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PART 1
GENERAL PROVISIONS

§22-101. Authority and Title.

This Chapter is enacted pursuant to the Pennsylvania Municipalities Planning Code and may be cited as the "Subdivision and Land Development Ordinance of the City of Lock Haven."

(Ord. 543B, 4/20/1998, §100)

§22-102. Purpose.

This Chapter is adopted pursuant to the provisions of the Pennsylvania Municipalities Planning Code, as amended, for the purpose of ensuring sites for building purposes and human habitation and to provide for the harmonious development of the City of Lock Haven, for adequate open spaces, for traffic, recreation, light and air, and for the proper distribution of population thereby creating conditions favorable to the health, safety, morals and general welfare of the citizens of the City.

(Ord. 543B, 4/20/1998, §101)

§22-103. Jurisdiction

1. No subdivision of any lot, tract or parcel of land or any land development as defined in §201 shall be effected in the City of Lock Haven; no street, sanitary sewer, storm sewer, water main or other facilities in connection therewith shall be laid out, constructed, opened or dedicated for public use of travel, or for the common use of occupants of buildings thereon unless and until a final subdivision plan has been approved by the Planning Commission in the manner prescribed herein and recorded; nor otherwise used except in strict accordance with the provisions of this Chapter.
2. No lot in a subdivision may be sold; no permit to erect, alter or repair any building upon land in a subdivision may be issued; and no building may be erected in a subdivision, unless and until a final subdivision plat has been approved by the Planning Commission and properly recorded with the Clinton County, Pennsylvania Recorder of Deeds, and until constructed of the improvements required in connection therewith has been guaranteed in the manner prescribed herein.

(Ord. 543B, 4/20/1998, §102)

PART 2

DEFINITIONS

§22-201. Word Usage.

Unless otherwise expressly stated, the following terms shall, for the purposes of these regulations, have the meanings indicated.

- A. Words in the singular include the plural and those in the plural include the singular.
- B. Words in the present tense include the future tense.
- C. The words "person," "developer," "subdivider" and "owner" include a corporation, unincorporated association, a partnership or other legal entity, as well as an individual.
- D. The word "building" includes structure and shall be construed as if followed by the phrase "or part thereof."
- E. The words "should" and "may" are permissive; the words "shall" and "will" are mandatory and directive.
- F. The word "City" means City of Lock Haven, Clinton County, Pennsylvania.
- G. The term "City Council" means the City Council of the City of Lock Haven.
- H. The term "Planning Commission" means the Planning Commission of the City of Lock Haven.

(Ord. 543B, 4/20/1998, §200)

§22-202. Terms Defined.

APPLICANT - a land owner or developer, as hereinafter defined, who has filed an application for development, including his heirs, successors and assigns.

APPLICATION FOR DEVELOPMENT - every application, whether preliminary, tentative or final, required to be filed and approved before start of construction or development including, but not limited to, an application for a building permit, for the approval of a subdivision plat or plan, or for the approval of a development plan.

BLOCK - a unit of land bounded by streets or by a combination of streets and public land, rail rights-of-way, waterways or any other barrier to the continuity to development.

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BUILDING - any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any kind or nature.

BUILDING, ACCESSORY - a subordinate structure on the same lot as the principal or main building or use occupied or devoted to a use incidental to the principal use.

BUILDING, LINE - a line parallel to the street line at a distance therefrom equal to the depth of the front yard required for the zoning district in which the lot is located.

CARTWAY - that area of a street within which vehicles are permitted, including travel lanes and parking areas, but not including shoulders, curbs, sidewalks or swales.

CLEAR SIGHT TRIANGLE - a triangular shaped portion of land established at street intersections in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

CODES ADMINISTRATOR - Zoning Officer.

COMMON OPEN SPACE - a parcel or parcels of land or an area of water, or a combination of land and water, within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking area and areas set aside for public facilities.

COMPREHENSIVE PLAN - a composite of one or more written or graphic proposals adopted by the City Council in agreement with the Pennsylvania Municipalities Planning Code and designated as a comprehensive plan for the continuing development of the City.

COUNTY PLANNING COMMISSION - the Planning Commission of Clinton County, Pennsylvania.

DESIGNATED CITY OFFICIAL - the City official charged by the City Manager with the responsibility of administering the subdivision application submission procedure.

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

DEVELOPMENT PLAN - the provisions for development, including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the development plan" when used in this Chapter shall mean the written and graphic materials referred to in this definition.

DRAINAGE RIGHTS-OF-WAY - the lands required for the installation of stormwater sewers or drainage ditches required along a natural stream or water course for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage.

DWELLING - a building designed or used as the living quarters for one or more families. The terms "dwelling," "one family dwelling," "two family dwelling," "multifamily dwelling" or "dwelling group" shall not include automobile court, boarding house, hotel/motel or bed and breakfast.

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

IMPROVEMENTS - any manmade, immovable item which becomes part of, placed upon, or is affixed to real estate.

LAND DEVELOPMENT - any of the following activities:

- A. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (1) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure.
 - (2) The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups or other features.
- B. A subdivision of land.
- C. Development in accordance with §503(1.1) of Act 170, Pennsylvania Municipalities Planning Code, as follows:
 - (1) Provisions for the exclusion of certain land development from the definition of land development only when such land development involves:
 - (a) The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.
 - (b) The addition or conversion of building or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this subsection, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by property authorities.

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- (c) The conversion of an existing single-family detached dwelling or single family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium.

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

LANDSCAPE BUFFER FOR NONRESIDENTIAL PARKING AREAS/LOTS - a strip of land, together with a specified type and amount of natural or planted vegetation required for all off-street parking areas/lots containing more than five parking spaces and all loading spaces.

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

LOT AREA - the area contained within the lot lines of a lot, excluding space within all streets and within a permanent drainage easements, but including the areas of all other easements.

LOT, CORNER - a lot or parcel abutting upon two or more streets at their intersection or upon two parts of the same street forming an interior angle of less than 135 degrees.

LOT, DEPTH - the distance measured from the front lot line to the rear lot line.

LOT COVERAGE - that portion of the lot that is covered by buildings and structures.

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

LOT, INTERIOR - a lot other than a corner lot.

LOT LINE - a line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public street.

LOT LINE, FRONT - the lot line separating a lot from a street right-of-way.

LOT LINE, REAR - the lot line opposite and most distant from the front lot line; or in the case of triangular or otherwise irregularly shaped lots, a line 10 feet in length, entirely within the lot, parallel to and at a maximum distance from the front lot line.

LOT LINE, SIDE - any lot line other than a front or rear lot line.

LOT, REVERSE FRONTAGE - a through lot which is not accessible from one of the parallel or nonintersecting streets upon which it fronts.

LOT, THROUGH - a lot which fronts upon two parallel streets other than an alley, or which fronts upon two streets which do not intersect at the boundaries of the lot.

LOT WIDTH - the horizontal distance between the sidelines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required building set back line.

MAINTENANCE GUARANTEE - any security which may be accepted by the City Council to assure that necessary improvements will be kept in good condition and will function as required for a period of 1 year after completion of construction and installation, including corporate bonds, escrow agreements and other similar collateral or surety agreements.

MEDIATION - a voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.

MONUMENT - a stone or concrete monument with a flat top at least 4 inches in diameter or square with bottom sides or radius at least 2 inches greater than the top. The monument shall contain a steel dowel and be at least 30 inches in length.

OFFICIAL MAP - the City map adopted by ordinance that conclusively shows the locations of, and width of, existing and proposed streets, public facilities and public areas, and drainage rights-of-way.

PERFORMANCE GUARANTEE - any security that may be accepted by the City Council as a guarantee that improvements required as part of an application for development are satisfactorily completed.

PLAT - the map or plan of a subdivision or land development.

PLAT, FINAL - the final map of all or a portion of a subdivision or land development prepared for official recording as required by this Chapter, presented for final approval.

