Three Springs Borough,
Huntingdon County

Subdivision and Land Development Ordinance

October 2025

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Article 1 – General Provisions

101 – Short Title

This Ordinance shall be known and may be cited as "The Three Springs Borough Subdivision and Land Development Ordinance."

102 – Purpose

The purpose of this Ordinance is to:

A. Protect and promote the safety, health and general welfare of the citizens of Three Springs Borough.

B. To conserve open land, including those areas containing unique and sensitive natural features such as woodlands, steep slopes, streams, floodplains and wetlands, by setting them aside from development.

C. To protect areas of the Borough with productive agricultural soils for continued or future agricultural use, by conserving blocks of land large enough to allow for efficient farm operations.

D. To provide for efficient and orderly extension of community services and the coordination of existing streets and public utilities with new facilities.

E. To assist in the orderly, efficient and integrated development of land and related community facilities.

F. To provide uniform standards and procedures to secure equitable handling of all subdivision plans.

G. To implement the Three Springs Borough Comprehensive Plan and through partnership to implement the Huntingdon County Comprehensive Plan.

103 – Authority and Jurisdiction

The authority of the Borough Council to adopt this Ordinance regulation subdivision and land development within Three Springs Borough is granted by Article V of the Pennsylvania Municipalities Planning Code of July 31, 1968, Act No. 247, as amended. As a result, no subdivision or land development of any lot, tract or parcel of land shall be made, no streets, sanitary sewer, storm sewer, water main or other improvements in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants buildings abutting thereon, except in accordance with the provisions of this Ordinance.

104 – Interpretation

The provisions of this Ordinance shall be interpreted to be the minimum requirements to meet purposes of the Ordinance. Where the provisions of this Ordinance conflict or are inconsistent with the provisions of any other regulation or requirement, the more restrictive provisions in question shall apply.

105 – County Review

All applications for subdivision and/or land development approval within Three Springs Borough shall be forwarded upon receipt to the Huntingdon County Planning Commission for review and report. Such action shall occur at the Preliminary and Final Plan stages, and the Borough shall not take action on said plans until the County report is received or until the expiration of thirty (30) days from the date the plans were forwarded to the County.

106 – Municipal Liability

The grant of a permit or approval of a subdivision and/or land development plan shall not constitute a representation, guarantee, or warranty of any kind by the Borough or by any official or employee thereof of the practicability or safety of the proposed use and shall create no liability upon the Borough, its officials or employees.

107 – Effective Date, Jurisdiction and Repealer

A. This Ordinance shall become effective on the date approved by Borough Council and shall remain in effect until modified or rescinded by the Borough Council. This Ordinance shall supersede and replace all other conflicting regulations issued by the Borough previous to the approval date of this Ordinance. No applicable land development or subdivision of land shall occur in Three Springs Borough except by the provisions of this Ordinance. Compliance with this Ordinance does not release any party from compliance with other applicable local, county, state or federal laws or regulations.

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

108 – Copies

Copies of the Three Springs Borough Subdivision and Land Development Ordinance shall be made available to the general public at a fee adequate to compensate the Borough for the cost of reproduction.

109 – Exception for Neighboring and Pre-Existing Structures

Irrespective of any requirements or restrictions set forth herein, if a building to be constructed is on the same side of the block as a building(s) already constructed with a smaller front yard setback, the front yard setback for the building to be constructed may be decreased to match the building with the smallest front yard setback on the same side of the block as the building to be constructed. Likewise, if a building was damaged by fire or otherwise demolished, the footprint of the building for the purposes of new construction or development shall be the same as the previous footprint, regardless of the set back provisions herein.

Article 2 – Plan Submission Procedure

The following procedures shall be observed by all developers.

201 – Contents of Application

An application shall be submitted with all subdivision and land developments. An application packet, original plus four (4) copies, containing the following information and materials shall accompany all applications for plan approval:

A. Name and signature of applicant.

B. Tax Parcel Number of tract.

C. Acreage of tract.

D. Acreage of land and number of lots prepared for:

   1. Residential lots
   2. Commercial lots
   3. Industrial lots
   4. Other land use (specify)
   5. Streets
   6. Easements
   7. Open Space

E. Date of filing of application (to be completed by Subdivision Administrator).

F. Other information as may be required by the Borough Council.

G. Statement of intent and tentative timetable.

H. Copies of the subdivision plan as specified in Sections 203 and 204.

I. Description of non-buildable lands and constrained lands, including calculations.

J. All necessary fees in accordance with Appendix A.

K. Copies of any other necessary state, federal, or local permits, pending approved or unfilled.

202 – Submission of Plans

202.1 General Procedure

A. Applications shall be submitted to the Subdivision Administrator no less than ten (10) days prior to a regularly scheduled meeting of the Borough Council if the application is to be considered at the next meeting. The entire packet shall be subject to a completeness evaluation by the Subdivision Administrator. Incomplete applications will not be considered for further review.

B. The Subdivision Administrator shall *state* the reasons the application is deemed incomplete to the applicant in writing within five (5) days of such evaluation.

C. The Borough Council shall take action on each properly submitted application (either preliminary or final) and communicate such action to the applicant within ninety (90) days as required by Section 508 of the MPC. The Borough Council must notify the applicant in writing of their decision within fifteen (15) days of such action. Failure on the part of the Borough Council to comply with these requirements shall constitute approval of the application, unless an extension of time has been mutually agreed upon in writing by the Applicant and the Borough Council. A copy of this written action shall be forwarded to the Huntingdon County Planning and Development Department.

D. The Subdivision Administrator shall forward a copy of the application to the Borough Planning Commission, the municipal engineer (if a major subdivision or land development), the County Planning Commission, and other review agencies within five (5) days of receipt. The applicable Borough Council shall take no action on the application until the reports of the Borough and County Planning Commissions are received or until the expiration of sixty (60) days from the date the application was forwarded to the Borough Planning Commission.

E. The initial plan filed with the Borough shall be the preliminary plan. The Planning Commission may, at their discretion, combine their preliminary plan and final plan review if the subdivision is a minor subdivision meeting the standards of Section 205 of this Ordinance, and if the submission meets all applicable plan requirements.

F. A conceptual sketch plan is strongly encouraged for all subdivisions. Such plans are for informal discussion only but may avoid subsequent problems during the formal application process. Submission of the sketch plan does not constitute formal filing, does not commence statutory review, and is not subject to statutory timeliness.

1. Sketch Plan Meeting - During the sketch plan process, the applicant is strongly encouraged to meet with the Planning Commission to discuss the applicant's proposal and the Borough's land use plans and regulations.

Borough comment given during this process is advisory only and does not incur liability on any party.

G. Fees: Fees for the review and processing of subdivision and land development plans will be charged at the time of application in accordance with Appendix A. These fees may be amended from time to time by the Borough Council by resolution.

H. Conditional Approval: If the preliminary or final plan is approved, subject to conditions, then the developer shall either accept or reject such conditions in writing within a period of fifteen (15) days of receipt of such conditions. Any conditional approval shall be rescinded automatically and shall become a disapproval if the developer fails to accept or reject such conditions within the specified period.

203 – Preliminary Plan

A preliminary plan is required for major subdivisions only.

203.1 General Procedure

A. Preliminary plans and supporting data shall comply with the provisions of Article IV of this Ordinance.

B. Six (6) copies of the preliminary plan shall be submitted to the Subdivision Administrator by the developer.

C. It is the responsibility of the developer to coordinate his plans with the respective public and private utility and service agencies as set forth in these regulations prior to the submission of a preliminary plan to the Borough.

D. Approval of the preliminary plan subject to conditions, revisions and modifications as stipulated by the Borough Council and confirmed in writing by the applicant, shall constitute conditional approval of the subdivision as to the character and intensity of the development and the general layout and approximate dimensions of streets, lots, and other proposed features; but shall not constitute authorization to sell lots. Agreement by the developer to any condition upon preliminary approval shall be a pre-requisite for application for a final plan.

204 – Final Plan

204.1 General Procedure

A final plan is required for all subdivisions.

A. A final plan with supporting data shall be submitted to the Subdivision Administrator for final approval within one (1) year after approval on the preliminary plan, provided that an extension of time may be granted by the Borough Council upon written request. Otherwise, the plan submitted shall be considered as a new preliminary plan.

B. The final plan shall conform in all respects with the preliminary plan as previously reviewed by the Planning Commission and shall incorporate all modifications and revisions specified by the Borough Council in its conditional approval of the preliminary plan. Otherwise, the Plan shall be considered as a revised preliminary plan.

   The Borough Council may require that any final plan, or any phase of a final plan not completed within five years from the date of preliminary approval, may require a new preliminary plan submission to reflect changing conditions or legal requirements which may affect the subdivision or land development unless an extension of this five-year limit is granted by the Commission upon written request.

C. The Borough Council may permit submission of the final plan in phases, each covering a portion of the entire proposed subdivision as shown on the preliminary plan thereby excluding, for an additional year, preliminary plan approval of the remaining portion of the proposed subdivision.

   1. The final plan and supporting data shall comply with the provisions of Article 4 of this Ordinance. Failure to do so shall be cause for disapproval of the plan.

   2. Six (6) copies of final plan with supporting data shall be submitted to the Subdivision Administrator.

   3. In the case of approval of the final plan, the Chairman and Secretary of the Borough Council shall endorse three (3) copies of the final plan to that effect. One (1) copy of the endorsed final plan shall be kept by the Borough Council and two (2) returned to the developer.

D. Recording the Final Plan: The developer shall record the final plan in the office of the Recorder of Deeds of Huntingdon County within ninety (90) days after the date of approval by the Borough Council. The copy of the final plan filed for recording shall be a clear and legible paper copy bearing the approval of the Borough Council. No lots shall be sold or transferred prior to recording of the final plan. Failure to record the approved plan shall render all approvals null and void.

E. Copy of Approved Plan: The developer shall furnish two (2) paper and one (1) digital copy of the approved final plan (in a format acceptable to the County) along with a transmittal letter to the Huntingdon County Planning and Development Department for mapping purposes.

F. Prior to the final plan submission, the prospective developer must have complied with the planning requirements of the Pennsylvania Sewage Facilities Act as administered by the Pennsylvania Department of Environmental Protection. It is suggested that the prospective developer consult the municipal sewage enforcement officer or the Huntingdon County Planning and Development Department as to the requirements of that act.

