adequate turnaround facilities at the dead end, as determined by the Borough Council.
- (g) The right-of-way shall be twenty-five (25) feet.
- (h) Alleys do not require curbs, sidewalks and shoulders.

D. Street standards.

- (1) The following table and Subsection D(2) present the minimum standards for all streets defined in Subsection B(1) through (3). These standards shall apply to new streets and the renovation of existing streets controlled by the Borough.

Item	Arterial Collector			Minor	Marginal Access
	Residential	Collector	Residential	Cul-de-sac	
Row (feet)	80	60	50	50	40
Paving Width (feet)	*	36	26	26	24
Curbs and gutters	Yes ¹	Yes ¹	Yes ²	Yes ²	Yes ²
Sidewalks	Yes	Yes ³	Yes ³	Yes ³	Yes ³
Intersection radius (feet)	35	30	25	25	25
Maximum allowable grades (percent)	10	10	12	12	12
Minimum horizontal curve radius (feet)	⁴	500	300	150	150
Minimum length of tangents between horizontal curves (feet)	⁴	150	50	50	50
Minimum vertical curve length per 1% algebraic difference (feet)	⁴	25	20	20	20
Minimum intersection spacing (feet)	600	300	200	200	200
Minimum sight triangles (feet)	125	100	100	75	75
Minimum sight distance (feet)	600	450	300	300	300
Minimum design speed (mph)	60	40	30	30	30
Parallel parking permitted	No	No	Yes	Yes	Yes

NOTES:

*As required by traffic operations, Pennsylvania Department of Transportation or county standards.

¹ Nonmountable.

² Mountable.

³ At the discretion of the Borough Council.

⁴ As required by the American Association of State Highway Officials standards for rural highways.

- (2) Ultimate right-of-way. Ultimate right-of-way widths are either existing, proposed or expanded from existing rights-of-way, depending on the ultimate classification of a street as determined by the Borough Council. The following shall apply to ultimate rights-of-way:
- (a) No fences, walls or other obstruction shall be constructed within a street right-of-way, except retaining walls where necessitated by road widening and constructed by the governmental agency having jurisdiction over the road.
 - (b) The front building setback shall be the distance set forth in the applicable district of Chapter 212, Zoning, measured from the planned (ultimate) street right-of-way line (or street line, as defined in Chapter 212, Zoning).
 - (c) Additional rights-of-way and/or paving widths may be required by the Borough where it is necessary for public safety and convenience to install traffic control facilities or turning lanes and where old roads do not provide the proper width and additional dedication is necessary.
 - (d) The area between the existing right-of-way line and the ultimate right-of-way line shall be dedicated to the authority having jurisdiction over any public streets which abut or pass through any subdivision or land development proposed within the Borough.
 - (e) Ultimate right-of-way widths shall be as defined in Subsection D(1) unless otherwise noted in this chapter.
- (3) Pavement.
- (a) Paving widths shall be as defined in Subsection D(1) unless otherwise noted in this chapter.
 - i. The Borough Council may require paving widths in excess of the standards in Subsection D(1) for special situations, including the following:
 - a. Where necessary for additional lanes for traffic volume, additional street parking, turning movements, public safety and convenience.
 - b. Where old roads do not provide the proper width.
 - ii. Reductions to the paving requirement may be approved by the Borough Council in instances where parking, turning, safety and convenience considerations have been adequately met.
 - (b) Road paving standards. All drawings shall be submitted on sheets stamped by a registered engineer or landscape architect for consideration. Rigid pavements are acceptable substitutes for flexible pavements on minor and collector streets. Such substitute pavement must be approved by the Borough Engineer and Borough Council. All roads using flexible paving shall be constructed as specified in Appendix D and shown on the corresponding sections on pages F-1 and F-2.
 - i. Base course/pavement design. Two (2) pavement designs are specified for Franklin Park Borough streets; one (1) for minor streets and one (1) for collector

- streets. All streets within the Borough shall be constructed to a total subbase-to-wearing-course thickness of thirteen (13) inches.
- a. Minor streets [average daily traffic (ADT) less than eight hundred (800)]. Minor streets shall consist of a ten (10) inch aggregate base, a two (2) inch ID-2 binder course and a one (1) inch ID-2 wearing course. Minor streets shall be constructed as specified in Appendix D and as shown on the drawing on page F-1.
 - b. Collector streets (ADT from eight hundred (800) to three thousand (3,000)). Collector streets shall consist of an eight (8) inch aggregate base, a three (3) inch ID-2 binder course and a two (2) inch ID-2 wearing course. Collector streets shall be constructed as specified in Appendix D and as shown on the drawing on page F-2.
 - ii. Pavement restoration. Pavement restoration following trenching shall be in accordance with the detail on page F-3.
 - iii. Subbase compaction. Prior to installing the road base, the subbase shall be prepared as described in Appendix D.
 - iv. Undercurb/drains. All roads shall be provided with undercurb drains as specified in Appendix. in accordance with the detail shown on pages F-5 and F-7
- (c) All underpavement utilities, including services, shall be installed prior to paving.
- (d) No paving shall be permitted between October 31 and April 1 unless approved by the Borough Engineer or Supervisor of Public Works.
- (4) Curbs, gutters and sidewalks. Sidewalks and curbs shall be installed along all proposed public and private streets, common driveways and common parking areas, except when this requirement is waived at the discretion of the Borough Council upon recommendation of the Borough Planning Commission.
- (a) The Borough Council may waive the sidewalk requirement under one (1) or more of the following conditions:
 - i. Where an alternative pedestrian circulation concept can be shown to be more desirable, especially when using open space areas, provided that appropriate walks are provided between the open space walkways and the pedestrian origins and destinations.
 - ii. Where the rural character, density of the area and/or small size of the proposal preclude the purposeful use of sidewalks.
 - (b) The Borough Council may waive the curb requirement under one (1) or more of the following conditions:
 - i. When an affirmative system of protecting the pavement edge can be shown to be equal or superior to the use of curbs.
 - ii. When topographic conditions and/or low intensity of development does not require their use.
 - (c) Regardless of the size of land development or subdivision proposal, sidewalks and curbs shall be required whenever they fill a gap in an existing network.
 - (d) Sidewalks shall be not less than four (4) feet in width, although the Borough Council may require additional width where higher volumes of pedestrian traffic are anticipated.
 - (e) Sidewalks shall not extend beyond the right-of-way line of public streets or the equivalent right-of-way line of private streets unless located in legal easements guaranteeing adequate pedestrian access.
 - (f) Sidewalks shall be provided in appropriate locations to provide safe and efficient pedestrian access between parking areas and nonresidential buildings.
 - (g) Additional sidewalks shall be required where deemed necessary by the Borough Council to provide access to schools, churches, parks, community facilities and

- commercial centers and to provide necessary pedestrian circulation within land development and/or subdivisions where otherwise required sidewalks would not be sufficient for public safety and convenience.
- (h) Sidewalks shall be designed to facilitate access and use by the handicapped, in accordance with requirements noted in Appendix C(F). on file in the Borough offices.
 - (i) Driveway crossings shall be designed in compliance with Subsection D(13)(d) below.
 - (j) Sidewalks shall be laterally pitched at a slope of not less than three-eighths (3/8) inch per foot to provide for adequate surface drainage towards the street.
 - (k) At corners and pedestrian street-crossing points, sidewalks shall be extended to the curbline with an adequate apron area for anticipated pedestrian traffic.
 - (l) Sidewalks shall not exceed a grade of twelve percent (12%). Steps or a combination of steps and ramps shall be utilized to maintain the maximum grades, where necessary. A nonslip surface texture shall be used.
 - (m) The grades and paving of sidewalks shall be continuous across driveways, except in nonresidential and multifamily residential developments and in certain other cases where heavy traffic volume dictates special treatment.
 - (n) The thickness and type of construction of all sidewalks, curbs and gutters shall be in accordance with the recommendations as follows:
 - i. In general, where commonwealth and county specifications govern, these standards shall be used.
 - ii. Details for all work shall be submitted to the Borough for approval by a licensed engineer or landscape architect.
 - iii. Sidewalks shall be constructed in accordance with the detailed specifications in Appendix C. and as shown on the section on Page F-4
 - iv. Curbs shall be constructed in accordance with the detailed specifications in Appendix B. and shown on the sections on Page F-5 and F-7
 - (o) If, for any reason, an interim waiver of these requirements is made, a sufficient guaranty shall be posted for the eventual installation of these items, subject to approval by the Borough Council, upon the recommendation of the Borough Engineer and Solicitor.
- (5) Pavement and right-of-way radii at intersections.
- (a) Road intersections shall be rounded with tangential arcs at the pavement edge (curbline) and right-of-way lines as listed below. Where two (2) roads of different right-of-way widths intersect, the radii of curvature for the higher classification road shall apply. The pavement edge (or curbline) radius and right-of-way radius shall be concentric.
 - (b) For arterial streets, the right-of-way width at intersections should be as specified by the Pennsylvania Department of Transportation or twenty (20) feet beyond the pavement edge, whichever is greater.
 - (c) For collector and minor streets, the right-of-way width at intersections should extend 10 feet beyond the pavement edge.
 - (d) Pavement radii at intersections shall be as defined in Subsection D(1), unless otherwise noted in this chapter.
- (6) Street grades. All streets shall be graded as shown on the street profile and cross-section plans submitted by a registered engineer or landscape architect and approved as a part of the preliminary plan approval process for subdivision and/or land development. Street grades shall comply with the Franklin Park Grading Ordinance and the following:
- (a) The minimum grade for all streets shall be one percent (1%).
 - (b) Maximum grades for all streets shall be as defined in Subsection D(1) above unless otherwise noted in this chapter.