PLAT, PRELIMINARY - a preliminary map indicating the proposed layout of the subdivision or land development which is submitted for consideration and preliminary approval.

PLAT, RECORD - the copy of the final plan that contains the original and/or segments of the County Planning Commission and the City Planning Commission and which is intended to be submitted with the County Recorder of Deeds.

PLAT, SKETCH - an informal sketch map of a proposed subdivision or land development indicating existing features of a tract and its surroundings and the proposed subdivision or land development to be used for the purpose of discussion and classification.

PUBLIC NOTICE - notice published once each week for two successive weeks in a newspaper of general circulation in the City. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than 7 days from the date of the hearing.

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RESUBDIVISION - the replatting or resubdivision of lots or the relocation of lot lines of any lot or lots on approved final or recorded plats, as specified in this Chapter. Other replattings shall be considered as constituting a new subdivision of land.

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

RUNOFF - that portion of rainfall, melted snow or irrigation water that flows across ground surface and is eventually returned to streams.

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

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

SIGHT DISTANCE - the required length of roadway visible to the driver of a motor vehicle at any given point on the roadway when the view is unobstructed by traffic. Sight distance measurements shall assume the height of the drivers eye to be 3.75 feet above the roadway and the height of the object to be 0.5 feet.

SLOPE - the degree of deviation of a surface from the horizontal, usually expressed in percent or degrees.

STREET - any vehicular way, including the entire right-of-way, which is intended for use as a means of circulation to provide access to one or more lots. The word "street" includes street, avenue, boulevard, road, highway, freeway, parkway, alley and any other ways used or intended to be used by vehicular traffic or pedestrians, whether public or private or improved or unimproved.

STREET, PRIVATE - any street not belonging to or accepted by the City which is the responsibility of the adjacent land owner to maintain and improve.

STREET, PUBLIC - any street belonging to or accepted by the City for which the City is responsible for maintenance and improvements.

STREET LINE - the limit of a right-of-way.

STRUCTURE - a combination of materials to form a construction for use, occupancy or ornamentation, whether installed on, above or below the surface of land or water.

SUBDIVISION - the division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, petition by the court for

distribution to heirs or devisees, transfer of ownership or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

SUBDIVISION, MAJOR - any subdivision which is not classified a minor subdivision.

SUBDIVISION, MINOR -

- A. Any subdivision containing not more than three lots running on an existing street, not involving any new street or road and not adversely affecting the development of the remainder of the parcel or adjoining property and not in conflict with any provision or portion of the comprehensive plan, official map, Zoning Ordinance [Chapter 27] or this Chapter.
- B. The combination or recombination or previously platted lots on an existing street where the total number of lots is not increased and the resultant lots comply with the City of Lock Haven Zoning Ordinance [Chapter 27].
- C. The division of any tract of land in an undivided ownership into two parcels for the purpose of transfer of ownership, where the area conveyed is less than 6,000 square feet and where both resultant combination of lots comply with the City of Lock Haven Zoning Ordinance [Chapter 27].

SUBSTANTIALLY COMPLETED - where, in the judgment of the City engineer, at least 90% of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

WATERCOURSE - a permanent stream, intermittent stream, river, brook, creek, channel or ditch for water, whether natural or manmade.

YARD - an open space that lies between the principal or accessory building or buildings and the nearest lot line. Such yard is unoccupied and unobstructed from the ground upward, except as may be specifically provided in the Zoning Ordinance [Chapter 27].

(Ord. 543B, 4/20/1998, §201)

PART3

SKETCH PLAT SUBMISSION, REVIEW AND REQUIREMENTS

§22-301. Purpose.

For the purpose of expediting application and reducing subdivision and land development costs, the developer may submit a sketch plat for the purposes of discussion between the City Planning Commission and the developer. The applicant shall not be bound by the determination of the sketch plat review nor shall the City Planning Commission be bound by any such review.

(Ord. 543B, 4/20/1998, §300)

§22-302. Sketch Plan Submission; Review.

1. Applicants seeking a sketch plat review shall submit three or more copies of the sketch plat, completed in agreement with §22-303 of this Part, to the designated City official.
2. Within 60 days of submission of the sketch plat to the designated City official, the City official shall make any recommendations to the developer which it deems necessary or advisable in the public interest in order to provide an acceptable plan for the site.
3. Prior to any review process commencing, the applicant must provide sufficient documentation to indicate compliance with Act 537, the "Pennsylvania Sewage Facilities Act." [Ord. 670]

(Ord. 543B, 4/20/1998, §301; as amended by Ord. 670, 2/24/2003, §1)

§22-303. Sketch Plat Requirements.

1. The sketch plat shall be based on accurate information at a scale of not more than 1 inch equals 100 feet to enable the entire tract to be shown on one street.
2. The location of that portion of the tract which is to be subdivided or developed in relation to the entire tract.
3. The location of existing houses, buildings and other structures, with accurate dimensions from all existing and proposed property lines, wooded areas and any other significant natural features within the portion to be subdivided or developed and within 200 feet thereof.
4. The name of the owner, all adjoining property owners and those across existing or proposed streets as disclosed by the most recent City tax records.

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5. The tax map sheet, date of revision, block and lot numbers and zone districts of the tract proposed to be subdivided or developed.
6. The location of existing or proposed streets, roads, easements, public rights-of-way in and within 500 feet of the subdivision or land development.
7. The original and proposed lot layout, lot dimensions, all required set back lines and lot area for each lot in square feet and acreage.

(Ord. 543B, 4/20/1998, §302)

PART 4

PRELIMINARY PLAT SUBMISSION, REVIEW AND REQUIREMENTS

§22-401. Objectives of Submission.

1. To transfer the general and approximate ideas of the sketch plat more exactly to a precise base to verify their feasibility and merit before proceeding with detailed construction and engineering documents.
2. Preliminary plats and all required supplementary data for all proposed subdivisions and land developments shall be submitted to the designated City official.
3. If the preliminary plan submission complies with §22-404 of this Part, the designated City Official shall acknowledge such compliance. The designated City official can forego preliminary approval and consider this for final approval, if it also complies with all requirements of Part 5.

(Ord. 543B, 4/20/1998, §401)

§22-402. Submission Procedure.

Official submission of a preliminary plat to the City Planner shall comprise submitting the following information no less than 10 days prior to a regularly scheduled Planning Commission meeting:

- A. Submission of at least fourteen copies of a completed subdivision or land development application and the appropriate application fee.
- B. Submission of at least fourteen legibly drawn or reproduced paper prints of the preliminary plat which shall fully comply with provisions of this Chapter as set forth in §22-406 of this Part.
- C. Submission of at least fourteen copies of all required supplemental information as set forth in §22-404 of this Part.
- D. The designated City official shall refer one plat print and one copy of the supplemental information to the County Planning Commission; plat prints and copies of the supplemental information shall be provided to the City Planning Commission members for recommendations as to changes, alterations and modifications.
- E. Additional prints of the preliminary plat shall be submitted to the respective agencies in each of the following circumstances:

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- (1) Whenever the property being subdivided or developed abuts a state legislative route, one print of the preliminary plat shall be submitted to the Pennsylvania Department of Transportation.
 - (2) Whenever a proposed subdivision or land development is located in more than one municipality or located adjacent to another municipality, one print of the preliminary plat shall be submitted for each municipality.
 - (3) Whenever required, one print shall be submitted to the utility companies, Soil Conservation District and Pennsylvania Department of Environmental Protection. [Ord. 670]
- F. Prior to any review process commencing, the applicant must provide sufficient documentation to indicate compliance with Act 537, the Pennsylvania Sewage Facilities Act.

(Ord. 543B, 4/20/1998, §402; as amended by Ord. 670, 2/24/2003, §1)

§22-403. Preliminary Plat Review.