205 – Exceptions for Minor Subdivisions

A. Definition of Minor Subdivision: In the case of any proposed subdivision, land site, or other division of land, certain requirements of this Ordinance may be waived by the Borough Planning Commission and the proposal deemed to be a Minor Subdivision, provided that all of the following criteria are met:

B. The proposal does not involve the extension of any public facilities including:

1. New streets, access easements or any rights-of-way

2. Paving or other improvements

3. New or improved water lines, sewer lines or storm drainage

4. New or improved public facilities or services

C. The proposal does not contain any environmentally sensitive areas as defined by this Ordinance.

D. The proposal does develop more than fifty percent (50%) of the road frontage of the parcel.

E. The proposal does not conflict with the Borough or County comprehensive plan.

F. The proposal does not constitute a subdivision, re-subdivision or development of any lot, tract, parcel, site or other division of land or portion thereof which had received previous approval as a subdivision or land development within five (5) years prior to the submission of the application. If such prior approval has taken place, all applications shall be considered a single application for purposes of classification.

If a subdivision or land development contains not more than three (3) lots, sites or other divisions of land (including residue land), and such subdivision or land development meets criteria as stated above, then the Planning Commission shall have the authority, at their discretion, to classify such subdivision or land development as "Minor."

G. Plat Details:

1. Plats shall be certified by a registered land surveyor and shall show metes and bounds of the entire minor subdivision and all requirements of Section 303, Final Plan.

2. Plats shall be accompanied by a location map shown on a print of the most current USGS quadrangle covering the property.

3. All information or accompanying documentation required shall be submitted as part of the application, along with the specified application fee.

206 – Exceptions for Replats

A. The requirement calling for the submission of a Preliminary Plan may be waived in cases involving only a replat or resubdivision of land, and where the proposal does not involve the extension of any public facilities including:

1. New streets, access easements or any rights-of-way

2. Paving or other improvements

3. New or improved water lines, sewer lines or storm drainage

4. New or improved public facilities or services

A replat shall meet all other applicable requirements and specifications of this Ordinance.

Article 3 – Plan Requirements

301 - Sketch Plan

A. Sketch plans should be legibly drawn on a Huntingdon County Tax Map or similar property line map at a scale of between one (1) inch equals one hundred feet (1"=100') to one inch equals four hundred feet (1"=400').

B. Sketch plans should include:

1. Proposed development and land uses.

2. Proposed public improvements.

3. Any existing environmentally sensitive areas, which will constrain or limit development.

302 – Preliminary Plan

A. Scale: The preliminary plan shall be drawn to scale based on the following:

1. If the average size of the proposed lots (not including residue) in the subdivision is five (5) acres or smaller, the plan shall be drawn to a scale of one (1) inch equals one hundred (100) feet (1" = 100').

2. If the average size of the proposed lots (not including residue) in the subdivision is between five (5) acres and fifty (50) acres, the plan shall be drawn to a scale of one inch equals two hundred feet (1" = 200').

3. If the average size of the proposed lots (not including residue) in the subdivision is over fifty acres, the plan shall be drawn to a scale of one inch equals four hundred feet (1" = 400').

B. Plan Size and Legibility:

1. The subdivision plan submitted for preliminary approval shall be a clear, legible black- or blue-line print on white paper, or suitable equivalent.

2. Preliminary plans shall be on sheets no larger than twenty-four (24) by thirty-six (36) inches. For small subdivisions, an alternate standard sheet size will be accepted. Final plans drawn in two (2) or more sections shall be accompanied by a key diagram showing the relative location of the sections.

C. Plan Information: The preliminary plan shall show or be accompanied by the following information:

1. Proposed subdivision name or identifying title.

2. North point, scale and date.

3. A title/certificate block, containing the following:

    a. Name and address of owner of property and acknowledgement of subdivision.

    b. Name and seal of registered design professional responsible for the plan.

    c. Certificate of review by the Huntingdon County Planning Commission.

    d. Certificate of review and approval by Borough Planning Commission and Borough Council

4. Tract boundaries with bearings and distances and total acreage being subdivided.

5. Existing zoning districts or if no zoning exists, Future Land Use Plan category, as stated in a local plan (if adopted) or the Huntingdon County Comprehensive Plan.

6. Contours at vertical intervals of five (5) feet or, in the case of relatively level tracts, at such lesser interval as may be necessary for satisfactory study and planning of the tract. Areas of steep slope shall be clearly identified as moderate steep slope (16 -25%) and very steep slopes (25%+).

7. Datum to which contour elevations refer. Where reasonably practicable, data shall refer to known, established elevations.

8. All existing watercourses, lakes or ponds, floodways, floodplains, identified wetlands, tree masses, rock outcropping, caverns, sinkholes and other environmentally sensitive areas.

9. All existing buildings, sewers, water mains, culverts, petroleum or petroleum product lines, fire hydrants and other significant man-made features.

10. All existing streets on or adjacent to the tract, including name, right-of-way width, and pavement width.

11. All existing property lines, easements and rights-of-way, and the purpose for which the easements or rights-of-way have been established.

12. Location, name and width of all proposed streets, alleys, rights-of-way, and easements; proposed lot lines with approximate dimensions; playgrounds, public

buildings, public areas and parcels of land proposed to be dedicated or reserved for public use.

13. The names of owners of all abutting unplotted land and the names of all abutting subdivisions.

14. Where the preliminary plan covers only a part of the developer's entire abutting holdings, a statement on eventual development of those lands, including a sketch of prospective eventual street layout.

15. Any Agricultural Security Areas, within or abutting the property.

16. Identify any areas where non-agricultural earth disturbance will occur, including estimated acreage of disturbance.

17. A map for the purpose of locating the site to be subdivided at a scale of not more that two thousand (2,000) feet to the inch (e.g., drawn on a 7.5 Minute USGS Quadrangle Map).

D. The preliminary plan shall include therein or be accompanied by:

1. All required permits and related documentation from the Department of Environmental Protection (PA DEP) and any other Commonwealth agency, or from the County or Borough where any alteration or relocation of a stream or watercourse is proposed.

2. Documentation indicating that all affected adjacent municipalities, PA DEP, the Department of Community and Economic Development, and the Federal Insurance Administrator have been notified whenever any alteration or relocation of a stream or watercourse is proposed.

3. Copies of the proposed deed restrictions, if any, shall be attached to the preliminary plan.

4. Proposed cross-sections, profiles and details of any new proposed streets, sewer or waterlines, or storm sewer facilities.

303 – Final Plan

A. Plan Size and Legibility:

1. The subdivision plan submitted for final approval shall be a clear, legible black- or blue-line print on white paper, or suitable equivalent.

2. Final plans shall be on sheets no larger than twenty-four (24) by thirty-six (36) inches. For small subdivisions, an alternate standard sheet size will be accepted.

Final plans drawn in two (2) or more sections shall be accompanied by a key diagram showing the relative location of the sections.

B. Required Information:

1. The final plan shall include the following:

    a. Subdivision name or identifying title.

    b. North point, scale and date.

    c. Name of the record owner and developer.

2. Name and seal of the registered professional, if any, responsible for the plan.

3. Name and seal of the professional surveyor certifying the accuracy of the plan.

4. Boundaries of the tract, along with the location of boundary monuments and markers, of the area being subdivided with accurate distances to hundredths of a foot and bearings to one quarter of a minute. These boundaries shall be determined by accurate survey in the field, which shall be balanced and closed with an error of closure not to exceed one (1) foot in ten thousand (10,000) feet.

5. Street lines, lot lines, rights-of-way, easements and areas dedicated or proposed to be dedicated to public use.

6. The length of all straight lines, radii, lengths of curves, deflection angles, and tangent bearings for each street.

7. All dimensions and angles or bearings of the lines of each lot and of each area proposed to be dedicated to public use.

8. The proposed building setback line for each lot, or the proposed placement of each building.

9. Location, size and invert elevation of all sanitary, storm and combined sewers and location of all manholes, inlets and culverts.

10. All dimensions shall be shown in feet and in hundredths of a foot.

11. Lot numbers.

12. Names of streets within and adjacent to the subdivision.

13. Permanent reference monuments shall be shown.

14. Names of any adjoining subdivisions shall be shown.

15. Names of the owners of any unplotted land shall be shown.

16. Certificates - The final plan shall include thereon or be accompanied by:

    a. Certificate of dedication of streets and other public property, if offered for dedication.

    b. Certificate for approval by the Borough Council.

    c. An affidavit that the applicant is the owner or equitable owner of the land proposed to be subdivided.

    d. A statement duly acknowledged before an officer authorized to take acknowledgement of deeds and signed by the owner or owners of the property, to the effect that the subdivision as shown on the final plan is made with his or their free consent and that it is desired to record the same.

    e. Certification by the State Department of Environmental Protection when individual sewage disposal or water systems are to be installed as required by Article 5 of this Ordinance.

    f. Certification that the developer has met the design and construction standards of this Ordinance.

    g. An affidavit from each and every utility that the easements, and proposed improvements provided satisfy the requirements of the respective utility company and that there is both a capacity and willingness to serve the development.

    h. A bonafide letter from the Huntingdon County Conservation District or the Department of Environment Protection stating that all requirements of the latest version of the Soil Erosion and Sedimentation Control Manual have been met by the subdivider.

    i. An agreement by the developer to provide a list of applicable specified standards and improvements to purchasers, builders or their agents.

C. The Final Plan shall include therein or be accompanied by:

1. Construction plans including, but not limited to, typical cross sections, street profiles and drainage details for all streets. Such profiles shall show at least the following: existing (natural) grade along the proposed street centerline; proposed

finished centerline grade or proposed finished grade at top of curbs; sanitary sewer mains and manholes; storm sewer mains, inlet, manholes and culverts

2. Protective covenants, if any, in form for recording.

3. Proof of approvals by all appropriate public and governmental authorities or agencies where applicable including, but not limited to, occupancy permits for any planned road entrances onto existing roads or highways and permits or approvals from the Department of Environmental Protection or other State agencies relating to sewage facilities, water obstructions, air quality, etc., as applicable.

Article 4 – Design and Construction Standards

All subdivisions shall comply with the standards of this Article. If such standards are replicated or are in conflict with any municipal zoning ordinance, the zoning ordinance standards shall prevail. In addition to these, the Borough may require evidence of compliance with all other municipal, county, state or federal laws or regulations.

401 – Density

To provide for sufficient light, air, access, orderly design and freedom from hydrologic, geologic or topographic hazards, all subdivisions shall be designed in conformance with this Section to determine maximum residential density. The number of dwelling units permitted in a subdivision shall be calculated by dividing the net area, after deducting non-buildable and constrained land in conformance with this Section, by the allowable lot size specified in Section 402. Non-residential lots shall not be smaller than that required for a single dwelling unit and shall meet the land development standards of Article 5.

Non-Buildable Areas Deduction: The following areas are regarded as non-buildable areas and shall not be considered in calculations of minimum lot size, density or dimensions. This shall be calculated by subtracting the acreage subject to the following constraints from total acreage of the tract.

1. All lands within the rights-of-way of planned or exiting public streets or highways, or within the rights-of-way of existing or proposed overhead utility lines.