- (c) Grading shall be as specified in Subsection D(1) above.
 - (d) Street grades shall be measured along the center line.
 - (e) Curve/grade combinations shall follow accepted engineering guidelines for safety and efficiency and in all cases provide for the minimum sight distance. For example, minimum-radius horizontal curves shall not be permitted in combination with maximum grades.
 - (f) At all approaches to intersections, street grades shall not exceed five percent (5%) for a minimum distance of fifty (50) feet.
 - (g) The grade of the outer perimeter of cul-de-sac turnarounds shall not exceed seven percent (7%), measured along the curbline.
 - (h) All street grading shall be checked as built for accuracy under inspection by the Borough Engineer.
 - (i) Arterial and collector streets, where necessary, shall be superelevated, not to exceed six percent (6%), in compliance with accepted engineering standards.
 - (j) Roads shall be crowned three percent (3%) where not superelevated.
- (7) Horizontal curves and tangents.
- (a) Horizontal curves shall be used at all changes of direction in excess of two degrees (2°). Long-radius curves shall be used rather than a series of curves connected by short tangents. Minimum-radius curves at the end of long tangents shall not be approved. Minimum radii are given in Subsection D(1) above.
 - (b) All curves shall be separated and connected by a tangent as stated in Subsection D(1) above.
 - (c) Curve/tangent relationships shall follow accepted engineering guidelines for safety and efficiency.
 - (d) Approaches to intersections shall follow a straight course for a minimum of fifty (50) feet for minor streets. All other streets shall follow a straight course in accordance with accepted engineering standards but shall in no case be less than one hundred (100) feet.
 - (e) Any applicant who encroaches within the legal right-of-way of a commonwealth highway is required to obtain a highway occupancy permit from the Pennsylvania Department of Transportation prior to final approval. In addition to the above, the Borough may require the applicant to obtain an occupancy permit for a highway encroachment which is consistent with the internal access and street plan.
- (8) Vertical curves. Vertical curves shall be used at changes in grade of more than one percent (1%), in compliance with the following requirements:
- (a) Minimum curve lengths shall be as defined in Subsection D(1) above unless otherwise noted in this chapter.
 - (b) The high-point or low-point curve length, grades and stations on a vertical curve shall be clearly identified on plans and profiles submitted by a registered engineer, architect or landscape architect, as appropriate.
 - (c) Vertical curves at intersections shall be increased twenty (20) feet for each one percent (1%) grade change exceeding three percent (3%). Grades across intersections shall not exceed five percent (5%) within twenty-five (25) feet of the center-line intersection, as shown on the section on page F-8 in the Appendix.
- (9) Intersections and sight triangles. All street intersections under the jurisdiction of this chapter shall be subject to the requirements of this subsection.
- (a) No more than two (2) streets shall intersect at the same point.
 - (b) Three-way and four-way intersections. Three-way or T-intersections shall be used instead of four-way intersections unless the four-way intersection can be justified in terms of necessary and desirable through-traffic movements.

- (c) Corrective changes to existing intersections. When existing streets intersect at odd angles or have more than four (4) approaches, the applicant shall make corrective changes to bring the intersection into compliance with this chapter, as required by the Borough Council, which shall first seek the recommendation of the Planning Commission and other technical advisors or agencies, as appropriate. For commonwealth and county highways, corrective changes shall comply with the requirements of the appropriate agency.
 - (d) Angle of intersections. All intersection approaches shall be designed at right angles whenever practicable. There shall be no intersections with an arterial of less than seventy-five degrees (75°), and there shall be no intersections of less than sixty degrees (60°) for all other streets, measured at the center line of intersections.
 - (e) Intersection spacing. Street intersections shall be spaced the minimum distances apart as specified for the street classifications listed in Subsection D(1) above, whether on the same or opposite sides of the street. The minimum distance between intersections shall be measured along the higher-classification intersecting street and shall be measured between the center lines of intersecting streets.
 - (f) Sight triangles.
 - i. Proper sight lines required by Subsection D(1) above shall be maintained at all intersections of streets. Clear sight triangles shall be maintained along all approaches to all intersections and shall be measured along street center lines from their point of intersection. Where streets of differing classifications intersect, the dimension for the higher classification street shall be used.
 - ii. Within the area of clear sight triangles, obstructions to visibility shall not be permitted within the following ranges of height:
 - a. From ground level and a plane ten (10) feet above curb level, as specified in Chapter 212, Zoning.
 - b. Ground cover plants within the clear sight triangle area shall not exceed two (2) feet in height.
 - c. Grading within the clear sight triangle shall not obstruct the line of sight.
 - iii. Exceptions may be made by the Borough Council to allow the location of the following items in the clear sight triangle as long as the sight triangle is maintained:
 - a. Private signposts, provided that the post does not exceed one (1) foot square or in diameter and that the sign itself is above the minimum height limit.
 - b. Shade trees, provided that, as the tree matures, the lower branches will be kept pruned to the minimum height limit and the trunk will not inhibit sight distance.
 - c. Existing shade trees, provided that lower branches are kept pruned to the minimum height limit and that the size, number and arrangement of trees does not impede adequate visibility. The Borough Council may require the removal of one (1) or more trees if necessary to provide adequate visibility.
- (10) Sight distance.
- (a) Proper sight distance shall be provided with respect to both horizontal and vertical alignments, measured at the driver's eye height of three-and-one-half (3 ½) feet. An object one (1) foot zero (0) inches off the finished road grade must be visible at the sight distances specified.
 - (b) Sight distances (minimal) shall be as defined in Subsection D(1) above.
 - (c) Since sight distance is determined by both horizontal and vertical curvature, sight distance standards will, in all cases, usurp standards for either of these curvatures in instances where a conflict in standards might arise.

- (11) Design speed. Subsection D(1) above will be used as a guideline in street design. Final design criteria will be as regulated by the remainder of this chapter and as approved by the Borough Council.
- (a) In those cases where access to a residential or commercial subdivision is by means of an easement or right-of-way which does not comply with the design standards for private streets and/or public streets as prescribed in this chapter, the Borough Council shall make the final determination on the continuing maintenance responsibilities of such access easement or right-of-way as a part of the development application review.
 - (b) In the event that the Borough Council determines that the health, safety or welfare of the inhabitants of such development or of the citizens of the Borough would be prejudiced by the failure to maintain such easement or right-of-way of access by the owner thereof, the Borough Council may, after hearing, require as a condition precedent to the approval of such development the preparation and execution of a maintenance agreement providing for the maintenance of such easement or right-of-way of access, signed and acknowledged by all of the owners of property within such development and/or all of the owners of property having the legal right to utilize such easement or right-of-way of access, whereby such easement or right-of-way of access shall be maintained, and said agreement shall be recorded in the Office of the Recorder of Deeds of Allegheny County, Pennsylvania.
 - (c) In determining whether such maintenance agreement shall be required in order to promote the health, safety or welfare of the inhabitants of such development or of the citizens of the Borough, the Borough Council shall make findings, after public hearing, regarding the following:
 - i. That the easement or right-of-way of access shall be of sufficient width and topography so as to provide access to all lots and/or tracts of land in the subdivision or development and to adjacent unsubdivided property.
 - ii. That the continued maintenance of such easement or right-of-way of access to the development or subdivision is necessary to accommodate the travel of ambulances, emergency medical service vehicles, fire vehicles, police vehicles and other emergency vehicles to or from the development or subdivision.
 - iii. That the configuration of such easement or right-of-way of access shall be such so as to properly accommodate its use for both pedestrian traffic and vehicular traffic without placing pedestrians or vehicular traffic in danger.
 - iv. That it is impossible to finance the sale of property within such subdivision or development without the existence of a maintenance agreement binding all owners of property within such subdivision and others having the legal right to use such easement or right-of-way of access to participate in the maintenance of such access easement or right-of-way.
 - v. That the Borough Council shall determine, with particularity, the details and specifications of the maintenance required to maintain said easement or right-of-way of access as aforesaid, and in the event that those persons responsible for said maintenance under such agreement shall fail, neglect or refuse to provide the same, the Borough Council shall, in writing delivered to each of said persons, require that such maintenance shall be performed within such time as shall be required by the Borough Council in said notice, and in the event that such maintenance is not so performed within said time, the Borough Council shall have the responsibility of performing such maintenance and collecting the cost thereof from those persons responsible therefore under the aforementioned agreement by a civil action at law or by the filing of a municipal claim against

the properties owned by such persons in such proportions as shall be set forth in the aforementioned maintenance agreement.

- (d) In those cases where a residential or commercial subdivision has previously been approved by the Borough Council and is in existence, where access to such residential or commercial subdivision is by means of an easement or right-of-way which does not comply with the design standards for private streets and/or public streets as prescribed in this chapter and in the event that the Borough Council determines that the health, safety or welfare of the inhabitants of such development or of the citizens of the Borough would be prejudiced by the failure to maintain such easement or right-of-way of access by the owner or owners thereof, the Borough Council may, after hearing, require the preparation and execution of a maintenance agreement providing for the maintenance of such easement or right-of-way of access, signed and acknowledged by all of the owners of property within such development and/or all of the owners of property having the legal right to utilize such easement or right-of-way of access, whereby such easement or right-of-way of access shall be maintained, and said agreement shall be recorded in the Office of the Recorder of Deeds of Allegheny County, Pennsylvania.
 - (e) In determining whether such maintenance agreement shall be required in order to promote the health, safety or welfare of the inhabitants of such development or of the citizens of the Borough, the Borough Council shall make findings, after public hearing regarding the five (5) subjects as hereinabove outlined in Subsection D(11)(c)[1] through [5].
- (12) Parallel parking.
- (a) In general, parallel parking on all streets is discouraged, except as required for emergencies, deliveries and standing when necessary.
 - (b) The mandatory off-street parking requirements of Chapter 212, Zoning, will in all cases be enforced.
 - (c) Parallel parking on collector streets will be subject to approval by the Borough Council and may require landscaped, curbed street widening up to eight (8) feet wide.
 - (d) Parallel parking on minor streets will be subject to approval by the Borough Council.
- (13) Other street standards and Traffic Calming Measures
- (a) Islands, median strips and channelization may be required in any area where traffic volumes warrant their use for safety and efficiency and may be permitted in any area at the discretion of the Borough Council. Such devices on commonwealth roads must meet or exceed the requirements of the Pennsylvania Department of Transportation. The Borough Council may require additional rights-of-way when such devices are used.
 - (b) Traffic Calming Measures. Upon recommendation of a required Traffic Impact Study, and/or the recommendation of the Planning Commission, the Borough Council may require the developer to install traffic calming measures within proposed public or private streets in order to promote public health and safety. Such traffic calming measures shall be consistent with specifications included in Publication No. 383, Pennsylvania Traffic Calming Handbook, Chapters 5 and 6, published by the Pennsylvania Department of Transportation.
 - (c) Walls, slopes and guide rails.
 - i. Where the grade of the street is above or below the grade of the adjacent land, the subdivider may be required to construct walls or slopes.