1. Review of the preliminary plat by the County Planning Commission shall proceed as follows:
 - A. Within 30 days of the date of official submission, the County Planning Commission shall review the preliminary plat to determine its conformance with County plans and priorities, and shall recommend such written changes and modifications as it may deem necessary or advisable in the public interest to the City Planner, City Planning Commission and the applicant's engineer, planner, landscape architect or surveyor.
 - B. Review of the preliminary subdivision or land development plat by the County Planning Commission shall constitute County planning review as set forth in §502 of the Pennsylvania Municipalities Planning Code.
2. Review of the preliminary plat by the City Planning Commission shall proceed as follows:
 - A. When a preliminary plat has been officially submitted to the designated City official, such plat shall be placed on the agenda of the Planning Commission for review at its next regular monthly meeting; provided, that such official submission has occurred no less than 10 calendar days prior to such regular meeting. The Planning Commission may hold a public hearing on the preliminary plat at this time.

- B. The City Planning Commission shall review the preliminary plat to determine its conformance with the standards contained in this Chapter and other applicable City ordinances and shall require or recommend such changes and modifications as it deems necessary.
 - C. No decision shall be made by the City Planning Commission with respect to a preliminary plat until the City Planning Commission has received and considered the written report of the County Planning Commission, unless the County Planning Commission fails to report thereon within 30 days after receipt of a preliminary plat. In all cases, however, the City Planning Commission shall render its decision and communicate it to the applicant not later than 90 days following the date of the regular meeting of the City Planning Commission next following the date the application is filed; provided, that should the next regular meeting occur more than 30 days following the filing of the application, the said 90 day period shall be measured from the thirtieth day following the day the application has been filed.
 - D. During review of the preliminary plat, the Planning Commission shall also consider the report of the City Engineer when making its decision.
 - E. The decision of the City Planning Commission shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than 15 days following the decision.
 - F. 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.
3. The approval of the City Planning Commission shall be an expression of the tentative approval of the layout submitted in the preliminary application and the preliminary plat shall be stamped and signed as follows:

NOTICE OF PRELIMINARY APPROVAL

Notice is hereby given that the general plan of the applicant shown in this plat has received preliminary approval of the Lock Haven City Planning Commission and that said Commission is now ready to receive the final application for consideration.

Lock Haven City Planning Commission

Date _____

Chairman

(Ord. 543B, 4/20/1998, §403)

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§22-404. Preliminary Plat Requirements.

The preliminary plat of a subdivision or land development, notwithstanding any other requirement stipulated by this Chapter, shall be clearly and legibly drawn or reproduced at a scale of not less than 1 inch equals 100 feet, shall be designed in accordance with the provisions of Part 7 and shall contain or be accompanied by the following information, except that the City Planning Commission may waive any requirement or request additional information where it is clearly appropriate to the application:

- A. A key map at a scale not smaller than 1 inch equals 1,000 feet, showing the relation of the portion to be subdivided or developed to the entire tract and the relation of the entire tract to the neighborhood for at least 1,000 feet beyond the boundary.
- B. The tract name, tax map sheet, block and lot number, date, graphic scale and the following names and addresses:
 - (1) Name and address of record owner or owners.
 - (2) Name and address of the subdivider or developer.
 - (3) Name, address and professional seal of the person who prepared the plat.
 - (4) Names of adjacent and facing owners.
- C. Acreage of the tract to be subdivided or developed to the nearest tenth of an acre.
- D. Contours at vertical intervals of 2 feet for slopes averaging less than 10% and at vertical intervals of 5 feet for slopes averaging 10% or greater. Contours shall be in the United States Coast and Geodetic Control Survey Datum.
- E. The location of existing and required setback lines, streets within 200 feet of the subdivision or land development, the location [of] existing and proposed buildings, railroads, bridges, culverts, drain pipes and all natural features, such as wooded areas, alluvial soils, flood areas and rock formations.
- F. A copy of any protective covenants or deed restrictions applying to the land.
- G. A full plan of development showing the location of all proposed streets, roads, alleys, utility easements, parks, playgrounds and other public areas; suggested street names, proposed building setback lines for each road; proposed lot lines dimensioned in feet and tenths and approximate areas of lots in square feet; lot numbers in consecutive order; and all streets, public use or proposed to be dedicated or reserved for future public use, together with the conditions of such dedications or reservations.

- H. When required by the City Engineer, the preliminary plat shall be accompanied by profiles showing existing ground surface and proposed street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision; typical cross sections of the proposed grading, roadway and sidewalk; and preliminary plans of proposed water lines, sanitary and stormwater sewers, with grades and sizes indicated.

(Ord. 543B, 4/20/1998, §404)

§22-405. Waiver of Preliminary Plan Requirements.

The Planning Commission may waive the preliminary plan submission in the case of a subdivision plan fronting on an existing street and where proposed streets or other improvements are not involved. The subdivider, in that instance, must follow the subdivision final plan procedures.

(Ord. 543B, 4/20/1998, §405)

PART 5

FINAL PLAT SUBMISSION REVIEW, REQUIREMENTS AND RECORDING

§22-501. Final Plat Submission.

1. Within 12 months after approval of the preliminary plan, a final subdivision or land development plat and all required supplemental data shall be submitted to the designated City official. An extension of time may be granted by the City Planning Commission upon written request, otherwise the plat submitted shall be considered as a new preliminary plat.
2. The final plat shall conform in all significant respects to the preliminary plat as previously reviewed by the City Planning Commission, but shall incorporate all modifications required by the City Planning Commission in its review of the preliminary plat. The City Planning Commission may, however, accept a final plat modified so as to reflect any substantial changes which have occurred on the site of the proposed subdivision or land development, or in its surroundings, since the time of the preliminary plat review.
3. Copies of the final subdivision or land development plat shall be submitted to the County Planning Commission and any appropriate County and State agencies.
4. The final plat may be submitted in sections or stages, each covering a reasonable portion of the entire subdivision or land development as shown on the reviewed preliminary plat, in accordance with regulations as set forth in §22-507 of this Part. In the case of a final subdivision or land development plat which is to be submitted in sections or stages over a period of years, the between submission of applications for final approval of each stage or section shall be no greater than 24 months.
5. If the final plan submission complies with §22-507 of this Part, the designated City official shall acknowledge such compliance by immediate issuance, to the developer, of a final plat receipt.
6. Official submission of a final plat to the designated City official shall comprise submitting the following information no less than 10 days prior to a regularly scheduled Planning Commission meeting.
 - A. Submission of at least twelve copies of a completed final subdivision or land development plat application and the appropriate submission fee.
 - B. Submission of at least twelve copies of all required supplemental information.
 - C. Submission of twelve copies of all offers of dedication and covenants governing the reservation and maintenance of undedicated open space, which shall bear the certificate of approval of the City Solicitor as to their legal sufficiency.

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- D. The designated City official shall, within 5 days of receipt of a completed final plat and application, refer one copy of a complete final subdivision or land development plat application, one print of the final plat and one copy of all required supplemental information to the City Council. The designated City official shall refer seven copies of a complete final subdivision or land development plat application, seven prints of the final plat and seven copies of all supplemental information, offers of dedication and covenants governing undedicated open space to the City Planning Commission.

(Ord. 543B, 4/20/1998, §501)

§22-502. Official Submission.

1. Official submission of a final plat by the City Planning Commission to the County Planning Commission shall comprise the following:
 - A. The submission of one copy of a completed final subdivision or land development plat application.
 - B. Submission of two paper prints of the final plat.
 - C. Submission of one copy of a required supplemental information.
2. Additional prints of the final plat shall be submitted to the respective agencies in each of the following circumstances:
 - A. Whenever the property being subdivided or developed abuts a State legislative route, one print of the final plat shall be submitted to the Pennsylvania Department of Transportation.
 - B. Whenever a proposed subdivision or land development is located in more than one municipality or located adjacent to another municipality, one print of the final plan shall be submitted for each municipality.