2. All land in designated floodplain floodway.

3. All land in designated wetlands or open water.

Constrained Lands Deduction: Due to geologic, topographic and hydrologic hazards, the following calculations will be made to constrained lands. The result of the multiplication shall be then subtracted from the total acreage of the property.

1. Floodplains: Multiply the non-floodway portion of the 100-year floodplain by .50. Where floodways are not designated, the multiplier shall be .75.

2. Steep Slopes: Multiply the acreage of land with natural ground slopes exceeding twenty-five percent (25%) by .80.

3. Moderately Steep Slopes: Multiply the acreage of land with natural ground slopes between fifteen percent (15%) and twenty-five percent (25%) by .60.

The total number of dwelling units (or lots in the case of single-family development) shall be determined by dividing the net lot area (total acreage less non-buildable and constrained lands) by the minimum lot size.

402 – Lots and Blocks

Residential Net Lot Yard and Height Requirements

	With Approved On-Lot Sewer	With Both Community Water and Sewer
Minimum Lot Size	80,000 Square Feet	10,000 Square Feet
Minimum Lot Width	200 Feet	60 Feet
Minimum Front Yard	30 Feet	*30* Feet
Minimum Side Yard	15 Feet	10 Feet
Minimum Rear Yard	15 Feet	10 Feet
Maximum Lot Coverage	*20%*	*40%*

Lot Averaging: In subdivisions of ten (10) lots or more (excluding original or residual tract), lots below the minimum standard may be allowed provided no lot is less than twenty-five percent (25%) below the minimum, the average of all newly created lots equals the stated minimum, and no substandard lot contains environmentally sensitive areas.

Blocks: Blocks shall be not less than six hundred (600) feet in length. In the design of blocks larger than one thousand feet (1,000), special consideration shall be given to the requirements of satisfactory fire protection.

All lots shall front on a proposed or existing public street or approved private street or private drive meeting the requirements of this Ordinance.

Buildable Lots: Lots containing any steep slope (over 15%) or floodplain (floodway and/or flood fringe) shall be enlarged so that the buildable area (free of any nonbuildable or constrained land) meets the required lot area requirements of this section. Environmentally sensitive lands may be added to each, or every lot, deeded as a separate nonbuildable lot or unsubdivided. A deed restriction or conservation easement shall be filed to prevent future subdivision and or development of environmentally sensitive areas. Such lands shall also show access to a public way or easement to ensure access. Nothing in this section is meant to prevent the creation of lots of greater than the net minimum size.

Flag Lots: Flag lots are permitted in limited cases where deemed necessary. However, no flag lot shall be more than twice the applicable minimum lot size.

Depth-to-Width Ratio: The depth-to-width ration shall not exceed 4:1 unless in the case of lots of over four (4) acres in size.

Lot Grading:

1. Every lot shall have a building site free of hazards or environmentally sensitive areas. Said building site shall not exceed a slope of fifteen (15) percent. Lots shall be graded, if necessary, to provide a building site free of environmental hazards and to provide proper drainage away from buildings and to prevent the collection of stormwater in pools.

2. Lot grading shall be of such design as to carry surface waters to the nearest practical street, storm drain, or natural watercourse. Where drainage swales are used to deliver surface waters away from buildings, their grade shall not be less than one percent (1%) nor more than four percent (4%). The swales shall be sodded, planted or lined as required.

3. A Grading and Drainage Plan may be required for subdivisions and land developments involving environmentally sensitive areas.

4. No final grading, fill, or cut shall be permitted with a cut face steeper in slope than two (2) horizontal to one (1) vertical except under one or more of the following conditions:

    a. The material in which the excavation is made is sufficiently stable to sustain a slope of steeper than two (2) horizontal to one (1) vertical, and a written statement of a civil engineer, licensed by the Commonwealth of Pennsylvania and experienced in erosion control, to that effect is submitted to the Three Springs Borough Engineer and approved by same. The statement shall state that the site has been inspected and that the deviation from the slope specified hereinbefore will not result in injury to persons or damage to property.

    b. A concrete or stone masonry wall with an up-slope drainage system constructed according to sound engineering standards for which plans are submitted to the Three Springs Borough Engineer for review and written approval is provided.

5. The top or bottom edge of slopes shall be a minimum of three (3) feet from property or right-of-way lines of streets or alleys in order to permit the normal rounding of the edge without encroaching on the abutting property. All property lines, or right-of-way lines, where walls or slopes are steeper than one (1) horizontal to one (1) vertical and five (5) feet or more in height, located at the top of the slope, shall be protected by a protective fence no less than three (3) feet in height approved by the Three Springs Borough Engineer.

403 – Monuments and Markers

The developer shall place permanent reference monuments or markers in all subdivisions. Monuments or markers removed during construction or grading shall be replaced at the expense of the party removing them. Replacement shall be done by a registered surveyor. A wood monument marker approximately three (3) feet high should be placed at property corners to facilitate County addressing and tax mapping

Monuments: Monuments may be of pre-cast or site poured concrete or magnetic bars of at least one-half (1/2) inch diameter set into concrete. In either case, monuments shall be set a minimum of thirty-six (36) inches deep and have the top level with finished grade. Monuments shall be scored or marked to indicate the exact crossing of intersecting lines. Monuments shall be placed at all exterior corners of subdivisions except in the case of a minor subdivision.

Markers: Markers shall consist of magnetic metal pipes or bars at least twenty-four (24) inches in length and set to finished grade. Markers shall be set in all new lot corners.

404 – Easements

A. Easements with a minimum of fifteen (15) feet shall be provided as necessary for utilities.

B. To the fullest extent possible, utility easements shall be centered or adjacent to rear or side lot lines.

C. Where a subdivision is traversed by a watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse and of fifteen (15) feet minimum width in order to preserve natural drainage.

D. There shall be no building or other permanent improvement located within an easement.

E. Easements for the protection of environmentally areas shall be provided in conformance with Section 412.

405 – Sewer Systems

All subdivisions or land developments shall show evidence of an adequate sewer system to serve the needs of the proposed development.

A. On-Lot Sewage and Water Supply:

1. A DEP Sewage Planning Module or appropriate waiver shall be submitted with the Preliminary Plan. The Borough Council shall request the Sewage Enforcement Officer (or the local agency for enforcement of Pennsylvania Sewage Facilities Act) to make such tests as are necessary to determine the adequacy of the proposed facilities in relation to the proposed lot size, existing grade and soil conditions. The Borough shall review the findings of DEP and of any other competent Registered Professional Engineer or authority on this matter, and shall make a final determination on the adequacy of the proposed facility. In cases where subdivision involves addition of land to an existing lot(s) or new lots without intentions for future building or expansion of residential living quarters (dwelling), a DEP Sewage Planning Module is not necessary, provided a waiver is submitted.

2. Where evidence indicates that the minimum lot size requirements specified in other sections of these Regulations or in any applicable zoning ordinance are not adequate to permit the installation of individual on-lot water supply and/or sewage disposal facilities, the Borough shall require that the developer request the local sewage enforcement agency to make such tests as are necessary to determine

the adequacy of the proposed facilities in relation to the proposed lot size, existing grade and soil conditions. In all such cases, a certificate by the appropriate official of the local sewage enforcement agency indicating that the proposed facilities or DEP sewage planning module are adequate shall be a pre-requisite to final approval of the plan.

B. Community Sewer Systems:

1. All proposals for new community or public sewer systems shall be approved by the existing operating authority or agency. Proposals for new community sewer systems will be considered where they are consistent with the County Comprehensive Plan or any adopted Borough comprehensive plan or Act 537 Plan. Evidence of the ability and willingness of the provider to serve shall be presented.

2. For areas within designated future public or community sewer service areas, subdivisions and land developments shall be required to connect to an existing public or community sewer system if public service is available within the following distances.

Size of Development or EDUs	Distance
2-4 Units	200 Feet
5-15 Units	500 Feet
15+ Units	1,000 Feet

3. Connection shall not be required in the following circumstances:

   a. Inability or lack of capacity of the public system to serve.

   b. Topographic changes of more than fifteen percent (15%) between the proposed development and existing service area if the service area lies at the higher elevation.

   c. Intervening environmental conditions, which would preclude service including Agricultural Security Areas.

   d. Inconsistency of the development with the municipal or county land use plan.

4. Capped Sewers: Where the Borough has an adopted comprehensive plan or Act 537 Plan for the extension of an existing public sanitary sewer system or construction of a new public sanitary sewer system into an area that is being subdivided, and it is reasonably expected that the area will be served by such public system within a period of five (5) years, ***capped sewers shall be installed*** to adequately serve all lots in the proposed subdivision for later connection to the public system.

5. Location of Sewer Lines: Whenever sanitary sewers are provided they shall be located as nearly to the centerline of any street right-of-way as is reasonably possible, and all such sewer lines shall provide service connections to the property line of each and every lot, said service connections being properly capped.

6. Type of Sewer System:

    a. All sewer systems shall be constructed according to the requirements of the Pennsylvania Department of Environmental Protection.

    b. No combined sanitary and storm sewer systems will be permitted.

7. Manholes: Sanitary and storm sewer manholes will be provided at all changes in grade and direction and in no instance shall the distance between said manholes exceed four hundred (400) feet.

406 – Water Systems

All subdivisions and land developments shall show evidence of adequate water systems to serve the needs of the proposed development.

A. On-Lot Water Systems: For major subdivisions and major land developments, a hydrologic study may be required to show adequate uncontaminated subsurface water resources if there are areas within a one half (1/2) mile radius of the proposed subdivision with documented water problems, or areas of shale surface geology, or presence of known sources of contamination or documentation of water problem areas in a local comprehensive plan or water supply plan. Borough Council has the right to suspend or reject subdivisions or developments if a hydrologic study shows that the proposed development would cause a deterioration of water resources to adjacent on-lot water systems resulting in loss of water or deterioration in the quality of water in existing systems.

B. Community Water Systems:

    1. All proposals for new community or public water systems shall be approved by the existing operating authority or agency. Evidence of the ability and willingness of the provider to serve shall be presented.

    2. For areas within designated future public or community water service areas, subdivisions and land developments shall be required to connect to an existing public or community water system if public service is available within the following distances:

Size of Development or EDUs	Distance
2-4 Units	200 Feet

5-15 Units	500 Feet
15+ Units	1,000 Feet

3. Connection shall not be required in the following circumstances:

    a. Inability or lack of capacity of the public system to serve.

    b. Topographic changes of more than fifteen percent (15%) between the proposed development and existing service area if the service area lies at the lower elevation.

    c. Intervening environmental conditions, which would preclude service including Agricultural Security Areas.

    d. Inconsistency of the development with the Borough or County Land Use Plan**.**

C. Design Standards for Public Water Systems: Public water systems shall meet the design criteria set forth by the applicable provider. However, in no case shall fire hydrants be placed further than one thousand (1,000) feet from any lot.