- ii. Where the grade of the street is steeper than a slope of four (4) to one (1) above the grade of the adjacent land, the subdivider may be required to install guide rails or posts in a manner satisfactory to Pennsylvania Department of Transportation standards.
- (d) Embankments. Subject to appropriate slope stability and the conditions of grading specifications, embankments at the sides of streets and cross sections of drainage ditches shall not exceed a maximum slope of one-and-one-half (1 1/2) feet horizontally to one (1) foot vertically in a cut section and one-and-one-half (1 1/2) feet horizontally to one (1) foot vertically in a fill section, or as recommended by the Borough Engineer.
- (e) Driveways. The requirements for private driveways shall be the standards of the Pennsylvania Department of Transportation regarding access to and occupancy of highways by driveways and local roads (67 Pa.C.S.A. § 441, as amended). Driveway access to commonwealth highways shall be subject to the permit process of that Department. Driveway access to county roads shall be subject to the permit process of Allegheny County. Driveway access to Borough roads shall be subject to the Borough permit process. All driveways shall be subject to the standards, requirements and processing of this subsection.
 - i. Location.
 - a. Driveways shall be located so as to provide adequate sight distance at intersections with streets.
 - b. Driveways shall be located in a manner which will not cause interference to the traveling public, will not be a hazard to the free movement of normal highway traffic or cause areas of traffic congestion on the highway.
 - c. Driveways shall be located, designed and constructed in such a manner so as not to interfere with or be inconsistent with the design, maintenance and drainage of the highway.
 - ii. Criteria for review. The Borough Council shall use the following criteria to determine driveway access to collector roads. The Borough Council may use more restrictive criteria when required.
 - a. Driveway access for nonresidential and multifamily uses, including townhouses, shall be at least two hundred (200) feet apart.
 - b. No more than five (5) lots of any submitted subdivision plan may have direct access to an existing collector and higher-classification road. The entire road frontage shall be considered a part of this requirement for lands held in single ownership.
 - c. Alternates to be considered for larger subdivisions shall be as follows, subject to the approval of the Borough Council upon the recommendation of the Planning Commission. Alternates shall be to provide reverse-frontage interior roads to be built according to standards for subdivision roads and to provide marginal access roads.
 - iii. Distance from street intersections. Driveways shall be located as far from street intersections as is reasonably possible, but not less than the following distances:
 - a. Individual residential lots: fifty (50) feet.
 - b. Multifamily residential and nonresidential lots: one hundred (100) feet.
 - iv. Number of driveways (nonresidential):
 - a. Properties with frontage of one hundred twenty (120) feet or less shall be limited to one (1) curb cut.
 - b. Not more than two (2) curb cuts may be permitted for any single property, tract or lot for each street frontage.

- c. More than two (2) curb cuts per street frontage may be permitted only if anticipated traffic volumes warrants more than two (2) and when supported by a traffic study prepared by a qualified traffic engineer.
- v. Choice of streets. When streets of different classes are involved, the driveway shall provide access to the street of lesser classification unless this requirement is waived by the Borough Council for reasons of sight distance, incompatibility of traffic, grading or drainage.
- vi. Pavement widths at curblines and grades. Driveway paving widths and grades shall be as follows:
Pavement widths at curblines and grades. Driveway paving widths and grades shall be as follows:

Land Use	Minimum Paving Width (feet)	Minimum Radius at Curb (feet)	Maximum Grade (percent)
Single-family	9	5	15
Residential:			
Townhouse courts	15 (1-way)	20	12
Multifamily	20 (2-way)	20	12
Commercial	20 (1-way)	25 or more	7
Industrial	30 (2-way)	25 or more	7

- vii. Stopping areas. All driveways shall be provided with a stopping area within which the grade shall not exceed six percent (6%). The stopping area shall be measured as follows:
 - a. The length of the stopping area shall be a minimum of twenty (20) feet or the length of the longest vehicle anticipated to use the driveway, whichever is greater.
 - b. Stopping areas shall be measured from the ultimate right-of-way line for arterial and collector streets and from the edge of the paving, curblines or sidewalks of minor streets.
 - viii. Clear sight triangles. Clear sight triangles shall be provided where driveways intersect streets, in compliance with the standards of Subsection D(9) above, Intersections and sight triangles. The dimensional standards shall be determined by the classification of the street which the driveway intersects.
 - ix. No driveway location, classification or design shall be considered finally approved until permits have been granted by the commonwealth and/or Borough and preliminary plan approval has been granted by the Borough Council for the subdivision and/or land development which the driveway(s) will serve.
 - x. No building permit shall be issued nor shall any occupancy permit be issued as to any improvement or improvements in any district in this Borough until the application for a driveway permit shall have been made, in writing, and a permit approved by the Borough authorities or other authority which may have jurisdiction over the road.
- (14) Street tree design. All developments after the date of enactment of this subsection shall adopt the street tree designs as set forth in full in Appendix I to this subsection.

§ 184-906. Transportation Impact Study

- A. Subdivisions containing a minimum of fifty (50) lots, multi-developments containing seventy-five (75) or more dwelling units, and land developments containing fifty (50,000) thousand square feet or more gross floor area of space. shall require the submission of a Transportation Impact Study per requirements of this Section. In addition all subdivisions and land developments that are located on an arterial road, regardless of size shall require the submission of a Transportation Impact Study. The Planning Commission may require submission of a modified study containing parts of the following requirements for any proposed development not meeting the above thresholds. The zoning officer, at the advice of the Borough Engineer may waive certain provisions of this TIS where those provisions would not be applicable. It is recommended that the developer discuss the TIS as part of the pre-submission application process, outlined in this ordinance.
- B. The Transportation Impact Study (TIS) shall be prepared by a certified professional engineer, experienced in traffic engineering studies, licensed in the Commonwealth of Pennsylvania. All costs of the TIS shall be borne by the property owner or applicant.
- C. Applicability. Use of the TIS may include the following:
 - (1) Assist the Borough and the applicant in understanding the traffic related impacts at the site ingress, egress, and general circulation on the study area, and to thus minimize those impacts through efficient site level design of such circulation;
 - (2) To consider any alternate or additional ingress or egress and general circulation patterns as conditions of approval based on the TIS;
 - (3) To consider impacts along perimeter and intersections to assist the Borough in future transportation planning and capital planning requirements;
 - (4) The Borough shall not use the TIS to require transportation improvement which are not on or adjacent to the proposed site. Such requirements, as governed by Section V-A of the MPC are distinct and separate from the applicability and intent of the requirements of this section.
 - (5) TIS Elements: The applicant shall submit a detailed description of the highway network and major intersections within one-half (1/2) mile of the site. Said network may be limited to primary and secondary arterials and collector streets and shall include the following conditions both on the site and within such radius. Both existing and applicable projections shall be shown for each of the following:
 - (a) Trips generated by the proposed development at all peak hours (weekday, morning and evening peak hours and one (1) Saturday peak hour) during which the proposed use would be in operation.
 - (b) Description of the existing traffic conditions and volumes (weekday, morning and evening peak hours and one (1) Saturday peak hour) during which the proposed use would be in operation.
 - (c) Traffic signals and signage, and other traffic control devices.
 - (d) Public Transportation Services
 - (e) Rights-of-Way and Driveway widths, including cartway and shoulder widths, vertical grades, horizontal curvatures, obstructions, sight distance, posted speed limits, signage or other notable features.
 - (f) Ingress and egress traffic movement on the site
 - (g) Changes to the highway network.
 - (h) Determination of street service level.
 - (i) Determination of intersection service levels for intersection (s) generating more than one hundred (100) trips in any peak hour

- (j) Traffic accident history and location of accidents for five (5) years preceding APPLICATION date
 - (k) Proposed and existing pedestrian circulation
 - (l) Traffic IMPROVEMENTS, planned or recommended (e.g., additional traffic lanes, traffic signal, traffic signage, etc)
 - (m) The anticipated stages of construction and the anticipated completion date of the proposed subdivision or land development
- D. TIS Standards. The TIS shall adhere to the following standards:
- (1) Estimation of trip generation. Trip generation per 184-906(C) (5) (a) shall be estimated using any one (1) of the following three (3) methods: analogy; trip distribution model or surrogate data. Whatever method is used, trip distribution shall be estimated and analyzed for the horizon year and a ten (10) year projection (both with and without development) Consideration should be given to whether inbound and outbound trips will have similar distribution.
 - (2) Transportation impact of the developments using ratios and methodology contained in the current edition of the Manual of the Institute of Traffic Engineers
 - (3) Levels of Service as parts 906(C) (5) (h) and (i) of this ordinances shall be defined using a method similar to those described in the current Highway Capacity Manual
 - (4) Estimates and projections of street service level, trip generation, etc. shall conform to the estimated dates of major phases in the construction of the proposed PLAN
 - (5) All applicable elements mentioned in Section 906(C)(5) shall be denoted on a map which shall conform to the applicable drafting standards of Article III of this ordinance
- E. Additional Requirements.
- (1) The TIS shall be submitted with the application and reviewed by the Borough engineer or his designee. All costs of this review shall be invoiced to the applicant per standards contained in the MPC. A copy should also be forwarded to the Pennsylvania Department of Transportation if streets under their jurisdiction are in the study area and to the Allegheny County Planning Department if streets under the jurisdiction of the county are in the study area.
 - (2) The Zoning Officer or the Planning Commission may require further details for areas of special concern within a one (1) mile radius of the site for very large developments. Said areas may include those identified in the Comprehensive Plan in need of improvement or having identified traffic problems.

§ 184-907. Parking areas, internal driveways and off-street loading.

Parking areas and related internal driveways shall be governed by the following:

- A. Parking.
- (1) Off-street parking facilities shall be provided in compliance with the parking requirements of Chapter 212. Article 2200, Zoning, and the regulations contained herein.
 - (2) Angled or perpendicular parking shall not be permitted along public streets, except where specifically permitted by this chapter or other ordinances. No parking areas shall be located within a public street right-of-way. Parked vehicles in off-street parking spaces shall be prevented from intruding on travel lanes, walkways, public streets or adjacent properties by means of walls, curbs, wheel stops or other appropriate means.
 - (3) Parking areas shall not be located closer than ten (10) feet to any tract boundary line nor less than five (5) feet from any ultimate right-of-way line, and as specified in the Chapter 212, Zoning.