(Ord. 543B, 4/20/1998, §502)

§22-503. Final Plat Review.

1. Review of the final plat by the County Planning Commission shall proceed as follows:
 - A. Within 30 days of the date of official submission, the County Planning Commission shall review the final plat to determine its conformance with County plans and priorities and shall recommend such written changes and modifications as it may deem necessary or advisable in the public interest to the designated City official, City Planning Commission and the applicant or his designated agent.

2. Review of the final plat by the City Planning Commission shall proceed as follows:
 - A. When a final plat has been officially submitted to the designated City official, such plat shall be placed on the agenda of the Planning Commission for review at its next regular monthly meeting; provided, that such official submission has occurred no less than 10 calendar days prior to such regular meeting. The Planning Commission shall hold a public hearing at this time if the final plat departs substantially from the preliminary plat.
 - B. The City Planning Commission shall review the final plat to determine its conformance with the standards contained in this Chapter and with such changes and modifications which the Planning Commission required in connection with approval of the preliminary plat. During review of the final plat, the Planning Commission shall also consider the written report of the City Engineer and, if required, of the County Planning Commission.
 - C. When a final plat has been reviewed by the County Planning Commission, no recommendations shall be made by the City Planning Commission with respect to a final plat until the City Planning Commission has received and considered the written report of the County Planning Commission, unless the County Planning Commission fails to report thereon within 30 days after receipt of a final plat. In all cases, however, the City Planning Commission shall render its decision and communicate it to the applicant not later than 90 days following the date of the regular meeting of the City Planning Commission next following the date the application is filed; provided, that should the next regular meeting occur more than 30 days following the filing of the application, the said 90 day period shall be measured from the thirtieth day following the day the application has been filed.
 - D. During review of the final plat, the Planning Commission shall also consider the report of the City staff including, but not limited to, the City Engineer, when making its decision.
 - E. The decision of the City Planning Commission shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than 15 days following the decision.
 - F. When the final plat is not approved as filed, the decision shall specify the defects found in the final plat 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.
 - G. **Approval.** Upon a determination by the Planning Commission and the City Engineer that the final application and plat are in accordance with the provisions of this Chapter and with the approved preliminary plat, the following official stamp shall be placed upon the final plat, signed by the Chairman of the Commission and attested by its Secretary.

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"Approved by the Lock Haven City Planning Commission, this _____ day of _____, 20__."

Signed _____ Chairman

Signed _____ Secretary

This approval shall not be deemed to constitute or effect the City's acceptance of the dedication of any street or other proposed public way, space or area shown on said plat.

H. **Recording Plats and Deeds.** Upon the approval of a final plat, the applicant shall, within 90 days of such final approval, record such plat in the office of the recorder of deeds of the County. The County shall not accept any plat for recording, unless such plat officially notes the approval of the City Planning Commission and review by the County Planning Agency.

I. **Referral to City Council.** The Planning Commission shall transmit four prints of the approved final plat, along with the certificate of title, to the City Council for acceptance of any proposed dedication. The City Council, upon their acceptance of such dedication, shall return three approved prints to the Planning Commission. The Planning Commission shall thereupon return two of these prints to the subdivider.

(Ord. 543B, 4/20/1998, §503)

§22-504. Completion of Improvements or Guarantee Thereof Prerequisite to Final Plat Approval.

1. No plat shall be finally approved unless the streets shown on such plat have been improved to a mud free or otherwise permanently passable condition, or improved as may be required by this Chapter and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers and other improvements as may be required by this Chapter have been installed in accordance with such Chapter. In lieu of the completion of any improvements required as a condition for the final approval of a plat, including improvements or fees required by the City, this Chapter shall provide for the deposit with the City of financial security in an amount sufficient to cover the costs of such improvements or common amenities including, but not limited to, roads, stormwater detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements or buffer or screen plantings which may be required.
2. When requested by the applicant, in order to facilitate financing, the City Planning Commission, if designated, shall furnish the developer with a signed copy of a resolution indicating approval of the final plat contingent upon the developer obtaining a satisfactory financial security. The final plat or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or

letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within 90 days, unless a written extension is granted by the governing body; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.

3. Without limitation as to other types of financial security which the City may approve, which approval shall not be unreasonably withheld, Federal or Commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions shall be deemed acceptable financial security for the purposes of this Section.
4. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth.
5. Such bond or other security shall provide for and secure to the public the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements.
6. The amount of financial security to be posted for the completion of the required improvements shall be equal to 110% of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer. Annually, the City may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the ninetieth day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the City may require the developer to post additional security in order to assure that the financial security equals said 110%. Any additional security shall be posted by the developer in accordance with this subsection.
7. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by an applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The City, upon the recommendation of the City Engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the City are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the City and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the City and the applicant or developer.

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8. If the party posting the financial security requires more than 1 year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional 10% for each 1 year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 110% of the cost of completing the required improvements as reestablished on or about the expiration of the preceding 1 year period by using the above bidding procedure.
9. In the case where development is projected over a period of years, the City Council or the planning agency may authorize submission of final plats by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.
10. As the work of installing the required improvements proceeds, the party posting the financial security may request the City Council to release or authorize the release, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the City Council, and the City Council shall have 45 days from receipt of such request within which to allow the City Engineer to certify, in writing, to the City Council that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification, the City Council shall authorize release by the bonding company or lending institution of an amount as estimated by the City Engineer fairly representing the value of the improvements completed or, if the City Council fails to act within said 45 day period, the City Council shall be deemed to have approved the release of funds as requested. The City Council may, prior to final release at the time of completion and certification by its engineer, require retention of 10% of the estimated cost of the aforesaid improvements.
11. Where the City Council accepts dedication of all or some of the required improvements following completion, the City Council may require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a term not to exceed 18 months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this Section with regard to installation of such improvements and the amount of the financial security shall not exceed 15% of the actual cost of installation of said improvements.
12. If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the City, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this Section.

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

(Ord. 543B, 4/20/1998, §504)

§22-505. Release From Improvement Bond.

1. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the City Council, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the City Engineer to inspect all of the aforesaid improvements. The City Engineer shall, thereupon, file a report, in writing, with the City Council and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within 30 days after receipt by the City Engineer of the aforesaid authorization from the City Council; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the City Engineer, said report shall contain a statement of reasons for such nonapproval or rejection.
2. The City Council shall notify the developer, within 15 days of receipt of the engineer's report, in writing, by certified or registered mail, of the action of said City Council with relation thereto.
3. If the City Council or the City Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.
4. If any portion of the said improvements shall not be approved or shall be rejected by the City Council, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
5. Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the City Council or the City Engineer.

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6. The City may prescribe that the applicant shall reimburse the City for the reasonable and necessary expense incurred for the inspection of improvements. Such reimbursement shall be based upon a schedule established by ordinance or resolution. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the City 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 engineer or consultant to the City when fees are not reimbursed or otherwise imposed on applicants.
 - A. In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, within 10 working days of the date of billing, notify the City that such expenses are disputed as unreasonable or unnecessary, in which case the City shall not delay or disapprove a subdivision or land development application or any approval or permit related to development due to the applicant's request over disputed engineer expenses.
 - B. If, within 20 days from the date of billing, the City and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant and City of Lock Haven shall jointly, by mutual agreement, appoint another professional engineer licensed as such in the Commonwealth of Pennsylvania to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.
 - C. The professional engineer so appointed shall hear such evidence and review such documentation as the professional engineer in his or her sole opinion deems necessary and render a decision within 50 days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.
 - D. In the event that the City and applicant cannot agree upon the professional engineer to be appointed within 20 days of the billing date, then, upon application of either party, the President Judge of the Court of Common Pleas of the judicial district in which the City is located (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 City Engineer nor any professional engineer who has been retained by, or performed services for, the City or the applicant within the preceding 5 years.
 - E. The fee 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 \$1,000 or more, the City shall pay the fee of the professional engineer, but otherwise the City and the applicant shall each pay $\frac{1}{2}$ of the fee of the appointed professional engineer.