1. Capped Water Lines: Where the Borough has an adopted comprehensive plan or public water supply plan for the extension of an existing public water system or construction of a new public water system into an area that is being subdivided, and it is reasonably expected that the area will be served by such public system within a period of five (5) years, capped water lines shall be installed to adequately serve all lots in the proposed subdivision for later connection to the public system.

2. Location of Water Lines: Whenever water lines are provided they shall be located as nearly to the centerline of any street right-of-way as is reasonably possible, and all such lines shall provide service connections to the property line of each and every lot, said service connections being properly capped.

407 – Design Standards for Streets: All new streets shall meet the following standards:

A. Private driveways shall be permitted if they serve no more than two (2) lots.

B. Private streets shall be permitted if they serve no more than six (6) lots. All private streets shall meet public street design criteria.

C. Streets for subdivisions serving more than six (6) lots must be dedicated for public ownership and maintenance.

Construction standards must be compliant with municipal specifications adopted by resolution and available from the Subdivision Administrator.

407.1 Street Right-of-Way Widths: The minimum right-of-way and cartway widths for all proposed streets shall be as set forth in Table 407.

TABLE 407 - Street standards shall be based on one of three types of subdivisions:

Type I Subdivision – A subdivision in which the lot size, excluding any residue, is one (1) acre or greater.

Type II Subdivision – A subdivision in which the lot size, excluding any residue, is between one (1) acre and 12,000 square feet.

Type III Subdivision – Any subdivision or residential land development in which the lot size, excluding any residue, is smaller than twelve thousand (12,000) square feet, or a mobile home park, recreational development or campground. For the purposes of this Article, multi-family land developments, commercial or industrial subdivisions and land developments shall be considered as Type III subdivisions.

SUMMARY OF REQUIRED IMPROVEMENTS AND STANDARDS

Streets	Type I	Type II	Type III
Minimum Cartway Width	20 Feet	22 Feet	24Feet *
Minimum R-O-W	40 Feet	50 Feet	50 Feet
Maximum Cul-De-Sac Length	Must Service No More Than 12 Lots	Maximum Length 600 Feet	Maximum Length 600 Feet
Minimum Cul-De-Sac Turning Radii	65 Feet Unpaved Center (70 Feet R-O-W)	45 Feet (50 Feet R-O-W)	45 Feet (50 Feet R-O-W)
Paving Standards	Gravel	Paved	Paved
Sidewalks	Not Required	Optional	Required
Public Utilities	On-Lot or Public	Minimum Either Public Water or Sewer	Public Water and Sewer
Curbs	Not Permitted	Optional	Required

*The unpaved center in cul-de-sacs shall be maintained in native vegetation or similar plantings suitable for the natural management of stormwater runoff. The street width shall be increased to twenty-eight (28) feet where on-street parking is planned.

407.2 Arterial and Collector Streets: The above right-of-way and cartway width and paving and design standards shall be increased where recommended by the Borough Engineer and approved by the Borough Council. All streets that are State highways shall conform to the applicable requirements of the Pennsylvania Department of Transportation.

407.3 General Design: Proposed streets shall be properly related to such street plans or parts thereof as have been officially prepared and adopted by the Borough and they shall further conform to such County and State road and highway plans as have been prepared, adopted and/or filed as prescribed by law.

Continuity: The proposed street layout shall provide for the continuation or projection of existing streets in the surrounding area unless the Borough Council deems such extension undesirable for specific reasons of topography or design.

Horizontal Curve: The maximum horizontal curve shall have a centerline radius of one hundred fifty (150) feet on a local street and three hundred (300) feet on a collector or arterial street.

Vertical Curve: Vertical curves shall be required at changes of grade exceeding one percent (1%) and shall be designed in relation to the extent of the grade change and to provide the minimum sight distances listed above.

Minimum Tangent: Whenever street lines are deflected in excess of one (1) degree, connection shall be made by horizontal curves, and a minimum tangent length of fifty (50) feet shall be required between reverse horizontal curves.

Topography: Streets shall be logically related to the topography to produce usable lots and reasonable grades.

Interconnectivity: Minor streets shall be laid out to discourage through-traffic, but provisions for street connections into and from adjacent areas will generally be required.

Adjacent Access: Proposed streets shall be extended to provide access to adjoining property where necessary.

Sufficiency of R-O-W Width: Adequate street rights-of-way shall be provided as necessary where lots in the proposal are large enough to permit resubdivision, or if a portion of the tract is not subdivided.

Half Streets: New half or partial streets or new alleys will not be permitted, except where essential to reasonable subdivision of a tract in conformance with the other requirements and standards contained herein and where, in addition, satisfactory assurance for dedication of the remaining part of the street or alley can be secured. Wherever a tract to be subdivided borders an existing half or partial street, the other part of the street shall be plotted within such tract.

Dead-End Streets: Dead-end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts, or when designed as cul-de-sacs to serve residential areas.

Reserve Strips: New reserve strips, including those controlling access to streets, shall be avoided.

Street Intersections:

Acute Angle Intersections: Streets shall be laid out to intersect as nearly as possible at right angles. No streets shall intersect another at an angle of less than sixty (60) degrees.

Multiple Intersections: Multiple intersections involving junction of more than two (2) streets shall be prohibited.

Sight Triangle: Clear sight triangles of thirty (30) feet measured along street lot lines from their point of junction shall be provided at all intersections, and no building shall be permitted within such sight triangles.

Off-set Intersections: To the fullest extent possible, intersections with major traffic streets shall be located not less than eight hundred (800) feet apart, measured from centerline to centerline.

Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum off-set of one hundred twenty-five (125) feet between their center lines.

Curb Radii: Minimum curb radii at street intersections shall be fifteen (15) feet for intersections involving only minor streets, twenty-five (25) feet for intersections involving other type streets, or such greater radius as is suited to the specific intersection. Where proposed roads intersect state highways, the minimum radius shall be forty (40) feet.

Minimum right-of-way radii at street intersections shall be twenty-five (25) feet for all intersections.

Where the grade or any street at the approach to an intersection exceeds seven percent (7%), a leveling area shall be provided having not greater than four percent (4%) grades for a distance of twenty-five (25) feet measured from the nearest right-of-way line of the intersecting street.

Maximum grade: Maximum grade of streets shall be consistent with the following standards:

Local Streets – 10%
Collector Streets – 8%
Arterial Streets – 6%

Uses Fronting on Major Arterial Streets:

1. Service Streets: Where a subdivision fronts or abuts an arterial street, as defined in Article 8, the Borough may require any of the following measures:

    a. A service street approximately parallel to the major arterial street at a distance suitable for the appropriate use of the intervening land.

    b. Marginal access street, 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 arterial street, and separation of local and through-traffic.

2. Controlled Access: Entrances and exits to non- residential subdivisions or land developments shall be designed so as not to interfere with through-traffic in general, entrance and exit points shall not be located closer than five hundred (500) feet to one another.

3. Where a subdivision abuts or contains an existing street of inadequate right-of-way width, additional right-of-way width in conformance with Table 407 will be required.

Paving and Construction Standards:

Paving and construction standards shall be consistent with Three Springs Borough standards, adopted by resolution and found in Appendix B.

408 – Sidewalks and Curbs

Sidewalks are required when meeting the definition of Table 407.

A. Sidewalks: The developer shall submit plans, profiles, cross-sections and details for curbs and sidewalks to Three Springs Borough. The developer shall not initiate construction until such plans have been approved by Three Springs Borough and the Three Springs Borough Engineer, including any revisions required by Three Springs Borough and the Three Springs Borough Engineer. Construction of curbs and sidewalks shall be in accordance with plans that have been approved by Three Springs Borough.

B. Curbs:

    1. Curbs shall also be required when meeting the definitions of Table 407.

    2. Where sidewalks are installed, curbs shall be depressed at intersections to sufficient width to accommodate wheelchairs. Depressions shall be in line with sidewalks where provided. (Note: appropriate Federal ADA standards will be used.)

    3. All curbs shall be of a mountable or "Cap Cod-berm" type, unless vertical curbs are stipulated by the Borough Engineer for stormwater control purposes. All curbs shall be constructed in accordance with adopted Street Construction Specifications.

409 – Utilities

Gas, electric, telephone and cable utilities shall be located in subdivisions in accordance with utility company practice and in accordance with agreements with, or as approved by Three Springs Borough. All buried utilities must be installed prior to the road subbase construction. All buried utilities located within the roadway must be backfilled with the same material and compaction requirements as specified for storm or sanitary sewer backfill within roadways.

410 – Stormwater Management Facilities:

A. A Storm Water Management Plan meeting the requirements of the Pennsylvania Storm Water Management Act and any local Stormwater Management Ordinance or standards shall be submitted and implemented.

B. A drainage system adequate to serve the needs of the proposed development will be required in new subdivisions. The developer shall construct a stormwater management system and connect the drainage system with any exiting storm sewer system if one exists. All storm sewer construction shall comply with the Three Springs Borough's stormwater management ordinance (if any), the Pennsylvania Stormwater Management Act, and the goal of creating no additional runoff from the property.

C. A ten (10) year storm frequency, consistent with storm frequency tables for Pennsylvania, shall be utilized to design facilities serving local, commercial/industrial and marginal access streets and marginal access ways and access roads to multiple business properties. All longitudinal and side drains and slope pipes for street, road and highway systems will also be designed considering a ten (10) year storm frequency.

D. Culvert cross drains and any other type of drainage facility in an underpass or depressed roadway section shall be designed utilizing the following storm frequencies.

1. Arterial Highways	25 Years
2. Collector, Local Streets and Others	10 Years

E. Greater design frequencies may be required by Three Springs Borough where justified on individual projects.

F. Bridges or culverts shall be designed to support and carry all legal loads, but not less than AASHTO Loading HS-20 and shall be constructed the full width of the cartway plus additional length, as necessary, to provide a proper installation.

G. The continuation of natural drainage of stormwater shall be preserved to the maximum extent possible. Where a subdivision is traversed by a watercourse, drainage way, channel or stream, a drainage easement may be required to follow the existing watercourse.

H. Where new open watercourses are planned, adequate safety, erosion control, drainage, protection of capacity and appearance measures shall be taken by the developer to insure proper, safe, healthful disposal of stormwater. All open watercourses must be approved by the Three Springs Borough Engineer.

411 – Erosion Control

Every subdivision and land development shall provide proper measures to control soil erosion and sedimentation. A copy of a Soil Erosion and Sedimentation Control Plan shall be submitted with all major subdivision plans regardless of the requirement for an NPDES permit.

All subdivisions involving a statutory earth disturbance requiring an NPDES permit shall have a Soil Erosion and Sedimentation Control Plan and/or permit, prepared in accordance with current State law (Erosion and Sedimentation Control, Chapter 102, Pennsylvania Rules and Regulations, as amended), which shall be reviewed and approved by the Huntingdon County Conservation District. Three Springs Borough may also require a like plan for any minor subdivision. The plan shall be fully implemented during the construction of the development.