- (4) Parking lot dimensions shall be no less than those listed in Chapter 212, Article 2200, Zoning. All parking spaces shall be marked with all-weather paint with double parallel lines at a minimum of six (6) inches apart to separate each space.
 - (a) Where vehicles may overhang a planting strip, a two (2)-foot widening of the planting strip and consequent two (2)-foot reduction of parking space length may be permitted.
 - (b) In addition, up to twenty (20%) of the parking area for more than one hundred (100) vehicles may be reduced to nine (9) feet by seventeen (17) feet for compact cars, provided that the smaller spaces are clearly designated as compact car spaces.
 - (c) Required off-street parking spaces for the physically handicapped shall be a minimum of twenty (12) feet wide by twenty (20) feet long and shall be paved with an impervious gravel-free surface. Side-by-side spaces are encouraged, to be marked as one-and-one-half (1 1/2) times the standard width.
- (5) No more than eighteen (18) parking spaces may be located in an uninterrupted row. If more than eighteen (18) parking spaces are located in a row, planting strips with a minimum size of five (5) feet by twenty (20) feet shall be located at appropriate intervals to provide shading and visual interest. Such planting strips shall contain a street tree of at least two (2)-inch caliper.
- (6) Where the edge of a parking area is located close to a street, driveway or other parking area and the provisions of Subsection A(3) above do not apply, a minimum separation of five (5) feet shall be provided between these features. This spacing shall consist of a raised landscaped area, preferably curbed, with screen planting in conformance with the specifications of Chapter 212, Zoning.
- (7) In any residential parking area where a single row of parking spaces is located between two (2) driveways, a raised and/or curbed planting strip shall be provided between the row of parking spaces and one (1) driveway. Said strip shall have a minimum width of five (5) feet.
- (8) Dead-end parking areas shall be discouraged when the required parking capacity can be accommodated in a layout that permits more convenient vehicular movements. However, extraneous through-traffic flow should be avoided.
 - (a) Up to fifty (50) parking spaces may also be located in a dead-end parking area if no more-desirable alternative is feasible and sufficient backup area is provided for the end stalls.
 - (b) More than fifty (50) parking spaces may be located in a dead-end parking area only if a turnaround area is provided at the closed end, suitable for passenger-car turning. The turnaround area may be circular, T- or Y-shape or of another configuration acceptable to the Borough Council.
- (9) No less than a five (5)-foot radius of curvature shall be permitted for all curblines in all parking areas.
- (10) All automobile parking areas shall be paved and constructed in accordance with the standards established by the Borough.
- (11) The layout of every parking area shall be such as to permit safe and efficient internal circulation in accordance with accepted traffic engineering principles and standards.
- (12) Entrances and exits to and from off-street parking areas shall be located so as to avoid interference with street traffic.
- (13) Every off-street parking area shall include sufficient reservoir space to accommodate entering and exiting vehicles without overflowing onto adjacent streets or service roadways.

- (14) All artificial lighting used to illuminate any parking space or spaces shall be so arranged that no direct rays from such lighting shall fall upon any neighboring property or streets. All light standards shall be located on the raised parking islands and not on the parking surface.
- (15) All multifamily, commercial, office, public and industrial uses shall provide parking spaces for the physically handicapped.
 - (a) Parking spaces for the physically handicapped should generally be located on the shortest possible route to an accessible entrance to the building. The first parking space in rows of parking near such entrances may be reserved for handicapped parking. Ramps shall be provided for convenient access from parking spaces to accessible entrances and to sidewalks. Such spaces shall be placed to permit severely handicapped persons to get into and out of a vehicle from either side.
 - (b) The pavement shall be marked with the international symbol of accessibility. An aboveground sign shall be clearly visible from the driveway to designate each physically handicapped parking space.
 - (c) A minimum of one (1) space or two percent (2%) of the total spaces required shall be provided. Fractional spaces shall be rounded upward.
- B. Internal driveways. The following requirements apply to driveways within sites proposed for developments:
 - (1) A smooth transition shall be provided between the driveway section required for access to a public street and the driveway(s) required for internal site circulation.
 - (2) Main access driveways (entrance or exit) and service drives handling large trucks shall be a minimum paved width of twenty-four (24) feet, with one (1) lane in each direction.
 - (3) Access driveways which are clearly secondary in importance may be reduced to twenty (20) feet in paved width.
 - (4) Driveways along nonresidential buildings shall be a minimum paved width of twenty-four (24) feet, except that, where a drop-off/pickup lane is proposed, the width shall be thirty-two (32) feet.
 - (5) Parking access driveways shall be a minimum of twenty-two (22) feet wide with two-way traffic flow for convenience and efficiency.
 - (6) One-way driveways and/or parking at less than right angles may be permitted only when right-angled parking and two-way driveways are not feasible because of site characteristics or they are proven by the applicant to be superior for the particular development proposal.
 - (7) Entrance, exit and internal-circulation driveways shall be separated from parking-aisle driveways whenever feasible in parking areas for less than one hundred (100) spaces. Parking shall not be permitted along driveways which serve as the main entrance(s) or exit(s) to parking areas with a capacity of one hundred (100) cars or more.
- C. Off-street loading areas. In addition to off-street parking areas, off-street loading areas shall be provided for all retail businesses and wholesale and industrial uses requiring the regular delivering or shipping of goods, merchandise or equipment to the site by semitrailer truck. The applicant may propose loading areas that do not require the use of semitrailer trucks, if they can demonstrate to the satisfaction of Borough Council that the use can be adequately served by the use of smaller delivery vehicles. All loading space shall be located on the same lot as the principal use(s) it serves. Off-street loading areas shall comply with the following:
 - (1) Required loading space shall be available for the loading and unloading of vehicles and shall not be used for the storage of vehicles or materials or to meet off-street parking requirements or in conducting the use.
 - (2) The location and size of loading areas shall be adequate for the safe parking of trucks, and maneuvering space shall be provided so that ingress and egress can be accomplished on the lot without backing into a public street.

- (3) The loading spaces shall be compatible with vehicular circulation in adjacent areas based upon its location and the schedule of its use.
- (4) Two (2) or more establishments may use a common loading and unloading facility, upon approval of the Borough Council.

§ 184-908. Lots.

- A. Area. All lots shall be no smaller than the minimum lot area requirements of the applicable zoning district.
- B. Depth. Lots which are excessively deep in relation to their width are to be avoided. A proportion of two-and-one-half (2 1/2) to one (1) is generally regarded as a proper maximum for lots sixty (60) feet or more in width.
- C. Width. The minimum lot width shall be that width measured along the building setback line as specified in Chapter 212, Zoning.
- D. Corner lots. Corner lots shall have two (2) front yards, one (1) from each street.
- E. Frontage. Every lot shall have a minimum frontage width as specified in Chapter 212, Zoning.
- F. Side lines. Whenever practicable, the side lines of lots shall be laid out at right angles or radial to the street right-of-way lines.
- G. Lot numbers. Each subdivision may have an overall system of lot numbers, the number one (1) being assigned to a lot in the first section to be built.

§ 184-909. Easements.

- A. Easements with a minimum width of twenty (20) feet shall be provided as necessary for storm drainage structures, swales, sanitary sewers and other utilities from the center of said pipe or swale.
- B. To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.
- C. No right-of-way or easement for any purpose whatsoever shall be recited or described in any deed unless such right-of-way has been shown on the approved plan.
- D. Natural watercourses shall be maintained as permanent easements of twenty (20) feet.
- E. Stormwater outlets shall have permanent easements from headwall to center line of the stream. For storm discharge onto adjacent properties, permanent easements shall be obtained from the property owner and recorded with the Borough.
- F. Subsequent to completion of construction, all utility easements shall be rerecorded.

§ 184-910. Environmental protection.

The developer shall determine the presence of environmental or natural features on the site and shall meet the following standards of environmental protection. Site alterations, regrading, filling or clearing of vegetation prior to submission of plans for development in accordance with the requirements of this chapter

- A. Floodplains. All such lands are identified on maps issued from time to time by the National Flood Insurance Administration (NFIA) of the United States Department of Housing and Urban Development. Section 212-1503 of Chapter 212, Zoning, specifies floodplain management regulations which must be met in the design of any subdivision or land development.

B. Steep Slopes

- (1) Areas of steep slope within proposed subdivisions and land developments required the submission of a Slope Stability Study, as detailed in 184-910(B) (2). In areas of slopes (i.e., those over eight percent (8%)), the following standards shall apply:
 - (a) Eight percent (8%) to fifteen percent (15%) slopes. No more than sixty percent (60%) of such areas shall be developed and/or regraded or stripped of vegetation unless a Borough approved soils engineer certifies to the stability of the soils and slope. When a Borough approved soils engineer has certified the stability of the soils and slopes, the percentage of disturbance may be increased to seventy-five percent (75%).
 - (b) Fifteen percent (15%) to twenty-five percent (25%) slopes. No more than forty percent (40%) of such areas shall be developed and/or regraded or stripped of vegetation unless a Borough approved soils engineer certifies to the stability of the soils and slope. When a Borough approved soils engineer has certified the stability of the soils and slopes, the percentage of disturbance may be increased to fifty-five percent (55%).
 - (c) Twenty-five percent (25%) or greater slopes. No more than twenty percent (20%) of such areas shall be developed and/or regraded or stripped of vegetation unless a Borough approved soils engineer certifies to the stability of the soils and slope. When a Borough approved soils engineer has certified the stability of the soils and slopes, the percentage of disturbance may be increased to thirty-five percent (35%).
 - (d) Slopes in excess of forty percent (40%) shall not be disturbed.
- (2) Slope Stability Study.
 - (a) No alteration, disturbance or construction of any type shall be approved or initiated, and no application for final approval shall be approved for sites having any portion of their area proposed for on or within fifty (50) feet of any steep slope (twenty-five percent (25%)+) or slope or greater until the provisions of this Section and any other applicable Federal, State, County, or Borough regulations have been satisfied.
 - (b) No final approval of the application for final development shall be given until all required state and county Sedimentation and Erosion control permits have been issued and submitted to the Borough.
 - (c) The developer shall clearly delineate all steep slope area(s) on certified survey maps submitted with all applications for development
 - (d) No building sites shall be designated or improved in steep slope areas except as permitted by this ordinance
 - (e) When development activity, as defined in areas identified in 184-909 (B) (3) is proposed, a geotechnical investigation and report shall be required to assess the short and long-term stability of the site and the possible effects on neighboring properties of developing the proposed SITE in the proposed manner. These areas and the proposed development shall be investigated and documented in a statement by a registered Professional Engineer prior to final approval. This slope investigation shall determine the engineering characteristics and physical properties of the slopes, soil deposits and underlying rock strata, which are proposed for use in structural foundations. Materials used for earthwork construction shall be similarly evaluated.
 - (f) A slope and soil stability study prepared by or under the direction of a professional engineer, experienced in soil and foundation engineering, shall be submitted for such sites where special soil or water conditions are deemed by the Borough engineer to be potentially hazardous. The required soils report must be prepared in accordance with this Ordinance and other applicable State, or County regulations. The site geotechnical investigation shall include, but not be limited to, the following detailed factual information, analysis, and recommendations:

- i. Surface Features. Surface contours, old construction rock outcrops (if any), watercourses, ditches, ponds, wooded areas, filled in areas, and old slide areas.
- ii. Hydrologic Features. The presence of seepage zones, depth to groundwater, and the possible fluctuations with the seasons.
- iii. Subsurface Features
 - (a) A plotted, horizontal and vertical record of the stratification of the soil and rock deposits.
 - (b) Information on the relative density of granular soils in the different strata and on the consistency of cohesive soils.
 - (c) Information on subsurface geologic features and past mining activity including depth of overburden.
- iv. Exploration Methods. Physical explorations can be carried out by several methods. Field explorations should follow the applicable standards or the procedures and practices recommended by the American Society for Testing and Materials (ASTM). It is generally sufficient to secure soil samples at intervals of five (5) feet in depth or at changes in the material. The intervals should be determined by such conditions as the soils encountered and/or the type of structure
- v. The spacing and depths of borings should also be based on site conditions and proposed construction. Maximum spacing between borings should not exceed two hundred fifty (250) to three hundred (300) feet. One (1) boring for every six thousand (6,000) to ten thousand (10,000) square feet of building area should be a minimum for a high rise structure, and a minimum of one (1) boring per structure s recommended for single family residences.
- vi. Groundwater Measurements – Information is required on groundwater elevations, including depth of permanent and perched water tables. Water levels should be determined on completing the boring and again, approximately twenty-four (24) hours later.
- vii. Classifications and Descriptions. Direct observation of soils samples from various depths and locations will be required for correlation with the known geology of the area. Classification and description of soils will be done by the Unified Classification System (ASTM Specification D2487), and by the Visual Manual Identification Procedure (ASTM Specifications D2488).
- viii. Laboratory Testing. The laboratory testing program should be dependent upon the characteristics of the soils and the anticipated geotechnical problems analysis.
- ix. The recommendations of all such investigations and reports of steep slopes and other identified soil or water condition hazards shall be reviewed by the Borough Engineer. Incorporation of said recommendations may be required as conditions for Preliminary Approval and/or Final Approval.
- x. All public and private roads, bridges, utilities and other facilities shall be located, designed and constructed to avoid steep slope areas or to withstand any anticipated soil or rock movement.
- xi. Road and utility alignments and grades shall minimize cuts and fills.
- xii. Hazardous slope conditions that may be present on a site must be corrected prior to completion of the development.
- xiii. Cut and fill Slopes
- xiv. General. The setbacks and other restrictions specified by this section are minimum and may be increased by the Borough by the recommendation of a civil engineer, geotechnical engineer, or engineering geologist with the approval of the Borough Engineer if necessary for safety and stability or to prevent damage of abutting properties from sedimentation or erosion or to provide access

for slope maintenance and drainage. Retaining walls may be used to reduce the required setbacks when approved by the Borough Engineer.

- xv. Setbacks from Property Lines. The tops of cuts and toes of fill slopes shall be set back from the outer boundaries of the area to be disturbed including slope return areas and easements.
- (g) DRAINAGE AND TERRACING
- i. Drainage Facilities and terracing shall conform to the provisions of DEP regulations, DEP Erosion and Sedimentation Control Handbook, and STORM WATER MANAGEMENT Ordinance of Franklin Park Borough
 - ii. Subsurface Drainage. Cut and fill slopes shall be provided with subsurface drainage s necessary for stability. All runoff calculations shall be provided for review by the Borough Engineer.
 - iii. Disposal. All drainage facilities shall be designed to carry waters to the nearest practicable drainage way approved by the Borough Engineer and/or other appropriate jurisdiction as a safe place to deposit such waters. Erosion of ground in the area of discharge shall be prevented by installation of stilling basin, energy dissipaters or other approved devices at the outfall of storm pipes.
- (h) EROSION CONTROL
- i. Slopes. The faces of cut and fill slopes shall be prepared and maintained to control against erosion. All such slopes shall be protected in compliance with the Allegheny County Conservation District regulations.
 - ii. Temporary erosion control devices or methods shall be employed prior to and during site construction.
 - iii. Permanent erosion control procedures or devices shall be established and approved prior to the release of any guarantees or securities.
- (i) SANITARY REGULATIONS
- i. On-site soil absorption and sewage disposal systems or any part thereof shall be prohibited in steep slope areas, as regulated by the Department of Environmental Protection (DEP).
 - ii. On-site soil absorption and sewage disposal systems (septic tanks, absorption fields, and seepage beds and pits) shall require permit approvals before any part of any such system shall be installed within fifty (50) feet of steep slope areas. The application shall include a map delineating the topography and the boundaries of regulated slopes and shall be in conformance with all PA DEP and County regulations.
- (j) VEGETATION
- i. All existing vegetation on step slopes shall be preserved in its natural condition. Where slope alteration necessitates disturbance of existing vegetation, both temporary and long-term vegetation shall be established within sixty (60) days of the initial disturbance. The Borough Engineer may extend this time limit at the request of the developer on the recommendation of the Borough Engineer if such extension shall not contribute to increased potential for landslide activity, Erosion or lowside sedimentation or sediment pollution to a waterway.
- (k) ADMINISTRATION AND INSPECTION
- i. Operations or activities that increase loads, reduce slope support or otherwise cause instability are prohibited in these areas.
 - ii. The licensed professional engineer who prepared the soils geotechnical report shall review the preliminary and final development plan for compliance with recommendations expressed in the report.

- iii. Inspections shall be performed at critical stages of the work. Such inspections shall be at the expense of the developer. The owner must notify the Borough of the need for inspection at each of the following stages:
 - a. Initial Inspection. When work is ready to begin, but before any grading or brush removal is started.
 - b. Toe Inspection. After the natural ground is exposed a prepared to receive fill, but before any fill is placed.
 - c. Excavation Inspection. After the excavation is started, but before the vertical depth of the excavation exceeds ten (10) feet.
 - d. Fill Inspection. After the fill emplacement is started, but before the vertical height of the lifts exceeds ten (10) feet. Structural fills shall be inspected more regularly by the on site inspector according to a schedule determined by the Borough Engineer.
 - e. Drainage Device Inspection. After forms and pipes are in place, but before any concrete is poured.
 - f. Rough grading. When all rough grading has been completed. This inspection may be called for at the completion of the rough grading.
 - g. Final. When all work has been completed, including installation of all drainage structures and other protective devices, and the grading plan and required reports have been submitted.
- (3) "Certified record" drawings or "as-built" drawings showing all completed work, including the topography, and all structures and improvements within one hundred (100) feet of the steep slopes shall be provided to the Borough prior to the issuance of any occupancy permits and prior to the release of all guarantees and securities of the developer by the Borough. Said drawings must consist of two (2) sets of reproducible plans labeled as "Record Plans." Said drawings must be submitted in a digital format such that they may be directly imported into the Borough's geographical information system in a manner consistent with the standard specified by the Zoning Officer
- C. Grading. All grading shall be performed in accordance with the requirements of the Franklin Park Grading Ordinance, Ordinance # ____ to be filled in _____.

§ 184-911. Erosion control and stormwater management.

- A. Purpose. These regulations are adopted and implemented to achieve the following general purposes and objectives:
 - (1) To manage stormwater runoff resulting from land alteration and disturbance activities in accordance with the watershed stormwater management plans adopted by the Borough of Franklin Park
 - (2) To utilize and preserve the desirable existing natural drainage systems and to preserve the flood-carrying capacity of streams.
 - (3) To encourage natural infiltration of rainfall to preserve groundwater supplies and stream flows.
 - (4) To provide for the adequate maintenance of all permanent stormwater management structures in the municipality.
- B. Applicability. The provision of the Franklin Park Stormwater Management Ordinance # _____ adopted _____ shall apply to all subdivision and land developments, including mobile home parks.

- C. Erosion and sedimentation controls.
- (1) All land-disturbance activities shall be conducted in such a way as to minimize accelerated erosion and resulting sedimentation.
 - (2) No earthmoving activity, including cuts and fills, excavation and the removal of topsoil, trees or vegetative cover of the land shall commence until plans for minimizing soil erosion and sedimentation, both during and after construction, have been approved.
 - (3) The erosion and sedimentation plan shall be prepared in strict accordance with the Pennsylvania Erosion and Sedimentation Regulations (25 Pa.C.S.A. § 102), submitted to, and deemed adequate by, the Allegheny County Conservation District.
 - (4) Proposed erosion and sedimentation measures shall be submitted with the stormwater management plan as part of the applicant's preliminary and final plans.
 - (5) The plan shall show the type, location and application of the proposed erosion and sedimentation control measures and shall include the calculations and criteria used in designing them.
 - (6) Erosion and sedimentation measures shall be designed in accordance with the criteria contained in Appendix E.
- D. D. Maintenance of stormwater control facilities and systems.
- (1) Maintenance responsibilities.
 - (a) The stormwater management plan for the development site shall establish responsibilities for the continuing operation and maintenance of all proposed stormwater control facilities.
 - (b) The Borough shall make the final determination on the continuing maintenance responsibilities as part of the development application review and reserves the right to accept the ownership and operating responsibility of any or all of the stormwater management controls.
 - (2) Maintenance agreement for privately owned stormwater facilities.
 - (a) Prior to final approval of the site's stormwater management plan, the property owner shall sign and record a maintenance agreement covering all stormwater control facilities which are to be privately owned. The agreement shall stipulate that:
 - i. The owner shall maintain all facilities in accordance with the approved maintenance schedule and shall keep all facilities maintained in a safe and attractive manner.
 - ii. The owner shall convey to the Borough of Franklin Park easements and/or rights-of-way to assure access for periodic inspections by the Borough, and maintenance, if required.
 - iii. The owner shall keep on file with the Borough the name, address and telephone number of the person or company responsible for maintenance activities. In the event of a change, new information will be submitted to the Borough within ten (10) days of the change.
 - iv. The owner shall establish any special maintenance funds or other financing sources, in accordance with the approved maintenance plan.
 - v. If the owner fails to maintain the stormwater control facilities, following due notice by the Borough of Franklin Park to correct the problems, the Borough shall perform the necessary maintenance or corrective work. The owner shall reimburse the Borough for all costs.
 - (b) Other items may be included in the agreement where determined necessary to guarantee the satisfactory maintenance of all facilities. The maintenance agreement shall be subject to the review and approval of the Borough Solicitor.

E. Inspections of stormwater management controls during construction.

- (1) The Borough Engineer or a designated representative shall inspect the construction of a temporary and permanent stormwater management for the development site. The permittee shall notify the engineer forty-eight (48) hours in advance of the completion of the following key development phases:
 - (a) At the completion of preliminary site preparation, including the stripping of vegetation, stockpiling of topsoil and construction of temporary stormwater management and erosion control facilities.
 - (b) At the completion of rough grading, but prior to placing topsoil, permanent drainage or other site development improvements and ground covers.
 - (c) During construction of the permanent stormwater facilities, at such times as specified by the Borough Engineer.
 - (d) Completion of permanent stormwater management facilities, including established ground covers and plantings.
 - (e) Completion of any final grading, vegetative control measures or other site restoration work done in accordance with the approved plan and permit.
- (2) No work shall commence on any subsequent phase until the preceding one has been inspected and approved. If there are deficiencies in any phase, the Borough Engineer shall issue a written description of the required corrections and stipulate the time by which they must be made.
- (3) If, during construction, the contractor or permittee identifies any site conditions, such as subsurface soil conditions or alterations in surface or subsurface drainage, which could affect the feasibility of the approved stormwater facilities he must notify the Borough Engineer within twenty-four (24) hours of the discovery of such condition and request a field inspection. The Borough Engineer shall determine if the condition requires a stormwater plan modification.
- (4) In cases where stormwater facilities are to be installed in areas of landslide-prone soils or where other special site conditions exist, the Borough may require special precautions, such as soil tests and core borings, full-time resident inspectors and/or similar measures. All costs of any such measures shall be borne by the permittee.