(Ord. 543B, 4/20/1998, §505)

§22-506. Final Plat Requirements.

The final plat, notwithstanding any other requirements stipulated by this Chapter or other City ordinance, shall be drawn in ink on tracing cloth, mylar or equal at a scale of 1 inch equals 100 feet, except where otherwise permitted by the Planning Commission. The final plat shall be accompanied by the following:

- A. Date, name and location of the subdivision, name of owner and graphic scale.
- B. Tract boundary lines, right-of-way lines of streets, street names, easements and other rights-of-way, land reserved or dedicated to public use, all lot lines and other site lines; with accurate dimensions, bearings or deflection angles and radii, arcs and central angles of all curves.
- C. The purpose of any easement or land reserved or dedicated to public use shall be designated and the proposed use of sites other than residential shall be noted.
- D. Each block and lot shall be numbered in accordance with the system of numbers which will ultimately be the numbers shown on the City tax map.
- E. Minimum building setback lines on all lots and other sites.
- F. Location of all monuments.
- G. Certification by a land surveyor licensed in the State of Pennsylvania as to accuracy of details of plat.
- H. Certification that the applicant is agent or owner of the land or that the owner has given consent under an option agreement.
- I. When approval of a plat is required by any officer or body of such City, County or State, approval shall be certified on the plat.
- J. Final construction plans and profiles showing proposed utility layouts (sanitary sewers, storm drains, water, gas, electric, etc.) showing connections to existing or proposed utility systems. Cross sections of streets may be required by the City Engineer.
- K. A certificate by the City Engineer certifying that the application has complied with one of the following alternatives:
 - (1) All improvements have been properly installed in accord with the requirements of these regulations and the action of the Planning Commission giving approval to the preliminary plat.
 - (2) A bond with sufficient surety or certified check has been posted, which is available to the City and in sufficient amount to assure completion of all required improvements.

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- L. Protective covenants in form for recording.
- M. Evidence showing that all general taxes on the subdivision have been paid in full to date or discharged in full or that the court under which said assessments were made has entered an order redistributing the assessments against the land platted.

(Ord. 543B, 4/20/1998, §506)

§22-507. Recording of Final Plat.

1. Before the Planning Commission approves any final plats, and is a prerequisite for approval, the applicant shall deliver to the Planning Commission a performance guarantee and assurances of escrowed amounts for inspections in accordance with §22-506(K).
2. Upon written application signed by the obliger and surety of performance guarantee in a form approved by the City Solicitor, the Planning Commission may, at its discretion, extend the period for installation of guaranteed improvements by not more than 3 additional years or, when the improvements have been partially completed, may reduce proportionally the amount of the performance guarantee by formal resolution. In the event of the default under a performance guarantee, the proceeds of the performance guarantee received by the City shall be used to construct and install the improvements.
3. The City Engineer shall notify the Planning Commission upon the completion of procedures as set forth in this Part. [Ord. 670]
4. After completion of procedures as set forth in this Part, and after the final plat is approved by the Planning Commission, the record plat, and as many other copies of the final plat as may be desired, shall be endorsed by the City Planning Commission and the County Planning Commission. No subdivision or land development plan may be recorded unless it bears City Council, County Planning Commission and City Planning Commission endorsements and the corporate seal of the City. [Ord. 670]
5. The record plat shall be a clear and legible print of a type and materials required by the Clinton County Recorder of Deeds.
6. After endorsement by the City Council, City Planning Commission and the County Planning Commission, the applicant shall file the record plat with the County Recorder of Deeds within 90 days of the date of final approval by the City Planning Commission. If the applicant fails to record the final plat within such period, the action of the City Planning Commission shall be null and void, unless an extension of time is granted upon written request of the applicant. A receipt of recording shall be provided to the City Engineer.
7. At the time the record plat is endorsed by the City Planning Commission, the City shall receive one reproducible print of the final plat as approved for its permanent files.

8. The applicant shall submit reproducible plans of as built public improvements after construction.

(*Ord. 543B*, 4/20/1998, §507; as amended by *Ord. 670*, 2/24/2003, §1)

PART 6

**MINOR SUBDIVISION/LAND DEVELOPMENT PLAN
SUBMISSION PROCEDURES AND REQUIREMENTS**

§22-601. Applicability.

In the event that the proposed subdivision or land development shall involve the subdivision of more than four lots or involve the construction of or a change in the location of streets, sanitary or storm sewers, water mains, culverts and other municipal improvements, then the provisions of this Section on minor subdivision/land development shall not be applicable and the applicant shall be required to comply with the requirements and procedures of this Chapter dealing with major land developments. It is also the purpose of this Section to provide a simplified procedure by which minor land development, including residential conversions may be submitted and approved.

(Ord. 543B, 4/20/1998, §601)

§22-602. Procedure.

1. Applicant submits 15 copies of the minor subdivision/land development plan and application to the designated City official.
2. The designated City official checks the submission for completeness and (i) if submission is incomplete, immediately returns the submission to the applicant and indicates the deficiencies; or (ii) if the submission is complete, accepts the plan, application and fees. *[Ord. 670]*
3. Upon submission of the complete minor subdivision/land development plan, the applicant shall include a filing fee in accordance with the City fee schedule and a review fee in accordance with the County Planning Commission fee schedule. The designated City official shall render a proper receipt to the applicant for said fees. Copies of the minor subdivision/land development application shall be distributed immediately to the City Planning Commission, the City Engineer and Zoning Officer.
4. The City Planning Commission shall (i) review all applicable reports; (ii) review the applicant's submission; (iii) determine whether the plan meets the objectives of the comprehensive plan and the requirements of this Chapter and other applicable ordinances; and (iv) approve or disapprove the minor subdivision/land development application.
5. The City Planning Commission shall render its decision within ninety (90) days of the date the review period began. The City Planning Commission shall not act, however, until the report of the County Planning Commission has been received, or until a period of 30 days following the forwarding of the complete submission to the County has expired.

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6. The decision of the Planning Commission shall be in writing and shall be communicated to the applicant (or his agent) personally, or mailed by way of registered or certified letter to him at his last known address, not later than 5 days following the decision.
7. If the minor subdivision/land development is approved, two exact copies of the approved plan on linen and one exact paper print copy with the signatures required in this Chapter shall be submitted to the City Planning Commission.
8. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe requirements which have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon.
9. Prior to any review process commencing the applicant must provide sufficient documentation to indicate compliance with Act 537, the Pennsylvania Sewage Facilities Act.

(Ord. 543B, 4/20/1998, §602; as amended by Ord. 670, 2/24/2003, §1)

§22-603. Required Information.

1. Drafting Standards.

- A. The site information and plan shall be drawn at a scale of 1 inch equals 50 feet or larger.
- B. Dimensions shall be in feet and decimal parts thereof and bearings in degrees, minutes and seconds.
- C. Where any revision is made, or when the plan is a revision of a previously approved plan, dotted lines shall be used to show features or locations to be abandoned and solid lines shall show the currently proposed features. All revisions shall be noted in a revision block with the revision date, a note of explanation and reference to the page on which the revision is to be found.
- D. Plans shall be on sheets either 18 x 22 inches or 36 x 44 inches. All lettering shall be drawn as to be legible if the plan should be reduced to half size.

2. General Information to be Shown.

- A. Name of the minor subdivision or land development.
- B. Tax parcel number.
- C. Name and address of the owner/applicant/developer.
- D. Name and address of the registered engineer, surveyor, landscape architect or architect responsible for the plan.