412 – Environmentally Sensitive Areas

Environmentally sensitive areas shall be protected from inappropriate development through easement, deed restriction and/or donation to an appropriate conservation organization.

413 – Street Naming and Addressing

Street names shall be proposed for each new street. Continuations of existing streets shall be known by the same name. Names for new streets shall not duplicate or closely resemble names of existing streets. All street names are subject to the approval of the Huntingdon County Planning and Development Department, and shall comply with the Huntingdon County Street Naming and Addressing Ordinance and Policy.

414 – Signs

The developer shall install traffic control and street signs in conformance with this Section.

A. Design and placement of traffic signs shall follow the requirements specified in the Manual on Uniform Traffic Control Devices for Streets and Highways, published by the U.S. Department of Transportation.

B. Street name signs shall be placed at each intersection. The design of street name signs should be consistent, of a style appropriate to the Borough, of a uniform size and color, and erected in accordance with municipal standards.

C. Parking regulation signs shall be placed along roadways within the right-of-way in areas that restrict parking.

D. Site information signs in planned residential developments shall follow a design theme related and complementary to other elements of the overall site design.

Article 5 – Land Development Standards

501 – Jurisdiction

A. Jurisdiction: Developments classified as land developments under the Pennsylvania Municipalities Planning Code and are subject to regulation under this Ordinance. The design and construction standards in this Ordinance are applicable to land development, as such standards are appropriate. In land development, there is not necessarily a division of land typical of land subdivision actions, although buildings and/or use areas may be sold at the time of development or at some future time. Land developments must meet all applicable standards for subdivisions contained within this Ordinance. In addition, it shall be unlawful for an applicant to construct land developments as defined herein without complying with these additional requirements. Specific land development types are covered in subsequent articles.

502 – Procedures for All Land Developments

A. In processing a land development, the three-stage procedure established in this Ordinance for land subdivisions shall be used: Sketch Plan (not mandatory), Preliminary Site Plan, and Final Site Plan stages. Unless stated otherwise in standards for particular land developments, the land development shall be processed, and submission requirements shall be the same as that required for a major subdivision. In the event that subdivision and land development activities are concurrent, and the proposed Plan can meet all applicable standards, a combined Subdivision and Land Development Plan may be submitted.

B. Unless otherwise noted, the processing requirements, drawing size, certifications, acknowledgments, number of copies, etc. for submission of Land Development Site Plans shall be the same as for a major subdivision, and the Final Site Plan shall be recorded in the Huntingdon County Recorder's Office in accordance with Section 204(D) of this Ordinance.

C. Exception for Minor Land Development: The Borough Council may combine the preliminary and final plans for a land development if

1. It meets applicable standards for a minor subdivision.

2. It does not involve a development earth disturbance of more than five (5) acres.

3. It does not involve a building of greater than twenty thousand (20,000) square feet gross floor area or in excess of two (2) stories in height.

4. It does not meet the definition of a Mobile Home Park, Recreational Development, Mining Operation or Confined Animal Feeding Operation.

503 – Final Plan Review

A. In addition to other final plan requirements for a major subdivision, the following items shall be included for final plan review for all land developments, as applicable:

    1. Site plans, as required in this Article, engineering plans detailing the construction of all required improvements, and plans, other data information establishing compliance with the design standards of this Article.

    2. In case of multi-owner or multi-tenant developments, proof of the organization and means for management and maintenance of common open space, parking and other common utilities or improvements. Instruments demonstrating creation of an association or entity or other means of assuring continuing maintenance shall be required.

504 – Site Plan

The developer shall submit a site plan in conformance with this Article. For land developments of a total development area of less than fifteen thousand (15,000) square feet, the site plan shall be prepared at a scale of one (1) inch equals fifty (50) feet. Where the total development area is less than five (5) acres, the site plan shall be prepared at a scale of one (1) inch equals one hundred (100) feet. Where the total development area is greater than five (5) acres, the site plan shall be prepared at a scale of one (1) inch equals two hundred (200) feet. Where it is planned that building and parking lot development will cover an area in excess of fifty thousand (50,000) square feet, combined topographic data at two (2) foot contour intervals shall be required. In addition to the other requirements for Preliminary and Final Subdivision and Land Development Plans set forth, as applicable, each land development site plan shall, through one (1) or more pages, show:

A. Existing site conditions (topography, as needed, drainage, tree clusters, buildings, utility, streets, and nearby properties)

B. Proposed developments, parking, vehicular and pedestrian access areas, storm drainage, landscaping, utility location and size.

C. Architectural plans and building elevations, while not required, are strongly encouraged as a part of plan submissions.

505 – Design Standards

Land developments shall meet the following design requirements. It is recognized by Three Springs Borough that the design process should be somewhat flexible, pursuant to Section 503.2(5) of the Pennsylvania Municipalities Planning Code. Unless stated otherwise in Land Development Regulations, for specific types of land development, the following standards shall be met:

A. Vehicular access connections to the surrounding existing street network shall be safe, shall have adequate sight distances, and shall have the capacity to handle the projected traffic.

B. The developer shall make satisfactory provision for the improvements necessary to the proper functioning of the development, including but not limited to, street access signs, water supply facilities, sewage disposal facilities and stormwater management devices.

C. The development plan shall provide for adequate privacy, light, air and protection from noise through building design, street layout, screening, plantings and special siting of buildings. Consideration shall be given to include specific landscaping standards, such as species-appropriate yard and street trees, no planting of invasive or noxious species, use of species non-toxic to wildlife, maintained landscaping and improvements, and replacement of damaged, diseased, cut or dead vegetation.

D. Streets may be planned for dedication to the public or may be planned as private streets to be maintained by the developer or other association or entity. Private streets shall meet Borough standards regarding sub-grade preparation, base and surfacing construction. Off-street parking areas may be integrated with public street design and construction providing maintenance responsibilities are mutually agreed upon.

E. Service and waste storage and disposal areas for the land development shall be planned and constructed such that they are not visible from adjacent uses.

F. Building locations and areas and roadways and driveways shall be sufficient for reasonably anticipated vehicular traffic, use and circulation.

G. A parking and access plan shall be submitted along with estimated traffic flows. The developer shall demonstrate that the proposed parking/access layout is adequate for the proposed development, based upon standard parking capacity measurements, including number of spaces per anticipated development type. Parking standards shall be tied to the intensity, size, and specific use of the proposed land development. The number of off-street parking spaces required is set forth below. Where the use of the premises is not specifically listed requirements for similar uses shall apply. If no similar uses are mentioned, the parking requirements shall be one (1) space for each two (2) proposed patrons and/or occupants of that structure. Where more than one (1) use exists on a lot, parking regulations for each use must be met, unless it can be shown that peak times will differ.

PARKING REQUIREMENTS

USE OF LAND DEVELOPMENT	REQUIRED PARKING
1. Auto Sales and Service	1 for each 200 square feet GFA
2. Service Stations	1 for each 200 square feet GFA
3. Single-Family Dwelling and Duplex	2.0 per dwelling unit
4. Multi-Family Dwelling	2.5 per dwelling unit*
5. Mobile Home Parks	2.0 per each space
6. Hotels and Motels	1 per guest room**
7. Funeral Home and Mortuaries	25 for the first parlor 10 for each additional parlor
8. Hospitals	1 per each bed**
9. Nursing Homes	1 per each 3 beds**
10. Churches	1 per each 4 seats
11. Schools	1 per each teacher and staff 1 for each 4 classrooms + 1 for each 4 high school students
12. Sports Arenas, Stadiums Theaters, Auditoriums, Assembly Halls	1 per each 3 seats
13. Community Buildings, Social Halls, Dance Halls, Clubs and Lodges	1 space for each 60 square feet of public floor area
14. Roller Rinks	1 space for each 200 square feet GFA
15. Bowling Alleys	5 per alley
16. Banks and Offices	1 for each 250 square feet GFA
17. Medical Office and Clinics	8 spaces per doctor
18. Dental Offices	5 spaces per doctor
19. Retail Stores	1 per each 200 square feet GFA
20. Fast Food/Drive-Thru Restaurants	1 per each 2 patron seats**
21. Furniture Stores	1 per each 400 square feet GFA
22. Food Supermarkets	1 per each 200 square feet GFA
23. Trailer and Monument Sales	1 per each 2,500 square feet of lot area
24. Restaurants, Taverns and Nightclubs	1 for each 2.5 patron seats
25. Industrial and Manufacturing Establishments, Warehouses, Wholesale and Truck Terminals	1 space per employee, on the largest shift, plus 1 spare for each 10,000 square feet for visitors
26. Commercial Recreation (not otherwise covered)	1 space for every 3 persons permitted in maximum occupancy

*Multi-family units devoted to the elderly shall only be required to provide one (1) parking space per unit. Such uses must supply adequate proof they will be dedicated to elderly tenants and shall be required to follow normal parking standards if they revert to non-elderly use.

**Plus one (1) space per employee and staff on major shift.

Note: GFA means gross floor area

H. Size and Access: Each off-street parking space shall have a-uniform area of one hundred eighty (180) square feet, being at least ten (10) feet wide and eighteen (18) feet long. These uniform sizes shall be exclusive of access drives or aisles, and shall be in usable shape and condition. Except in the case of single-family dwellings, no parking area shall contain less than three (3) spaces. Parking areas shall be designed to provide sufficient turnaround area so that vehicles are not required to back onto public streets. Where an existing lot does not abut on a public or private street, alley or easement of access, there shall be provided an access drive leading to the parking or storage areas or loading spaces. Such access drive shall be consistent with requirements for private streets. Access to off-street parking areas shall be limited to well-defined locations, and in no case shall there be unrestricted access along a street.

I. Stormwater Control: Land developments with lot coverage of greater than forty thousand (40,000) square feet shall meet the following standard for storm water management:

1. Minimum planting strips of ten (10) feet between the parking lot and all lot lines to be planted with one (1) hardwood or coniferous tree per each four (4) parking spaces or combination thereof. Trees that die shall be replaced annually. At time of planting, trees shall be a minimum of six (6) feet in height and of species recognized as hardy for urban use. Eight percent (8%) of the total interior space shall be devoted to interior planting strips to be maintained in trees, shrubbery, annual plants or similar pervious dust- and mud-free material. Curbing shall be designed to promote the flow of runoff into planted areas.

2. A Storm Water Management Plan meeting the requirements of the Pennsylvania Storm Water Management Act and any local Stormwater Management Ordinance or standards shall be submitted and implemented.