§ 184-912. Utilities; water and sewerage facilities.

A. Utilities.

- (1) No road construction shall be permitted until all underground facilities, including but not limited to water, gas, electric, cable television and telephone are in place.
- (2) All utilities shall be located within the street right-of-way but outside the pavement width. Otherwise, easements or rights-of-way of sufficient width for installation and maintenance shall be provided, if possible.
- (3) No utilities shall be designed to be constructed in fill.
- (4) Utilities, including service laterals, placed under the roadbed shall be installed prior to road construction.
- (5) A minimum horizontal four (4)-foot clearance shall be required between all parallel utilities.
- (6) Where utilities cross, an eighteen (18) inch vertical clearance and concrete casing shall be required.

B. Water facilities.

- (1) The subdivider or developer shall extend or create a water supply system for the purpose of providing domestic water use and fire protection.
- (2) Where municipal water supply is available, the subdivider or developer shall connect with such supply and provide a connection for each lot. All water mains shall be at least

six (6) inches in diameter, and fire hydrants shall be located no more than one thousand (1,000) feet apart and within five hundred (500) feet of any structure.

- (3) Where the municipal water supply cannot be provided as determined by the Borough Engineer and Council, the subdivider or developer shall provide a private centralized water supply and distribution system. Such a system shall be designed to meet the requirements of the Borough and standards of the Pennsylvania Department of Environmental Protection. Agreements suitable to the Borough shall be established for the ownership and maintenance of the system.
- (4) The developer shall construct water mains to make water service available to each lot, building or dwelling unit. A minimum static pressure of thirty-five (35) pounds per square inch shall be provided at each structure to be connected to the water supply main.
- (5) Where no public water is accessible, water wells shall be furnished by the owner on an individual-lot basis as follows:
 - (a) Wells shall be located at least twenty-five (25) feet from property lines.
 - (b) Wells shall be located more than one hundred (100) feet from any septic tank field or system.
 - (c) All wells shall have a watertight seal around the pump mounting to prevent seepage.
 - (d) Water samples shall be submitted to the Allegheny County Department of Health for its approval.

C. Sewerage facilities.

- (1) Wherever feasible, sanitary sewers shall be installed and connected to the Borough (public) sewer system in accordance with regulations of the County Health Department.
- (2) All sewers shall be designed and constructed in accordance with regulations of the Pennsylvania Department of Environmental Protection. No sanitary sewer or treatment plant shall be constructed until plans and specifications have been submitted to the Pennsylvania Department of Environmental Protection and approved in accordance with existing laws.
- (3) If public sewer facilities are not reasonably accessible, the owner shall provide for sewage disposal on an individual-lot basis according to regulations and terms of the County Health Department. Percolation tests and test holes and the size of septic tanks shall be made as directed and approved by the County Health Department.
- (4) Sewer capacities should be adequate to accommodate the anticipated maximum hourly quantity of sewerage with an allowance for infiltration or other extraneous flow.
- (5) The diameter of sewers shall not exceed the diameter of the existing or proposed outlet and shall be greater than eight (8) inches.
- (6) All sewers shall be laid with straight alignment between manholes unless otherwise specified and approved by the Borough.
- (7) Sanitary sewers shall be located within street or alley rights-of-way unless topography dictates otherwise. When located in easements on private property, access shall be maintained to all manholes. A manhole shall be provided at each street or alley crossing. Not less than six (6) feet of cover shall be provided over the top of the pipe in street and alley rights-of-way, or three (3) feet in all other areas.
- (8) Sewers shall be kept removed from water supply wells or other water supply sources and structures. A minimum horizontal distance of ten (10) feet shall be maintained between parallel waterlines and sewer lines. At points where sewers cross water mains, the sewer shall be encased in concrete for a distance of ten (10) feet in each direction from the crossing, measured perpendicular to the waterline.

§ 184-913. Storm and sanitary sewers.

- A. General requirements. The following shall apply to the construction of storm and sanitary sewers.
- (1) Construction.
 - (a) All sanitary sewers, storm sewers and storm sewer extensions shall be constructed according to plans approved by the Borough.
 - (b) All sanitary sewers shall be designed in accordance with the Pennsylvania Department of Environmental Protection guidelines and shall meet all rules, regulations and requirements of that agency. This shall include obtaining all necessary reviews and permits from the respective governing authorities involved. All storm sewers shall be designed according to the Rational Method or other generally accepted practice. For storm sewers serving areas other than local development, the SCS Soil Cover Complex Method shall be utilized as outlined in the most recent version of TR No. 55 unless otherwise approved by the Borough Engineer.
 - (c) All sanitary sewers shall be constructed to line and grade. Storm sewers equal to or less than eighteen (18) inches in diameter shall be constructed to line and grade. Storm sewers greater than eighteen (18) inches in diameter may be constructed curvilinear; however, the joint deflection and resultant radius shall not exceed pipe manufacturers' recommendations. Curvilinear storm sewers thirty-six (36) inches in diameter and smaller shall have a maximum manhole spacing of four hundred (400) linear feet.
 - (2) Maintaining existing sewers in operation.
 - (a) The developer's attention is directed to the fact that any and all existing facilities must be maintained in continuous operation throughout the course of work. To that end, work shall be scheduled so as to avoid interruptions in the operation of the present facilities.
 - (b) If it proves impossible to avoid an interruption of the present facilities, the developer shall notify the Borough of the intended start and duration of the interruption at least seven (7) days in advance and shall receive written approval for the interruption before causing any of the existing facilities to be taken out of operation. If so directed, work shall be conducted around-the-clock on that portion of the work which necessitated the interruption. Before the facility is taken out of operation, the developer must have all materials, equipment, tools and other things necessary to complete the work at hand. The Borough shall decide, and its decision shall be final, in regard to whether the equipment, tools, etc., at hand are adequate to complete the work.
 - (3) Special conditions.
 - (a) The developer shall comply with the Commonwealth of Pennsylvania Department of Labor and Industry Regulations for Excavations and Constructions.
 - (b) The developer shall file the required notification with the Bureau of Inspection, Department of Labor and Industry, prior to starting construction work.
 - (4) Flood conditions. It shall be the developer's responsibility to take whatever measures are necessary to protect the facilities from damage due to storm- and floodwaters during the construction stage and until such time as they are formally accepted by the Borough.
 - (5) Lines and grades.
 - (a) The entire storm and sanitary sewer section will be required to be staked out by the developer before pipe installation commences.

- (b) For purposes of performing the necessary survey work relative to placing offset stakes and preparing cut sheets, the developer shall employ a competent survey crew. The survey crew shall determine the location of all manholes in the field. The survey crew shall set an offset line of stakes every twenty-five (25) feet on grades of two percent (2.0%) or less and every fifty (50) feet on grades greater than two percent (2.0%) and determine the elevations of said stakes as well as the center-line elevations of the existing ground every twenty-five (25) feet along the proposed sewer. Using these elevations, the survey crew shall prepare a cut sheet and deliver said cut sheet to the Borough for approval and a copy to the developer for sewer installation purposes. The developer shall furnish record drawings on completion of the project.
- (5) Antipollution measures.
 - (a) The developer shall perform all work in accordance with the provisions of the Pennsylvania Department of Environmental Protection Soil Erosion and Sedimentation Control Manual. In connection therewith, the developer's attention is directed to the Clean Streams Law, Act 394 of 1937 of the Commonwealth of Pennsylvania, as amended. **Editor's Note: See 35 P.S. § 691.1 et seq.**
 - (b) The developer shall conduct his activities and shall program his trenching and restoration operations in such a manner as to minimize stream pollution from erosion of the freshly excavated and/or backfilled material during periods of excavation and during periods of surface water runoff. The developer shall reduce the area and duration of exposure of all erodible soils by the greatest extent practicable, and, to that end, hydro mulching, reseeding, paving and other specified surface restoration shall be required to closely follow backfilling operations. Sediment traps and other means to retard runoff rates shall be installed where needed. Similar holding basins or other sediment trap arrangements shall also be required to be installed at the discharge of dewatering pumps. Discretion shall be exercised during construction such that a minimum of disturbance and erosion pollution results.
 - (c) During all construction activities, the developer shall also, wherever possible, make every effort to minimize noises caused by his activities, especially in populated residential areas. Equipment shall be equipped with mufflers or silencers designed to operate with the least possible noise levels.
 - (d) The developer shall be further responsible for observing any local ordinances or laws regarding allowable or restricted working hours.
- B. Construction. All stormwater and sanitary sewers shall be constructed as specified in Appendix and as shown on the typical drawings in Appendix F

§. Grading. (Grading Section A to be removed to its own ordinance)

§ 184-914. Floodplain management.

- A. In all cases, the standards of §212-1503 . of Chapter 212, Zoning shall apply to Subdivision and Land Developments

ARTICLE 1000. Mobile Home Parks

§ 184-1001. Mobile home parks.

A. General.

- (1) The provisions of this section shall be followed in the construction or alteration of all mobile home parks. These provisions are in addition to other applicable regulations of this chapter, which shall apply unless otherwise stated herein. Compliance with Chapter 212, Zoning, is required.
- (2) Any developer proposing to construct a mobile home park shall follow the procedures established for major developments in Article 500 of this chapter.
- (3) The provisions of this section shall apply to individual mobile homes as well as mobile home parks. "Individual mobile home" shall be defined as a structure designed to be transported which exceeds eight (8) feet in body width or thirty-two (32) feet in body length and which is suitable for year-round habitation once the required plumbing, heating and electric facilities are connected. [Added 2-20-2002 by Ord. No. 507-02]

B. Design standards.

- (1) The mobile home park, including dwellings, structures and improvements, shall be organized in relation to topography, the shape of the plot and common facilities. Minimum site and lot sizes and dimensional requirements shall conform to those standards for mobile home parks in 212-1902(G) of Chapter 212, Zoning.
- (2) Streets shall conform to the design requirements and specifications of this chapter. Mobile home lots shall have direct access only onto streets internal to the development. All mobile home parks shall be provided with safe and efficient vehicular access to abutting public streets.
- (3) Safe, convenient, all-season pedestrian walkways shall be provided for park residents. All mobile home dwellings shall be connected to these common walkways, internal streets, driveways or parking spaces connecting to a paved street. There shall be a minimum distance of twenty-five (25) feet between a mobile home unit and the adjoining pavement of a walkway, streets or common areas.
- (4) All mobile home units shall be located at least seventy-five (75) feet from any mobile home park boundary line abutting on a public roadway and at least twenty (20) feet from mobile home park property boundary lines.
- (5) Lighting facilities shall be provided as needed and arranged to protect mobile home park residents, neighboring properties and adjacent roadways from direct glare or hazardous interference. Such facilities shall be installed by the developer.
- (6) The character of the site shall be preserved by retaining and protecting existing trees and natural features wherever feasible. Any new plant material shall be added for privacy, shade, beauty of buildings and grounds and to screen out objectionable features. The requirements of § 212-2101 of Chapter 212, Zoning, shall be met.
- (7) Grading shall be designed for buildings, lawns, paved areas and other facilities to assure adequate surface drainage and safe and convenient access to and around structures, for the screening of parking and other service areas and for the conservation of existing vegetation and natural ground format.
- (8) Outdoor collection stations shall be provided for garbage and trash removal when individual collection is not made and indoor storage is not provided. Collection stations shall be adequately separated from habitable buildings to avoid being offensive but shall also be convenient for both collectors and residents and shall be screened and landscaped.