- E. Type of water and sewage disposal facilities existing and proposed.
- F. Zoning requirements, including applicable district requirements and proof of any variances, conditional uses or special exceptions which may have been granted.
- G. A location map for the purpose of locating the site.
- H. Total acreage of the tract.
- I. Date, true north point and graphic scale.
- J. Signature blocks.

3. Existing Site Features.

- A. Complete outline survey of the property to be developed shall be provided, showing all courses, distances and areas.
- B. Location of all existing and proposed monuments.
- C. Location, size and ownership of all underground utilities, existing and proposed rights-of-way and easements within the property.
- D. Contours at vertical intervals of 2 feet for land with an average natural slope of 4% or less, vertical intervals of 5 feet for more steeply sloping land. Data shall refer to known established elevations.

4. Proposed Site Plan.

- A. The location of existing buildings, proposed buildings and extensions to existing buildings.
- B. The location of all existing and proposed improvements including, but not limited to:
 - (1) Driveways and interior automobile parking arrangements.
 - (2) Sidewalks.
 - (3) Street trees.
 - (4) Off-street parking spaces and on-street parking spaces.
 - (5) Impervious surfaces.
 - (6) Recreation areas.
 - (7) Refuse storage and other screened storage areas.

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- (8) Buffering, screening, fencing and landscaping of any portion of the lot.
- (9) Required front, side and rear yards, as well as required setbacks and lot widths.
- (10) Areas for loading and unloading.
- (11) Any proposed display of signs.
- (12) Any required utility easements.
- (13) Must be reviewed and approved by City Engineer or designated City official.

5. **Proposed Interior Plan (Land Development Plans).**

- A. A floor plan showing existing rooms, room uses, room sizes, stairways, doorways, hallways and windows.
- B. A floor plan showing proposed rooms, room uses, room sizes, stairways, doorways, hallways and windows. If dwelling units are included therein, the number of dwelling units shall be indicated and the dwelling unit entrances.

(Ord. 543B, 4/20/1998, §603; as amended by Ord. 670, 2/24/2003, §1)

§22-604. Landscaping for Nonresidential Parking Areas/Lots.

A landscape plan shall be required for all nonresidential parking areas/lots (including all loading areas) that exceed five spaces. The landscape plan shall include a combination of shrubs, deciduous and coniferous trees, all selected to provide shade and view a restrictive screen for parking areas. Trees and/or shrubs shall be an integral part of this perimeter planting. Walls, earth mounds and fences, or any combination thereof, may be included with the living plant material at a minimum height of 4 feet and a maximum height of 6 feet. Headlights of parked vehicles must be obscured from the public way. At a minimum, the landscape plan shall include:

- A. **Required Setbacks.** Five foot perimeter landscaped buffer along the front, side and rear property lines, excluding access driveways.
- B. **Planting Specifications.** Plant materials shall be sufficiently large and planted in such a fashion that a screen at least 6 feet in height shall be produced within three growing seasons. All plantings shall be installed according to accepted horticultural standards.

- C. **Maintenance.** All landscaping shall be properly maintained and dead or dying plants shall be replaced by the property owner during the next planting season. No buildings, structures, storage of material or parking shall be permitted within the buffer area; buffer areas shall be maintained and kept free of all debris, rubbish, weeds and tall grass.

- D. **Walls and/or Fences.** In addition to the required landscaping, walls and/or fences may be erected for privacy, screening, separation, security or to serve other necessary functions and shall be erected in conformance with the following:
 - (1) Design and materials shall be functional, they shall complement the character of the size and type of building, and they shall be suited to the nature of the project.

 - (2) No fence or wall shall be constructed or installed so as to constitute a hazard to traffic or safety.

(Ord. 543B, 4/20/1998, §604)

PART 7

DESIGN STANDARDS

§22-701. Streets.

1. Relation to Traffic Plan.

- A. The street and alley layout shall conform to the traffic plan and to any plans adopted by the Planning Commission for the development of the neighborhood in which the proposed subdivision is located and shall provide access to all lots and parcels of land within the subdivision. Where streets cross other streets, offsets shall not be created.
- B. The arrangements of streets shall make provision for the direct continuation of the principal existing streets in adjoining subdivisions (or their proper projection when adjoining property is not subdivided) insofar as they may be necessary for public requirements. In general, such streets shall be of a width at least as great as the existing streets and in no case less than the minimum requirements specified herein.
- C. When the plat submitted for subdivision covers only a part of the subdivider's tract, a sketch of the prospective future street system of the part submitted shall be considered in the light of adjustments and connections with the street system of part not subdivided.
- D. When the tract is subdivided into lots of an acre or more, the Planning Commission shall require an arrangement of streets such as to permit a later subdivision in conformity with the street requirements specified in these regulations.
- E. In general, streets shall not be laid out on the boundaries of the tract, except where such streets are desirable for further expansion or conformance to existing streets or where a previously dedicated half-street adjoins the tract, in which case sufficient additional width of street shall be dedicated to make the street width conform to the minimum requirements specified herein.
- F. Proposed streets shall be adjusted to the contour of the land so as to produce usable lots and streets of reasonable gradient.

- 2. Intersections.** In general, minor streets should intersect main highways or arterial streets at right angles. As far as is practicable, acute angles between streets at their intersections are to be avoided and where a deflection angle of more than 10 degrees in the street line occurs at any point between two intersecting streets, a curve of reasonably long radius shall be introduced. Intersections of more than two streets at one point shall be avoided.

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3. Access.

- A. There shall be no reserve strips controlling access to streets except where the control of such strips is definitely placed in the control of the City under conditions approved by the Planning Commission. The subdividing of land shall be such as to provide each lot, by means of a public street, with satisfactory access to an existing public highway on to a thoroughfare as shown on the official plan.
- B. All new subdivisions along marked State highways shall be arranged to provide access to such highways at intervals of not less than 1,320 feet, except where impractical or impossible due to existing property divisions or topography. All roads and streets within such subdivision shall be arranged to permit access to adjacent future subdivisions without encroachment upon this regulation.

4. Street Widths.

A. Right-of-Way Widths.

- (1) Minimum street right-of-way widths, measured from the lot lines, shall be as shown on the traffic plan adopted by the City Planning Commission or, if not shown thereon, shall meet the following standards:
 - (a) Major traffic street: 80 foot right-of-way.
 - (b) Collector street: 66 foot right-of-way.
 - (c) Minor street: 50 foot right-of-way.
 - (d) Marginal access street: 40 foot right-of-way.
 - (e) Alley: 16 foot right-of-way.
- (2) The widths shall be measured from lot line to lot line and in cases where topography or other physical conditions make a street of a required minimum width impracticable, the Planning Commission may modify the above requirements.
- (3) Where a subdivision abuts or contains an existing or proposed major traffic street or a railroad, the Commission may require marginal access streets, rear service alleys, reverse frontage lots or such other treatment as will provide protection for abutting properties, reduction in the number of intersections with the major street and separations with the major street and separation of local and through traffic.
- (4) In all cases where a proposed subdivision borders on or includes a marked State highway, a right-of-way having a minimum width of 50 feet on each side of the center line shall be dedicated.

B. **Pavement Widths.** Minimum pavement widths, measured from curb to curb, shall be as shown on the traffic plan or, if not shown thereon, shall meet the following standards:

- (1) Major Traffic Street: 50 foot pavement width.
- (2) Collector Street: 40 foot pavement width.
- (3) Minor Street: 32 foot pavement width.
- (4) Marginal Access Street: 24 foot pavement width.
- (5) Alley: 12 foot pavement width.

5. **Street Alignment.** Streets shall be so laid out that there will be unobstructed sight distances along the center lines thereof, measured from a point five (5) feet above the proposed grade line, to permit horizontal visibility as follows:

- A. Major traffic streets: 600 feet.
- B. Collector streets: 300 feet.
- C. Minor streets: 150 feet.

6. **Alleys.** Alleys will not be approved in residential districts, but may be required in business districts.