J. For multi-building land developments, a complete landscaping plan shall be submitted that includes a complete landscape plan for the site in addition to any required landscaped transition to adjoining properties or stormwater and screening plantings. Landscape treatment shall be provided to enhance architectural features, manage stormwater runoff, strengthen vistas and important axis, or provide shade.

K. For multi-building land developments, mobile home parks, recreational developments and campgrounds a complete pedestrian circulation plan shall be submitted by all developers indicating the safe and efficient movement of people within and through the site. All traffic, parking and pedestrian plans shall be completed using such standard resource criteria as provided by the American Planning Association or the Institute for Traffic Engineers.

L. Exterior lighting, when used, shall be of a design and size compatible with adjacent areas and in accordance with the standards of the Illuminating Engineer Society. Generally, lighting shall be designed to minimize glare to adjoining properties, especially residential areas.

M. Water and sanitary sewer service shall be provided by the respective water and sewer providers in accordance with local standards and requirements.

N. Gas, electric, telephone and cable utilities shall be located in land developments in accordance with utility company standards and requirements. All such utilities shall be underground.

O. All land developments required to submit plans for approval by the Pennsylvania Department of Labor and Industry shall show evidence of approval by the Department.

506 – Assurance for Completion and Maintenance of Improvements

A. Acceptance of Improvements: Insofar as the land development involves the lease or rental of buildings and/or space on the site and site improvements (such as streets, parking areas and stormwater drainage devices), which are to be privately maintained or maintained by a private (non-public) organization or entity created by the developer. There is no need for municipal acceptance of the site improvements. However, in these instances, streets and stormwater drainage shall be designed and built to the standards established in this Ordinance, and the Borough shall ascertain that these improvements are, in fact, built to such standards.

B. Maintenance of Improvements: Where the developer does not intend to maintain the improvement and where a homeowner's association or similar organization will not be organized for these responsibilities, the developer will submit a plan for maintenance of such facilities. This document will be legally enforceable, one clearly establishing maintenance responsibility. Any proposed improvement to be offered for public declaration will follow the requirements as specified by these regulations. Among other remedies to enforce this section, the Borough may refuse to issue building permits.

507 – Mobile Home Park Standards

A. Applicability: All mobile home parks shall conform to the provisions of this section as well as other applicable standards in this Ordinance.

B. Application Procedures: All applications for mobile home park developments shall follow the procedures for submission of land developments found in Sections 502, 503, 504 and 505 of this Ordinance.

C. Minimum Site Area: Each mobile home park site shall be at least ten (10) acres in size.

D. Site Location: Mobile home parks shall be located on well-drained lands free of natural or man-made hazards. Mobile home parks shall be laid out with due consideration to natural features. No development shall occur on the floodway, wetlands or steep slope areas. Natural drainage ways shall in no way be impaired by development.

E. Density: The maximum number of dwelling units permitted in a mobile home park shall be calculated on the net area by deducting non-buildable and constrained land from the total site area in conformance with Article 402 of this Ordinance.

F. Clustering: The clustering of mobile home lots or sites is encouraged to provide for conservation of open space, protect environmentally sensitive areas and to provide for efficient development of streets and utilities. In order to approve any cluster plan the Borough shall apply the following test:

The number of mobile home lots times five thousand (5,000), plus the area of common open space in square feet, shall equal at least the minimum lot standard in Section 402 of this Ordinance for each proposed mobile home lot.

G. Site Improvements and Design: Minimum site improvements for all mobile home parks shall include, but shall not be limited to, the following:

1. Minimum Mobile Home Lot: No mobile home lot shall be less than five thousand (5,000) square feet. However, the lot shall be large enough to meet yard and parking requirements. Mobile home lots shall not be located in environmentally sensitive areas as defined in this ordinance. Each mobile home lot shall contain a mobile home stand, which shall be improved with concrete columns or slab to provide an adequate foundation for the placement of a mobile home, securing the structure against uplift, sliding or rotation. Each mobile home shall be provided with skirting of durable material entirely enclosing the area beneath the mobile home.

2. Streets and Sidewalks: All mobile home park streets shall be designed to serve only residents of the mobile home park. Each mobile home site shall be accessible from a street. Access shall be designed to minimize congestion and hazards at the entrance or exit and allow free movement of traffic on streets within the park.

    a. All streets shall be improved in accordance with Section 407 of this Ordinance. Streets shall meet minimum paving thickness and other requirements set out in this Ordinance and the street standards adopted by resolution of Three Springs Borough.

    b. All streets within any mobile home park shall have a paved width of not less than twelve (12) feet for one-way and twenty-two (22) feet for two-way. Street width shall be increased by six (6) feet if on-street parking is permitted. All streets shall be kept free of debris or other obstructions to provide clear access for fire, police or other emergency access. If streets are proposed for dedication, a minimum right-of-way of forty (40) feet shall be required.

c. Sidewalks and walking paths shall be constructed in accordance with Section 407 and Section 505.K.

3. Off-Street Parking: Off-street parking shall be provided in all mobile home parks for the use of park occupants and guests. Parking shall be located convenient to each mobile home and in no case be located more than two hundred (200) feet from the use it is intended to serve. The number and design of parking spaces shall be in accordance with Section 505.G.

4. Yard Requirements: Mobile homes shall be placed off center on the lot so as to provide a larger useable open yard space and outdoor living area on one side of the unit. No structure or mobile home shall be located at less than the following:

   a. Fifty (50) feet from any perimeter lot line.

   b. Twenty (20) feet from any park street.

   c. Twenty (20) feet from any mobile home.

   d. Five (5) feet from any interior lot line.

5. Common Open Space: Portions of the mobile home park not developed into mobile home lots, streets, recreation areas or service buildings shall be designated as common open space. All mobile home parks shall provide not less than ten percent (10%) of the total land area for common open space purposes. Such lands shall be improved whereby the same will be accessible to all families residing within said tract and whereby such open space may be used for recreational purposes. Environmentally sensitive areas may either included within individual mobile home lots or deeded separately with appropriate deed restrictions barring future development.

6. Utility Improvements: All mobile home parks shall provide to each lot both a continuing supply of safe and potable water as approved by the Department of Environmental Resources and a connection to a sanitary sewerage disposal facility as approved by the local sewage enforcement agency. Electric, telephone and centralized television cable service shall also be provided and shall be buried.

7. Other Site Improvements: Each mobile home park shall provide garbage and trash collection and disposal facilities as approved by the Three Springs Borough, an adequate park street lighting system, and such other improvements or services as may be required in the best interest of the public's health, safety and general welfare.

8. Screening: Buffer screening shall be provided along the perimeter of any mobile home park where the park abuts any of the following: arterial or collector

highway, commercial or industrial area, developed residential subdivision. Buffer screening shall consist of Type I screening per Section 508(H) of this Ordinance.

508 – Commercial and Industrial Subdivision or Land Development Design Standards:

A. Application: All commercial and industrial subdivisions shall conform with the provisions of this Section.

B. Size: No commercial or land development shall occur on a lot smaller than that authorized by Section 402 of this Ordinance, following the site calculations authorized by that section. Approval of lot or parcel size will be determined by the following factors:

1. The total area shall be sufficient to provide adequate space for off-street parking and loading, landscaping, and other facilities

C. Street System:

1. Traffic movements in and out of commercial and industrial areas should not interfere with external traffic, nor should it create hazards for adjacent residential areas.

2. The design of streets, service drives and pedestrian ways should provide for safe and hazard-free internal circulation.

D. Front Yard:

1. Building setback lines shall be as specified by the local zoning ordinance. If no such ordinance is in force, setback lines shall be not less than forty (40) feet.

E. Side Yard:

1. Building setback lines shall be as specified by the local zoning ordinance. If no such ordinance is in force, setback lines shall be not less than forty (40) feet. Setback lines shall increase three (3) for every one thousand (1,000) square feet GLA above twenty thousand (20,000) square feet.

F. Rear Yard:

1. Building setback lines shall be as specified by the local zoning ordinance. If no such ordinance is in force, setback lines shall be not less than forty (40) feet.

G. Utilities:

1. Where possible, commercial and industrial subdivisions should be located close to public utilities. In any case, subdivisions should be provided with such utilities as are necessary to maintain adequate health standards, and to dispose of commercial and industrial wastes.

H. Location/Screening:

1. In general, commercial and industrial facilities should be located adjacent or close to major highways and transportation facilities.

2. Commercial and industrial subdivisions should not be located in predominantly residential areas or areas that are better suited to residential development provided that a commercial parcel designed as an integral part of a residential subdivision will be permitted and provided that said site shall be in conformance with any zoning ordinance adopted by the Borough.

3. Based upon size, commercial or industrial land developments which abut pre-existing residential development or platted residential lots shall employ the following screening:

    a. Type I Screening (Land developments of 5-10 acres or 20,000-40,000 square feet): To consist of a triple row of spruces planted at oblique lines to one another so that a continuous screen is provided. All trees shall be a minimum of six (6) feet at the time of planting. Trees, which die, shall be replaced within six (6) months. As an alternative to the triple row of Norway spruces, the developer shall maintain a fifty (50) foot buffer yard of natural vegetation sufficient for screening. This buffer area shall not be used for parking or other uses. This buffer yard should maintain natural vegetation unless such vegetation is considered insufficient for shade screening, stormwater management or erosion control. In such case, the planting standards shall be twenty-eight (28) conifer and eight (8) deciduous trees per each one hundred (100) lineal feet of yard area. Trees shall be a minimum of six (6) feet at planting and replaced within six (6) months of death.

    b. Type II (Land developments of 10-plus acres or 40,000 square feet):

        1) A fifty (50) foot buffer yard of vegetation sufficient to provide opaque screening during six (6) months of the year. This buffer yard shall maintain the existing natural vegetation unless insufficient for screening or of species generally recognized as inferior for shade, erosion control, or screening. If deemed so, the developer shall maintain a planting standard of eight (8) deciduous trees and twenty-eight (28) coniferous trees per each one hundred (100) lineal feet of buffer yard. This buffer yard shall be in addition to any other yard requirements listed.

        2) A screening yard of Norway spruces, planted to the following standards: An initial row of trees to follow a lineal centerline with additional rows planted at oblique angles on each side of the centerline row, sufficient to provide complete and constant opaque screening from the time of planting. This screen of plantings shall be situated at

the interior edge of the natural vegetation buffer yard and may be included in calculations of required yard areas.

To further provide for the natural management of storm water runoff, fifty percent (50%) of all hardwood trees of a minimum caliper of four (4) inches, which do not lie in buildable lot footprints or parking areas shall be preserved.

c. Type III (Land developments of a hazardous nature including quarries, junk yards, outside storage, towers, fuel storage or similar industrial activities): A Type III screen shall consist of:

1) An opaque fence at least eight (8) feet in height.

2) A barrier fence at least ten (10) feet in height.