- (9) All regulations regarding nonconforming uses and nonconforming structures as specified in Article 2400 of Chapter 212, Zoning, shall apply to mobile homes and mobile home parks within Franklin Park Borough. Failure to comply with these regulations shall render the owner of such mobile home(s) liable to penalties, including an order of removal of such mobile home(s) from its premises. The right to maintain a mobile home at a place other than a mobile home park shall be nontransferable.
- (10) Mobile homes shall be constructed and anchored to the ground in such a way as to conform to the snow and wind loading requirements of the Building Code
- (11) Individual mobile homes shall be placed upon a permanent concrete foundation containing a basement. Further, in addition to the above, any mobile home placed under the provisions of this chapter shall be tied down according to the manufacturer's tie-down instructions. If said instructions are not available, it shall be tied down in a manner prescribed by a registered professional engineer who is familiar with the plans and specifications for mobile homes himself prior to recommending the method of tie down.

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ARTICLE 1100. Application review and inspection fees.

- A. Application filing fees. Application filing fees shall be established from time to time, by resolution of Borough Council. The application filing fees shall cover the administrative costs, including advertising, associated with processing an application for approval of a subdivision or land development and shall be payable to the Borough of Franklin Park at the time of submission of the application.
- B. Application review fees.
 - (1) Application review fees shall include reasonable and necessary charges by the Borough's professional consultants or the Borough Engineer for review and report on an application for approval of a subdivision or land development. Such review fees shall be based on a schedule established from time to time by resolution of Borough Council. Such review fees shall be reasonable and in accordance with the ordinary and customary charges by the Borough Engineer or other consultants for similar service to the Borough, but in no event shall the fees exceed the rate or cost charged by the Borough Engineer or other consultants to the Borough when fees are not reimbursed or otherwise imposed on applicants.
 - (2) In the event that the applicant disputes the amount of any such review fees, the applicant shall, within ten (10) days of the billing date, notify the Borough Manager that such fees are disputed, in which case the Borough shall not delay or disapprove a subdivision or land development due to the applicant's request over disputed fees.
 - (3) In the event that the Borough and the applicant cannot agree on the amount of review fees which are reasonable and necessary, the Borough shall follow the procedure for resolution of disputes set forth in Article 1100 of this chapter.
- C. Inspection fees.
 - (1) The Borough may prescribe that the applicant shall reimburse the Borough for the reasonable and necessary expense incurred for the inspection of improvements. Such reimbursement shall be based on a schedule established from time to time by resolution of Borough Council. 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 Borough when fees are not reimbursed or otherwise imposed on applicants.
 - (2) In the event that 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 Manager 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.
 - (3) 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 the Borough shall jointly, by mutual agreement, appoint another professional engineer licensed as such in the Commonwealth of Pennsylvania to review said expenses and make a determination as to the amount thereof which is reasonable and necessary.
 - (4) 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.

- (5) In the event that the Borough and the 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 Allegheny County or if at the time there be no President Judge, then the senior active judge then sitting, shall appoint such engineer, who, in that case, shall be neither the Borough Engineer or any professional engineer who has been retained by, or performed services for, the Borough or the applicant within the preceding five (5) years.
- (6) The fees of the appointed professional engineer for determining the reasonable and necessary expenses shall be paid by the applicant if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment required in the decision is less than the original bill by one thousand dollars (\$1,000) or more, the Borough shall pay the fee of the professional engineer, but otherwise the Borough and the applicant shall each pay one-half (1/2) of the fee of the appointed professional engineer.

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ARTICLE 1200. Waivers and modifications.

- A. Waivers to application requirements. In subdivision or land development where conditions are such that certain information required by this chapter to be submitted to complete an application is either not available, not applicable or judged to be unnecessary to properly review the application, Borough Council may waive the requirement to submit such information, provided that all other application requirements have been met.
- B. Modifications in cases of physical hardship. In any particular case where the applicant can show by plan and written statement that, by reason of exceptional topographic or other physical conditions, strict compliance with any requirement of this chapter would cause practical difficulty or exceptional and undue hardship, Borough Council may relax such requirements to the extent deemed just and proper, so as to relieve such difficulty or hardship, provided that such relief, if granted, will not be a detriment to the public good and will not impair the intent and purpose of this chapter or the desirable development of the immediate neighborhood.
- C. Modifications to allow equal or better specifications. When an equal or better specification is available to comply with the design standards of this chapter, Borough Council may make such reasonable modification to such requirements of this chapter to allow the use of the equal or better specification, provided that such modification will not be contrary to the public interest. In approving such modification, Borough Council may attach any reasonable conditions which may be necessary to assure adequate public improvements and protect the public safety.
- D. Procedure for authorizing waivers and modifications.
 - (1) Any request for a waiver or modification to any of the requirements of this chapter shall be submitted, in writing, by the applicant as part of the application for preliminary or final approval of a subdivision or land development, stating the specific requirements of this chapter which are to be waived or modified and the reasons and justification for the request.
 - (2) The request for a waiver or modification to this chapter shall be considered by Borough Council at a public meeting. If warranted, Borough Council may hold a public hearing, pursuant to public notice, prior to making a decision on the request for a waiver or modification.
 - (3) If the Borough Planning Commission has not made a recommendation on the request for a waiver or modification, Borough Council may refer the request to the Planning Commission for a recommendation. In the case of a request for a modification to allow an equal or better specification to comply with the design standards of this chapter, the request shall be referred to the Borough Engineer for a recommendation.
 - (4) In all cases where the Planning Commission or Borough Engineer or any other review agency has made a recommendation on the request, the recommendation shall be entered onto the official record of the meeting.
 - (5) The reasons relied upon by Borough Council in approving or disapproving the request shall be entered into the minutes of the meeting and any resolution adopted by Borough Council governing an application which contains a request for a waiver or modification shall include a specific reference to the waiver or modification and the reasons for approval or disapproval.
 - (6) If a waiver or modification is granted by Borough Council, a notation shall be placed on the final plat for recording, in the case of a subdivision, or on the plan granted final approval, in the case of a land development, which indicates the substance of the waiver or modification granted and the date of approval by Borough Council.

- (7) If the Environmental Advisory Council has not made a recommendation on the request for a waiver or modifications, Borough Council may refer the request to the Environmental Advisory Council for a recommendation.

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ARTICLE 1300. Miscellaneous Provisions; Effective Date; Penalties

§ 184-1301. Conflict with other provisions.

Where a provision of this chapter is found to be in conflict with a provision of any land use ordinance or code; applicable health, building, housing or safety regulation; or any other ordinance or resolution of the municipality existing on the effective date of this chapter or thereafter, or any regulation issued under the authority of any such code, regulation, ordinance or resolution, the provision which establishes the more restrictive standard for the protection of the health, safety and welfare of the people shall prevail.

§ 184-1302. When effective.

Pursuant to the provisions of the Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247, **Editor's Note: See 53 P.S. § 10101 et seq.** as amended, the effective date of this chapter shall be the date on which Franklin Park Borough Council has formally adopted this chapter.

§ 184-1303. Violations and penalties; enforcement.

A. Preventive remedies.

- (1) 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 any building, structure or premises.
- (2) The description by metes and bounds in the instrument of transfer and 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.
- (3) 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 chapter. The authority to deny such permit or approval shall apply to any of the following applicants:
 - (a) The owner of record at the time of such violation.
 - (b) 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.
 - (c) 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.
 - (d) 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.
- (4) As an additional condition for issuance of a permit or for 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.

B. Enforcement remedies.

- (1) Any person, partnership or corporation who or which has violated the provisions of this chapter shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Borough, pay a judgment of not more than five hundred dollars (\$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 be payable until the date of 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.
- (2) 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 chapter 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 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.
- (3) 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.
- (4) Nothing contained in this § 184-1303B shall be construed or interpreted to grant to any person or entity other than the Borough the right to commence any action for enforcement pursuant to this section.

ARTICLE 1400. Word Usage and Definitions

§ 184-1401. Word usage.

- A. Unless a contrary intention appears clearly, the following words and phrases shall have, for the purposes of this chapter, the meanings given in the following clauses. Any word or phrase not defined specialty herein is intended to be used with its meaning in standard usage.
- B. For the purpose of this chapter, words and phrases used herein shall be interpreted as follows:
 - (1) Words used in the present tense include the future.
 - (2) The word "person" includes a corporation, partnership, association or other legal entity as well as an individual.
 - (3) The word "lot" includes the word "plot" or "parcel."
 - (4) The term "shall" is mandatory.
 - (5) The words "used" or "occupied," as applied to any land or building, shall be construed to include the words "intended, arranged or designed to be occupied."
 - (6) Words used in the singular number shall include the plural, and the plural the singular, unless the context indicates clearly to the contrary.
 - (7) The words "Franklin Park Borough" or "Borough" refer to Franklin Park Borough.
 - (8) The word "Commission" and the words "Planning Commission," refer to the Franklin Park Borough Planning Commission.
 - (9) The words "governing body" or "Borough Council" refer to the Franklin Park Borough Council.
 - (10) The words "municipal" or "municipality" refer to Franklin Park Borough.
 - (11) The word "Board" or the words "Zoning Hearing Board" refer to the Franklin Park Borough Zoning Hearing Board.

§ 184-1402. Definitions.

- A. Any definitions not herein set forth which are definitions in the Pennsylvania Municipalities Planning
- B. Unless otherwise specified, all terms defined in Chapter 212, Zoning, shall apply to this chapter. The following definitions shall apply to this chapter.

AGRICULTURE — Growing or producing for sale or use domestic livestock, farm grains, feed or hay, fruits, vegetables, dairy products, poultry, eggs, seed crops or other products typical of farm activity of the locality.