7. **Dead-End Streets.** Streets designated to have one end permanently closed shall provide a closed cul-de-sac, having a minimum radius of 50 feet from the outside curb, or other suitable turn around facilities.

(Ord. 543B, 4/20/1998, §702)

§22-702. Blocks.

1. **Length.** Residential blocks shall ordinarily not exceed 1,200 feet in length and commercial blocks, 600 feet, except for unit shopping centers.

2. **Width.** Blocks shall be of sufficient width to permit two tiers of lots of appropriate depth, except where an interior street parallels a limited access highway or major traffic street, or except where it backs up to a railroad, creek or other natural barrier or unsubdivided area.

(Ord. 543B, 4/20/1998, §702)

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§22-703. Lots.

1. **Frontage.** Each lot shall front on a street dedicated for public use, unless a private street is approved by City Council.
2. **Arrangement.** On all quadrangular lots, and so far as practicable on all other lots, the side lines shall be at right angles to straight street lines or radial to curved street lines, unless a variation to this rule will give a better street and lot plan.
3. **Setback Lines.**
 - A. Building setback line shall be established in all lots. Corner lots shall be laid out wide enough to permit building space back of the building line on each street.
 - B. Building setback lines shall be shown on the plat for lots intended for residential use of any character and on commercial or industrial lots immediately adjoining residential areas.
 - C. The subdivider shall establish building lines in accordance with the needs of each subdivision, but in no case shall such building lines be less than 25 feet from the right-of-way of the street or highway upon which the lot fronts and where business or industrial property faces residential property, such business or industrial structures shall be setback at least 25 feet from the established right-of-way of the street or highway.
4. **Lot Width and Area.**
 - A. Residential lots shall have a minimum area of 6,000 square feet and a minimum width, measured in the shortest distance at the building line, of 50 feet, except as noted below.
 - B. Lots which are not served by public sewers and/or public water shall conform to the following requirements designed to prevent unsanitary conditions and hazards to the public health:
 - (1) Where both water supply and sanitary sewage disposal are provided by individual onlot facilities, residential lots shall have a minimum area of 20,000 square feet per dwelling unit and a minimum width, measured in the shortest distance at the building line, of 100 feet.
 - (2) Where either water supply or sanitary sewage disposal, but not both, are provided by individual onlot facilities, residential lots shall have a minimum area of 10,000 square feet per dwelling unit and a minimum width, measured in the shortest distance at the building line, of 75 feet.
 - (3) Where either or both water supply and sanitary sewage disposal are provided by individual onlot facilities and evidence indicates that the requirements of subsections (4)(B)(1) and (4)(B)(2), above, are not adequate,

the Commission may, after consultation with the Division of Environmental Hygiene of the State Department of Health, require tests, undertaken at the expense of the developer, as may be prescribed by said Department of Health, to determine the adequacy of the proposed water and sewage facilities in relation to the proposed lot size and existing grade and soil conditions. In all such cases where the tests indicate a larger lot size than allowed above to be necessary, the Commission may employ the services of a registered and qualified independent sanitary engineer for advice as to the minimum lot size and/or facilities necessary to prevent unsanitary conditions and hazards to the public health. In such cases, the cost of retaining the services of a qualified engineer shall be borne by the developer.

- (4) Where commercial or multiple dwelling subdivisions are proposed to be served by either or both onlot sanitary sewage disposal and water supply facilities, the lot area and dimensions required to prevent health hazards shall be subject to individual review and determination by the Commission.
- (5) The depth to width ratio at the usable area of a lot shall ordinarily not be greater than three to one.

(Ord. 543B, 4/20/1998, §703)

§22-704. Other Considerations.

1. **Easements.** Where alleys are not provided, easements of not less than 10 feet in width shall be provided on each side of all rear lot lines where necessary for poles, wires, conduits, storm and sanitary sewers, gas, water, and heat mains or other utilities. Easements of greater width may be required along lines or across lots where necessary for the extension of main sewers and similar utilities. Easements shall also be provided for all storm sewers, drainage ditches and water courses.
2. **Preservation of Natural Features.** The subdivider shall plan the layout to preserve the natural features of the site.
3. **Tree Planting.** Street trees shall be planted in the parkway midway between the curb and the sidewalk. They shall be planted in a manner assuring healthy growth and shall be of a species and size approved by the Planning Commission.
4. **Public Open Spaces.** Where deemed necessary or desirable by the subdivider, with approval by the Planning Commission, upon considerations of the particular type of development proposed in the subdivision, and especially in large subdivisions, the subdivider may dedicate or reserve areas or sites of a character, extent and locations suitable to the needs created by such development for schools, parks and other neighborhood purposes.

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5. **Character of Development.** The Planning Commission shall confer with the subdivider regarding the type and character of development that will be permitted in the subdivision and may agree with the subdivider as to certain minimum restrictions to be placed upon the property to prevent the construction of substandard buildings and control the type of structures or the use of the lots which, unless so controlled, would clearly depreciate the character and value of the proposed subdivision and of adjoining property. Deed restrictions or covenants should be included to provide for the creation of a property owners association or board of trustees for the proper protection and maintenance of the development in the future; provided, however, that such deed restrictions or covenants shall not contain reversionary clauses wherein any shall return to the subdivider because of a violation thereon of the terms of the restrictions or covenants.
6. **Restrictions.** The plat shall show a statement of all restrictions to be imposed upon any part of said subdivision.

(Ord. 543B, 4/20/1998, §704)

§22-705. Hardship.

In any particular case where the subdivider or his engineer 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, the Planning Commission may relax such requirements to the extent deemed just and proper, so as to relieve such difficulty or hardship; provided, such relief may be granted without detriment to the public good and without impairing the intent and purpose of this Chapter or the desirable general development of the neighborhood and the community in accordance with any adopted long range plan. Any modification thus granted shall be entered in the minutes of the Planning Commission setting forth the reasons which, in the opinion of the Planning Commission, justified the modification.

(Ord. 543B, 4/20/1998, §705)

PART 8

MINIMUM PUBLIC IMPROVEMENT

§22-801. Preamble.

1. The subdivider shall, at his own expense, provide the following public improvements which shall meet minimum design and specification requirements of the City of Lock Haven, Pennsylvania.
2. The final plat of the subdivision shall conform to the following standards of improvements.

(Ord. 543B, 4/20/1998, Art. VIII)

§22-802. Monuments and Markers.

1. **Type.** Monuments shall be of concrete or stone with a minimum size of 4 inches by 4 inches by 36 inches and shall be marked on top with a 1/2 inch round brass pin or a drilled hole. Markers shall consist of iron pipes or iron or steel bars at least 24 inches long and not less than 3/4 inch in diameter.
2. **Placement.**
 - A. Monuments and markers shall be placed so that the scored or marked point shall coincide exactly with the intersection of lines to be marked and shall be set so that the top of the monument or marker is level with the surface of the surrounding ground.
 - B. Monuments shall be set at the intersection of all lines forming angles in the boundary of the subdivision.
 - C. Markers shall be set:
 - (1) At the beginning and ending of all curves along street property lines.
 - (2) At all points where lot lines intersect curves, either front or rear.
 - (3) At all angles in property lines of lots.
 - (4) At all other lot corners.
3. **Replacement.** Any monuments or markers that are removed shall be replaced by a competent engineer at the expense of the person removing them.

(Ord. 543B, 4/20/1998, §801)

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§22-803. Street Improvements.