On the outside perimeter of the fence, a ten (10) foot plant strip shall be maintained at a planting standard of ten (10) coniferous and ten (10) deciduous trees, per one hundred (100) feet. Trees shall be a minimum of six (6) feet tall at planting and replaced within six (6) months of death.

d. Off-street parking areas shall maintain a planting strip of at least five (5) feet between all lot lines and the parking lot. Such planting strip shall be suitably landscaped and maintained. At a minimum, such a planting shall consist of one (1) hardwood or coniferous tree per each four (4) parking spaces, or any combination thereof. The balance of the planting strip may be maintained in annual plants, shrubbery or perennial grasses or similar pervious, mud and dust-free material. Parking lots of more than twenty thousand (20,000) square feet of impervious surface shall devote an additional eight percent (8%) of total surface area to interior planting strips.

e. Consideration shall be given to include specific landscaping standards, such as species-appropriate yard and street trees, no planting of invasive or noxious species, use of species non-toxic to wildlife, maintained landscaping and improvements, and replacement of damaged, diseased, cut or dead vegetation.

f. Parking areas in excess of twenty thousand (20,000) square feet shall maintain easements to connect to existing or potential future lots.

509 – Recreational Campground and Recreational Development Design Standards:

A. Application: All recreational developments and campgrounds shall conform to the provisions of this section. Such developments shall also conform with any zoning ordinance or master plan adopted by the Three Springs Borough Planning Commission which is in effect at the time of submission of the preliminary plan.

B. Size: The total area of any recreational campground shall be sufficient to provide adequate facilities for the use contemplated and, in particular, to provide adequate space for off-street parking.

C. Street System:

1. Traffic movements in and out of recreational developments and subdivisions should not interfere with external traffic, nor should they create hazards for adjacent residential areas.

2. The design of streets, service drives and pedestrian ways should provide for safe and hazard-free internal circulation. Sidewalks and walking paths shall be constructed in accordance with Section 407 and Section 505.K.

3.

D. Yards:

1. Front Yard: Man-made structure setback lines shall be as specified by the local zoning ordinance. If no such ordinance is in force, setback lines shall be not less than one hundred (100) feet.

2. Side Yard: No building shall be closer than fifty (50) feet to the nearest lot line of the unrelated property. No man-made structure or installation of any type shall be located nearer than fifty (50) feet to a lot line of unrelated property.

3. Rear Yard: The yard requirement shall be the same as for side yards.

4. Campground sites: No campground site shall be less than fifty (50) feet to another campground site.

E. Utilities and Sanitary Facilities:

1. Any recreational development or subdivision shall include such utilities and sanitary facilities as are necessary for the health, safety and welfare of those persons using the recreational development or subdivision.

2. Where possible, recreational developments and subdivisions should be located so as to make maximum use of existing public utilities and sanitary facilities. Where this is not possible, the developer must provide adequate utilities and sanitary facilities to maintain adequate health and safety standards.

F. Recreational Campgrounds: Campgrounds shall be designed and constructed in conformance with this Section and applicable State regulations. Campgrounds shall meet the following requirements:

1. No campground shall have an area of less than fifteen (15) acres.

2. Each campsite shall have an area of at least one thousand five hundred (1,500) square feet exclusive of roadways and parking areas, and shall have parking for one (1) automobile in addition to a tent or trailer site.

3. At a minimum, campgrounds shall provide: back-in parking, central sanitary dump stations, central water facilities, toilets and shower facilities.

4. No campsite shall be placed closer than one hundred (100) feet to an adjacent property.

5. No less than twenty percent (20%) of the gross area of the park must be improved for recreational activity of the residents of the campgrounds.

G. Location and Screening:

1. Recreational developments which are expected to generate large traffic volumes should be located adjacent or close to major traffic streets and highways. Where this is not possible, the developer must include in his plan sufficient major traffic streets to provide access to the development or subdivision.

2. The location of a recreational development must be in accord with any zoning ordinance or master plan existing at the time of filing of the preliminary plan.

3. Buffer screening shall be provided along the perimeter of any recreational developments where the park abuts any of the following: arterial or collector highway, commercial or industrial area, developed residential subdivision. Buffer screening shall consist of Type I screening per Section 508(H) of this Ordinance.

510 – Multi-Family Dwellings:

A. Application: This section shall apply to the placement of multiple dwelling units on a single lot, whether in a single building or multiple buildings.

B. Exception: As authorized by the Pennsylvania Municipalities Planning Code, the conversion of an existing single-family, detached dwelling into not more than three (3) residential units (unless such units are intended to be a condominium) shall be exempt from the requirements of this Article. The placement of two (2) or more mobile homes on one lot shall be regulated by Section 507 of this Ordinance.

C. Minor Land Development: For the purpose of this Article, a multi-family dwelling development involving not more than three (3) dwelling units shall be considered a minor land development. Four (4) or more dwelling units shall be considered a major land development.

D. Density: All multiple-family dwelling land developments shall comply with all standards of Section 401 and 402 of this Ordinance.

E. Setback: Multiple-family dwellings shall increase all side and rear yard sizes by three (3) feet per unit.

511 - Intensive Agriculture

A. Application: Intensive agriculture shall be considered a land development if it involves new building or construction or the expansion of existing buildings and meets applicable State or Federal definitions of a confined animal feeding operation or confined animal operation. Intensive agriculture facilities including barns, feed lots, runs, commercial stables, and pens, shall meet the requirements of this section.

B. Intensive agricultural uses shall be located on a parcel of at least one hundred (100) acres.

C. The intensive agriculture facility must have and be in compliance with both a Conservation Plan and Nutrient Management Plan.

D. Intensive Agricultural facilities described in Section 511. A shall observe the following setbacks:

1. One thousand (1,000) feet from a dwelling not owned by the owner of the intensive agriculture facility.

2. Five hundred (500) feet from a property line.

3. Two hundred (200) feet from a stream.

4. Five hundred (500) feet from a well not owned by the owner of the intensive agriculture facility.

E. Adequate access shall be provided to facilitate safe movement of trucks and farm vehicles.

F. The intensive agriculture facility shall be sited on the best possible location on the property with regard to the dispersal of odors and minimizing impacts on neighboring properties.

G. Intensive agriculture facilities shall meet the requirements of all local and state ordinances including, but not limited to, Borough zoning ordinances, Pennsylvania Nutrient Management Act, and the Clean Streams Act.

512 - Mineral Extraction:

A. All mineral extraction requiring a permit from the Pennsylvania Department of Environmental Protection shall be considered a land development.

B. These land developments shall meet the screening requirements of Section 508H.3(c) of this Ordinance.

C. Adequate access shall be provided to facilitate safe movement of trucks and other vehicles.

D. Provide a plan to deal with dust and noise abatement.

E. Mineral extraction facilities described in Section 512. A shall show evidence of compliance with all applicable state or federal regulatory setbacks, in the absence of such setbacks, they shall observe the following setbacks:

1. Five hundred (500) feet from a dwelling not owned by the owner of the facility.

2. Five hundred (500) feet from a property line.

3. Two hundred (200) feet from a stream.

4. Three hundred (300) feet from a well not owned by the owner of the facility.

Article 6 – Improvements Guarantees

601 - Guarantee of Improvements Installation Required

A. Before approving any subdivision or land development plan for recording, the Borough Council shall require that the Borough be assured by means of a proper development agreement and performance guarantee that the improvements required by this Ordinance and the improvements appearing on the plan will be installed in strict accordance with the standards and specifications of this Ordinance, unless:

   1. A developer chooses to install all required improvements prior to construction of any building; in place of using performance guarantees, in which case, the Borough shall, as deemed necessary, require the developer to have adequate insurance, hold harmless agreements, an escrow account to cover the costs of inspections and a professional estimate of the costs of the improvements (to be used to establish the amount of the inspections escrow).

B. Purpose of Security: The security required by this Article shall stand as security for compliance with all Borough ordinances, other laws, covenants, stipulations, conditions and rules applicable to the subdivision or land development for which it is filed.

C. No construction of buildings or paving or sales of any individual lot or condominium unit within a subdivision or land development shall take place in any subdivision unless: a) there is on file, with the Borough, current duly executed and approved security, or b) all rough grading is complete and all required public improvements, utilities, streets, drainage facilities, sewers and street lights have been completed and accepted by the Borough Council.

D. Responsibility to Reimburse: The owner and/or developer shall reimburse all borough solicitor and borough engineering fees sustained by Three Springs Borough in connection with the review of the proposed subdivision plan, improvements, and any other matter whatsoever arising out of the developer's submission. Reimbursement shall occur no more than thirty (30) days of the date that the invoice is provided to the owner/developer. Reimbursement of costs and fees sustained by the Borough shall be part of the security paid by this Article and set forth in any developer agreement executed by the parties.

602 - Improvements to be Provided by the Applicant

A. In all cases, the subdivider or land developer shall be responsible for the installation of all improvements required by this Ordinance.

B. The Borough Engineer or other designee shall make such inspections of the required improvements at such intervals as may be reasonably necessary to assure compliance with this Ordinance. The reasonable costs of such inspection shall be borne by the subdivider or land developer, making use of an escrow account.

603 - Development Agreement

A. Development Agreement Required.

1. All applicants proposing any subdivision or land development which provides for the installation of improvements required by this Ordinance or any improvements or amenities which appear on the final plan shall be required to enter into a legally binding development agreement with the Borough prior to recording of the final plan, unless the applicant agrees to meet Section 601 concerning the construction of all improvements prior to the construction, of any buildings or the sale of any lots or home sites.

2. The development agreement shall guarantee the installation of said improvements in strict accordance with all Borough requirements.

3. The final plan shall not be approved for recording by the Borough Council prior to the execution of this agreement and the delivery of the performance guarantee.

B. Terms of Development Agreement: The development agreement shall be acceptable in legal form to the Borough Solicitor and shall be acceptable in content to the Borough Council. The Borough may require that a development agreement include any of the following items, where applicable, and such additional items as are necessary to carry out this Ordinance:

1. The construction depicted on the approved plans, listed in itemized format, including all approved streets, drainage facilities, utility lines and other improvements.

2. A work schedule setting forth the beginning and ending dates of such work tied to the construction of the development and provisions to allow proper inspection by the Borough Engineer.

3. The provision of a performance guarantee for completion of required improvements in compliance with Section 604, including a detailed breakdown of the estimated costs of the Improvements, including the total amount of the performance guarantee.

4. Provisions concerning the developer's responsibilities for damage to other property, including maintenance by the developer of public liability insurance for the duration of improvements construction, with a hold harmless clause to protect the Borough from liability related to such work. A copy or other evidence of such liability coverage shall be provided to the Borough prior to such work.

5. Provisions concerning measures to prevent erosion, sedimentation and water damage to the subject and adjacent properties.

6. Provisions for the dedication of streets, water and sewer lines and any other easements or improvements approved to be dedicated.