BLOCK — A unit of land, usually containing lots, bounded by existing or proposed streets and public land, railroad rights-of-way, waterways or any other barrier to the continuity of development.

CHANNEL — A natural stream that conveys water; a ditch or open channel excavated for the flow of water.

CLEAR SIGHT TRIANGLE — A triangular shaped area of undisrupted vision at street intersections in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

CONSERVATION DISTRICT (ACCD) — The Allegheny County Conservation District.

CUL-DE-SAC — A dead-end street having a suitable turnaround for the safe and convenient reversal of traffic movement.

CULVERT — A pipe, conduit or similar structure, including appurtenant works, which carries a stream under or through an embankment or fill.

DESIGN STORM — The magnitude of precipitation from a storm event measured in probability of occurrence (e.g., fifty (50) year storm) and duration (e.g., twenty-four (24)-hour) and used in designing stormwater management control systems.

DETENTION BASIN — A basin designed to retard stormwater runoff by temporarily storing the runoff and releasing it at a predetermined rate. A detention basin is designed to drain completely after a storm event.

DEVELOPMENT — Any activity, construction, alteration, change in land use or similar action that affects stormwater runoff characteristics.

DISCHARGE — Rate of flow, specifically fluid flow; a volume of fluid flowing from a conduit or channel or being released from detention storage, per unit of time; commonly expressed in cubic feet per second (cfs), million gallons per day (mgd), gallons per minute (gpm) or cubic meters per second (cms).

DISCHARGE CONTROL POINT — A point of hydraulic concern, such as a bridge, culvert or channel section, for which the rate of runoff is computed or measured in the watershed plan.

DRAINAGE AREA — The contributing area to a single drainage basin, expressed in acres, square miles or other units of area; also called a "catchment area," "watershed" or "river basin"; the area served by a drainage system or by a watercourse receiving stormwater and surface water.

EROSION — The detachment and movement of soil or rock fragments by water, wind, ice or gravity, including such processes as gravitational creep.

EXCAVATION — Any act by which earth, sand, gravel, rock or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated or bulldozed, and shall include the conditions resulting there from.

FILL — Any act by which earth, sand, gravel, rock or any other material is deposited, placed, pushed, dumped, pulled, transported or moved to a new location, and shall include the condition resulting.

FRONTAGE — That side of a lot abutting on a street and ordinarily regarded as the front of the lot.

GRADING — Excavation or fill or any combination thereof, and shall include the conditions resulting from any excavation or fill.

GRADING PERMIT — Any permit required under these regulations.

GREENWAY LAND – The portion of a site area that is set aside for the protection of natural features, farmland, scenic views, and other valuable features.

HAZARD — A danger or potential danger to the life, limb or health of the general public or an adverse effect or potential adverse effect on the safety, use or stability of property, waterways, public ways, structures, utilities and storm sewers used by the general public. "Hazard" shall also include stream pollution.

IMPERVIOUS SURFACE — Impervious surfaces are those surfaces with a coefficient of runoff greater than eighty-five-hundredths (0.85). All buildings, parking areas, driveways, roads, sidewalks and any areas in concrete or asphalt shall be considered "impervious surfaces" within this definition. In addition, other areas determined by a professional engineer selected by the municipality to be impervious within the meaning of this definition will also be classified as "impervious surfaces."

IMPROVEMENT — Construction of any building or structure, or an addition or enlargement thereof, any street, driveway, paved area or stormwater management facility.

LAKES AND PONDS — Natural or artificial bodies of water which retain water year round. Artificial ponds shall be created by dams or result from excavation. The shoreline of such water bodies shall be measured from the maximum condition rather than permanent pool, if there is any difference. Lakes are bodies of water two (2) or more acres in extent. Ponds are bodies of water less than two (2) acres in extent.

LAND DEVELOPMENT — The improvement, as defined herein, of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:

- (1) A group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively;
- (2) A single nonresidential building on a lot or lots, regardless of the number of occupants or tenure, including any addition to an existing building or existing paving which results in three thousand (3,000) square feet or more of additional lot coverage; or
- (3) The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

LAND DEVELOPMENT PLAN — A plan prepared in accordance with the application requirements of this chapter for approval of a land development, as defined herein.

LAND DISTURBANCE — Any activity involving grading, tilling, digging or filling or the stripping of vegetation, or any other activity which causes land to be exposed to the danger of erosion.

LANDSLIDE SUSCEPTIBILITY — Areas of moderate to high susceptibility to land sliding produced by the influence of natural and/or man-related activity. Plans for development within these areas must be submitted by a professional engineer or landscape architect licensed in the Commonwealth of Pennsylvania, approved by the governing body.

LICENSE — An authorization issued annually by the Zoning Officer to operate a mobile home park within Franklin Park Borough.

MOBILE HOME LOT — A parcel of land within a mobile home park for the placement of a single mobile home and the exclusive use of its occupants.

MOBILE HOME PARK — A parcel of land under single ownership, which has been planned for the placement of mobile homes, appurtenant structures or additions.

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

MONUMENT — A concrete form or metal rod used to mark a designated survey point.

MULTIFAMILY DWELLING — A residential building or portion of a building which contains three (3) or more dwelling units, including, but not limited to, apartments and townhouses.

NATURAL STORMWATER RUNOFF REGIME — A watershed where surface configurations, runoff characteristics and defined drainage conveyances have attained the conditions of equilibrium.

NET ACRE — All ground remaining after deducting roads and community service facilities.

OUTFALL — Points or areas at which stormwater runoff leaves a site, which may include streams, storm sewers, swales or other well-defined natural or artificial drainage features, as well as areas of dispersed overland flows.

PERMIT — A building permit to construct, alter or extend any development.

PRIMARY CONSERVATION AREAS – shall consist of wetlands; streams and other watercourses; ponds and other water bodies; floodplains; steep slopes greater than twenty-five percent (25%) and slide-prone areas.

PUBLIC IMPROVEMENTS — Any improvement, facility or service, together with its associated public site or right-of-way necessary to provide transportation, drainage, public or private utilities, energy or similar essential services. Any or all of the following shall be considered public improvements:

- (1) Grading.
- (2) Street pavement.
- (3) Curbs and gutters.
- (4) Sidewalks.
- (5) Crosswalks.
- (6) Waterlines.
- (7) Sanitary sewer lines and appurtenances.
- (8) Storm sewer lines and drainage structures.
- (9) Curb returns.
- (10) Driveway entrances in the right-of-way.
- (11) Guide rails.
- (12) Street signs.

RATE OF RUNOFF — Instantaneous measurement of water flow expressed in a unit of volume per unit of time, also referred to as "discharge," usually stated in cubic feet per second (cfs) or gallons per minute (gpm).

RELEASE RATE PERCENTAGE — The percentage of predevelopment peak rate of runoff from a watershed subarea (as delineated in the watershed plan), which defines the allowable post-development peak discharge from any development site in that subarea. The release rate percentage is determined by computing the following:

Subarea predevelopment rate of runoff contributing to peak at downstream points of interest

Release

Subarea peak rate of runoff per development x 100 = rate
percentage

RETAINING WALL — A structure composed of concrete, steel or other approved building material constructed for the purpose of supporting a cut or filled embankment which would otherwise not comply with the requirements of the standards set forth in this chapter.

RETENTION BASIN — A permanent lake or pond designed to also retard stormwater by temporarily storing the excess runoff and releasing it at a lower rate.

RUNOFF — That part of precipitation which flows over the land.

SCS — The Soil Conservation Service, United States Department of Agriculture.

SECONDARY CONSERVATION AREAS – shall consist of important natural and/or cultural features on the site area, in addition to the Primary Conservation Areas, that are identified during the Four-Step Design Process. They shall include, but not be limited to, mature woodlands; moderately steep slopes of twelve percent (12%) up to twenty-five percent (25%); natural heritage areas identified in the Natural Heritage Inventory; historic features such as old stone walls and foundations; prime agricultural soils, and areas providing scenic vistas.

SERVICE BUILDING — A structure housing sanitary, operations, office, recreational, maintenance and other facilities.

SEWER CONNECTION — Pipes, fittings and appurtenances from the drain outlet to the inlet of the corresponding sewer riser pipe of the sewer system.

SEWER RISER PIPE — That portion of the sewer lateral which extends vertically to the ground elevation and terminates at a designed point.

SITE — A lot, tract or parcel of land, or a series of lots, tracts or parcels of land which are adjoining, where grading work is continuous and performed at the same time.

SOIL COVER COMPLEX METHOD — A method of runoff computation developed by SCS and found in its publication, Urban Hydrology for Small Watersheds, Technical Release No. 55, SCS, January 1975.

SOILS ENGINEER — A person registered by the Commonwealth of Pennsylvania as a professional engineer and who has training and experiences in the branch of soils engineering.

SOIL SURVEY — The unpublished and operational soil survey for Allegheny County, Pennsylvania, and the accompanying text, Soil Survey Interpretations of Allegheny County, Pennsylvania, as prepared by the United States Department of Agriculture Soil Conservation Service et al. When applicable, "soil survey" shall mean the Soil Survey, Allegheny County, Pennsylvania, when this publication is completed.

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

S/LD — Subdivision and land development.

TIME OF CONCENTRATION — The time period necessary for surface runoff to reach the outlet of a subarea from the hydraulically most remote point in the tributary drainage area.

TRACT — An area, parcel, site, piece of land or property which is the subject of a development application.

WATER CONNECTION — All pipes, fittings and appurtenances from the water riser pipe to the sewer inlet pipe of the distribution system.

WATERCOURSE — A stream, intermittent stream, river, creek, channel, or ditch which carries water, whether natural or manmade.

WATER RISER PIPE — That portion of the water service pipe which extends vertically to the ground elevation and terminates at a designated point.

WATER SERVICE PIPE — All pipes, fittings, valves and appurtenances from the water main of the distribution system to the water outlet of the distribution system.

WATERSHED — The entire region or area drained by a river or other body of water, whether natural or artificial. A "designated watershed" is an area delineated by the Pennsylvania Department of Environmental Protection and approved by the Environmental Quality Board for which counties are required to develop watershed stormwater management plans.

WETLANDS — Any area which meets the criteria established in the 1989 Federal Manual for Identifying and Delineating Jurisdictional Wetlands as required by the PA Department of Environmental Protection (PA DEP), as may be amended or replaced.

WOODLANDS — Areas, groves or stands of mature or largely mature trees [i.e., greater than six (6) inches caliper (diameter) at a height of fourteen (14) inches above the ground] covering an area greater than one-fourth (1/4) of an acre; or groves of mature trees [greater than twelve (12) inches caliper (diameter) at a height of fourteen (14) inches above the ground] consisting of more than ten (10) individual trees.