1. **Minimum Paving Requirements.** Streets (and alleys, where provided) shall be graded, surfaced and improved to the grades and dimensions shown on plans, profiles and cross sections submitted by the subdivider and approved by the Planning Commission. As a minimum, the street pavement shall be in accordance with Table I below:

Table I			
Required Pavement Construction			
Type of Street	Surface Type	Type	Required Pavement Construction Base Course Thickness (inches)
Major Traffic	A	D	12 + subbase if required
Collector	B	D	8
Minor	C	D	8
Marginal Access	C	D	6
Alleys	B	D	8

- A. Three inch ID-2 surface course in accordance with most recent edition of publication 408 of Pennsylvania Department of Transportation.
 - B. Two and one-half inch ID-2 surface course in accordance with most recent edition of Publication 408 of the Pennsylvania Department of Transportation.
 - C. Two inch CP-2 surface course in accordance with most recent edition of Publication 408 of the Pennsylvania Department of Transportation.
 - D. Stone base course in accordance with most recent edition of Publication 408 of the Pennsylvania Department of Transportation.
2. **Other Improvements.** The Planning Commission may require a higher type of pavement than specified in Table I, or improvements in addition to those set forth in the table, where it deems such to be necessary because of prospective traffic safety of pedestrians in connection with sidewalks, or in order to conform to conditions prevailing in the neighborhood, in which latter case the neighborhood standard shall generally apply. Crosswalks may be required when deemed necessary by the Planning Commission.

- A. **Subsurface Drainage.** Prior to placing the street surface, adequate subsurface drainage for the streets and all subsurface utilities as acceptable to the commission shall be provided or installed by the subdivider. The size of storm drainage structures shall be computed by using "Talbot's Formula" for runoff.
 - B. **Slopes.** Slopes of banks measured perpendicular to the center line of the street shall not exceed three to one for fills and two to one for cuts.
3. In all respects in which standards for required improvements are not set forth herein or specified by the Planning Commission hereunder, the applicable standard requirements of the Pennsylvania State Department of Transportation shall govern, and all work shall be performed in the manner prescribed in the standard specifications for road construction of said Department for type of construction under consideration.

(Ord. 543B, 4/20/1998, §802)

§22-804. Approval Maintenance and Security.

1. The work of constructing streets or roads, including the construction methods and materials incident thereto, shall be subject to the approval of the City Engineer. Final acceptance of the completed streets or roads shall rest with the City. The subdivider shall enter into a contract with the City which provides that in consideration of the acceptance of the roads or streets for inclusion in the City highway system, the subdivider agrees to construct the roads or streets in the subdivision to the standards prescribed herein at his own expense with no cost to the City.
2. In the event that the owner or subdivider desires to complete the construction of the streets after the plat is placed on record, he shall be required to submit a cost estimate prepared by a registered professional engineer or surveyor, setting forth all items of work to be performed and the estimated costs. Said estimate shall be subject to the approval of the City Engineer. A certified check or contract performance bond issued by a surety company, subject to the approval of the City, in an amount equal to the approved estimate to insure the completion of the work, shall be filed with the City Council. All construction items shall be completed within 1 year after the plat is placed on record, except where bituminous paving construction is required.
3. When bituminous construction is required, it shall be completed within 2 years after the plat is placed on record.
4. The certified check shall be made payable to the City. In the event the work is satisfactorily completed within the time specified, the certified check or surety bond shall be returned.
5. The owner or subdivider shall be required to maintain all culverts, ditches, back-slopes and shoulders on all streets for a period of 2 years after their completion. All exposed surfaces on which a turf or sod has not been developed shall be reseeded or sodded. An estimate of cost shall be prepared by a registered professional engineer or surveyor,

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setting forth all items of work to be performed and the estimated cost. Said estimate shall be subject to the approval of the City Engineer. The owner or subdivider shall deposit with the City a certified check or performance bond issued by a surety company, in an amount not less than the cost of maintaining said streets for a period of 2 years.

(Ord. 543B, 4/20/1998, §803)

§22-805. Sewers.

Where there is a public sanitary sewer system within 500 feet of the proposed subdivision, sanitary sewers shall be installed to adequately serve all lots with connections to the public system. Where lots cannot be served by the extension of an existing public sanitary sewer, the subdivider shall obtain approval of lot sizes as provided in §22-703(4) hereof. In addition, individual septic tanks and disposal fields and/or neighborhood disposal systems shall be approved by the State Department of Environmental Protection.

(Ord. 543B, 4/20/1998, §804)

§22-805. Water.

1. The subdivider shall provide the subdivision with a complete water main supply system which shall be connected to a municipal water supply or with a community water supply approved by the City Engineer and the State Department of Environmental Protection with satisfactory provision for the maintenance thereof; except that when such municipal or community water supply is not available or when it is more than 1000 feet from the area proposed to be subdivided, the subdivider shall provide an individual water supply on each lot in the subdivision in accordance with minimum standards approved by the Pennsylvania State Department of Health.
2. The plans for the installation of the mains of a water supply system shall be prepared by the subdivider with the cooperation of the applicable water utility company and approved by the City Engineer. Upon the completion of the water supply installation, one copy each of the plans for such system as built shall be filed with the Planning Commission.

(Ord. 543B, 4/20/1998, §805)

§22-807. Storm Drainage.

An adequate storm sewer system consisting of inlets and other underground drainage structures with approved outlets shall be constructed where the runoff of stormwater and the prevention of erosion cannot be accomplished satisfactorily by surface drainage facilities. Outlets shall be approved by the owners of the properties affected and by the Planning Commission.

(Ord. 543B, 4/20/1998, §806)

§22-808. Curb and Gutter.

The curb and gutter shall be one of the following types:

- A. Plain cement concrete in accordance with the most recent edition of Publication 408 and applicable RC standards of the Pennsylvania Department of Transportaton.

(Ord. 543B, 4/20/1998, §807)

§22-809. Sidewalks.

Sidewalks shall be installed and shall have a minimum width of 4 feet, except that sidewalks serving apartment houses or proposed commercial areas shall be wider if deemed necessary by the Planning Commission. Sidewalks may be of the following types:

- A. Concrete in accordance with the most recent edition of Publication 408, 676.

(Ord. 543B, 4/20/1998, §808)

§22-810. Street Lights and Fire Hydrants.

Street lights may be required when considered reasonable by the Planning Commission. Fire hydrants installed in accordance with underwriters specifications shall be required under coverage by a water supply system and shall be spaced to provide coverage within 500 feet of any property line.

(Ord. 543B, 4/20/1998, §809)

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§22-811. Filing Plans and Profiles

Upon the completion of the improvements in a subdivision, plans and profiles of the same as constructed shall be filed with the Planning Commission.

(Ord. 543B, 4/20/1998, §810)

§22-812. Installation of Improvements.

Required improvements shall be installed by the subdivider under the supervision of the City Engineer.

(Ord. 543B, 4/20/1998, §811)

PART 9

CONFLICT WITH OTHER REGULATIONS

§22-901. Conflict with Other Regulations.

Wherever there is a difference between minimum standards or dimensions specified herein and those contained in the Zoning Ordinance [Chapter 27] or other official regulation, the highest standard shall apply.

(Ord. 543B, 4/20/1998, Art. IX)

PART 10

PENALTY AND LEGAL ACTION

§22-1001. Enforcement Remedies.

1. Any person, partnership or corporation who or which has violated the provisions of this Chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the City of Lock Haven, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the City as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the City may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating this Chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.
2. 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.
3. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the City the right to commence any action for enforcement pursuant to this Section.
4. District justices shall have initial jurisdiction in proceedings brought under this Section.

(Ord. 543B, 4/20/1998, Art. X; as amended by Ord. 670, 2/24/2003, §1)

PART 11

REVISION AND AMENDMENT

§22-1101. Revision and Amendment.

This Chapter may, from time to time, be revised, modified or amended as prescribed by local and State laws.

(Ord. 543B, 4/20/1998, Art. XI)

PART 12

COMMISSION RECORDS

§22-1201. Commission Records.

The Planning Commission shall keep a record of its findings, decisions and recommendations relative to all subdivision plans filed with it for review.

(Ord. 543B, 4/20/1998, Art. XII)