7. See Section 204 concerning the requirement for a "final" plan.

8. Provisions for the developer to reimburse the Borough for all reasonable engineering Costs directly related to the review, construction and inspection of the proposed development and to the review and preparation of the development agreement.

9. Provisions concerning any violations of the development agreement.

10. Any other lawful terms which the Borough Council may require to carry out the provisions of this Ordinance.

11. Signatures: The development agreement shall be signed by all responsible landowners and/or developers.

C. Ownership of Land and Guarantee:

1. A certificate of ownership shall be executed in the exact name in which title is held. If the developer(s) of subdivision is someone other than the landowner(s) of the subdivision, the developer shall also execute its affidavit, along with a security agreement.

2. Change in Ownership or Developer: Any conveyance of all or a substantial portion of the unimproved lots or public improvements or streets of any subdivision or change in developers, whether voluntary or by action of law or otherwise, shall require the prior approval of the Borough Council. In giving or denying said approval, the Borough Council shall require that such new landowner and/or developer fully assume all applicable responsibilities under the development agreement and post all the appropriate security agreements.

D. Utility Agreements: If a development will connect into a public water or public sanitary sewage system, the applicable authority, agency or company may also require separate development agreements.

604 - Performance Guarantee: The performance guarantee for completion of required improvements shall meet he following requirements:

A. Security:

1. The guarantee shall be secured by the credit of any of the following:

    a. An irrevocable and unconditional letter of credit of a Federal or State chartered lending institution,

    b. A restrictive or escrow account in a Federal or State-chartered lending institution, or

    c. Such other financial security approved by the Borough Council (which approval shall not be unreasonably withheld), but not including a second or third mortgage on the unimproved lands.

2. Such approved security shall provide for, and secure to the public, the completion of any improvements which may be required within one (1) year of the date fixed in the Development Schedule (see Section 604.F.) for the completion of such improvements.

3. Such financial security shall be posted with a Federally issued or State-chartered lending institution chosen by the party posting the financial security, or such other approved entity, provided such institution or entity is authorized to conduct such business within the State.

    a. The Borough Council may require that evidence be provided that such institution or entity has sufficiently adequate and secure assets to cover the security.

    b. The Borough shall be the authorized signatory on any account in which the escrow funds are held.

B. Amount:

1. The amount of financial security to be posted for the completion of the required improvements shall be equal to 110 percent of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the developer in the official development schedule (see Section 604.G.), and within the process for increases to cover inflation as permitted by the Pennsylvania Municipalities Planning Code.

2. The cost of the improvements shall be established by an estimate prepared by a Pennsylvania Registered Professional Engineer, which shall be reviewed by the

Borough Engineer, within the arbitration process permitted by the Pennsylvania Municipalities Planning Code.

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

4. Inspection Fees: The amount of financial security shall also include an additional five percent (5%) of the estimated cost of completion of the work to guarantee payment of inspection fees and related engineering costs.

C. Multi-Year or Multi-Stage Development: In the case where development is projected over a period of years, the Borough Council may authorize submission of final plans by phases/stage of development subject to such requirements or improvement guarantees concerning future improvements as it finds necessary for the proper functioning of each phase and for the eventual development as a whole.

605 - Approval of Improvements

A. In General: As the work of installing the required improvements proceeds, the party posting the financial security may request the Borough Council to release or authorize the release, from time to time, portions of the financial security necessary for payment to the contractors performing the work.

B. Notice by Developer of Work on Improvements: The developer or his/her representative should provide a minimum of three (3) days' notice to the Borough Engineer prior to beginning each major facet of construction, in order to allow the scheduling of inspections.

C. Engineer's Report:

1. Within thirty (30) days of the receipt of such request, the Borough Engineer shall submit a written report certifying which improvements have been completed in accordance with the approved plan to the Borough Council and mail a copy of such, by certified or registered mail, to the developer or his/her representative at his/her last known address.

2. This report shall be based on the inspections made according to the approved inspection schedule included in the development agreement and shall recommend approval or reject on of the improvements, either in whole or in part.

3. If the Borough Engineer finds any or all of the improvements to be not as required, he/she shall include a statement of the reasons for recommending their rejection in the report.

D. Decision by Borough Council:

1. At its first regularly scheduled meeting after receiving the Engineer's report [but not later than forty-five (45) days, of the receipt of the request] the Borough Council shall review the Borough Engineer's report and shall authorize release of an amount as estimated by the Borough Engineer fairly representing the value of the improvements completed.

2. The Borough Council shall be deemed to have approved the release of funds as requested if the Borough Council fails to act within forty-five (45) days of receipt of the developer's request.

3. Until final release (completion of all improvements), the Borough Council may require retention of a maximum of ten percent (10%) of the cost of each completed improvement.

4. The Borough Council shall notify the developer in writing by certified or registered mail of the decision.

E. Completion of Unapproved Improvements: The developer shall proceed to complete any improvements not approved by the Borough Council and, upon completion, request approval in conformance with the procedures specified in Section 605.

F. Final Release:

1. When the developer has completed all of the necessary and appropriate improvements, the developer shall request final release in conformance with the procedures specified in Section 605. See time limitations and procedures in Section 510 of the Municipalities Planning Code.

2. Such final release shall include all moneys retained under Section 605.D.3.

G. Appeal. Nothing herein, however, shall be construed to limit the developer's right to contest or question by legal proceedings or otherwise any determination of the Borough Council or the Borough Engineer.

606 - Remedies to Effect Completion of Improvements

A. Enforcement of Security:

1. In the event that any improvements which may be required have not been installed as provided in this Ordinance or in accord with the approved final plan, or in the event of the bankruptcy of the owner or developer, the Borough Council is hereby granted the power to elect to enforce any security posted under this

Ordinance by appropriate legal and equitable remedies.

a. This may include taking all actions necessary to obtain moneys under said security, including but not limited to seizure of undeveloped lots, seizure of escrow funds, revocation of building permits and prosecution under this Ordinance.

2. Rate of Construction: Failure of a developer to construct streets and other public improvements reasonably at the same time or prior to the construction of the buildings served by those streets or public improvements, and at the same rate in time at which buildings are completed, shall be a violation of this Ordinance and a cause for default of the security.

B. Completion by Borough: If the proceeds of such security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Borough Council may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements.

C. Proceeds for Installation of Improvements: The proceeds from use of the security and/or from any legal or equitable action brought against the developer shall be used solely for the installation of the improvements covered by such security.

607 Maintenance Guarantee

A. Maintenance Guarantee Required: All applicants proposing any subdivision or land development which provides for the dedication of improvements required by this ordinance shall be required to provide a legally binding maintenance guarantee to the Borough prior to acceptance of dedication of the improvements by the Borough. In most cases, this guarantee will be part of the security agreement.

B. Terms of Maintenance Guarantee: The maintenance guarantee shall be acceptable in legal form to the Borough Solicitor and in content to the Borough Council, and shall include all of the following:

1. That the applicant make any repair or reconstruction of any improvement stipulated in the maintenance agreement which is specified by the Borough Council if needed because of faulty construction, workmanship, or materials, prior to acceptance of such improvement by the Borough,

2. That the applicant maintain at his/her own cost all improvements stipulated in the maintenance agreement, up to a maximum period of eighteen (18) months from the date of completion, except for any special purpose escrow or maintenance agreements required by the Borough,

3. That the applicant post financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plan, for a maximum term of eighteen (18) months from the date of completion, and

4. That the developer plow snow and maintain all streets until such time as the Borough may accept such streets.

C. Type of Security: The maintenance guarantee shall be secured by the same form of security as is permitted for the improvements guarantees.

D. Terms: Such maintenance guarantee shall be in the form approved by the Borough Solicitor and Borough Council, payable to the Borough, to guarantee the maintenance and repair of the streets and other public improvements in the subdivision or, land development for eighteen (18) months from the date of completion. The applicant shall prove to the satisfaction of the Borough Council that there will be an acceptable system for the long-term maintenance of any stormwater detention basins.

E. Amount: The amount of the maintenance guarantee shall be determined by the applicant's engineer, conditioned upon acceptance by Borough Council, but shall not exceed fifteen percent (15%) of the actual cost of installation of such improvements.

F. Release: After a maximum of eighteen (18) months from the date of completion of said improvements, the Borough shall release the maintenance guarantee to the developer (or party that posted the guarantee) if all improvements are in satisfactory condition, as determined by the Borough.

Article 7 – Administration, Amendment and Modification

700 – Amendments

The Borough of Three Springs of the County of Huntingdon may from time to time revise, modify and amend this Ordinance by appropriate action in accordance with the Pennsylvania Municipalities Planning Code, Act 247, as amended.

701 – Filing Fees and Review

The filing fee for subdivision plans shall be established by the Borough of Three Springs. Such filing fees shall include those for land development and may be separate for various alternative forms of land development. Review fees shall include the review of subdivision plans, mobile homes park plans and land development site plans. Review fees may also include the field inspection of such plats, plans or site plans or their final inspection. The fees charged shall be in accordance with 503(1), 509 and 510 of the Pennsylvania Municipalities Planning Code.

702 – Records

The Borough of Three Springs shall maintain an accurate public record of all plans upon which it takes action and of its findings, decision and recommendations in relation thereto.

703 – Preventive Remedies

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

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

    1. The owner of record at the time of such violation.

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

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

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

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

704 – Enforcement Remedies

A. Any person, partnership or corporation who or which has violated the provisions of this Subdivision and Land Development Ordinance enacted under the Pennsylvania Municipalities Planning Code or prior enabling laws shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Borough of Three Springs, pay a judgment of not more than five hundred dollars ($500.00) per violation, plus all court costs, including reasonable attorney fees incurred by the Borough of Three Springs as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Borough of Three Springs 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 the Ordinance 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.

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

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

705 – Modification of Regulations

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

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

C. The Borough Council shall keep a written record of all actions on all requests for modification.

D. The Borough Council may approve, or deny the request for modification. If the Board of Supervisors approves the request for modification, it shall authorize the minimum modification from this Ordinance that will afford relief. Requests for modifications shall be reviewed by the Three Springs Borough Planning Commission.

706 – Conflict

Whenever there is a difference between the minimum standards or dimensions specified herein and those contained in other regulations, resolutions or ordinances of Three Springs Borough, the highest or most restrictive standards shall govern.

707 – Failure to Complete Improvements

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

708 – Appeals

The decision of the Borough Council with respect to the approval or disapproval of plans may be appealed directly to the Court of Common Pleas of Huntingdon County not later than thirty (30) days after issuance of notice of the decision or report of the Borough Council.

709 – Interpretation

In the interpretation and the application of the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the health, safety, morals and general welfare. Standards applying to commercial and industrial subdivisions shall be subject to individual review and determination in each case.

710 – Validity

Should any section, subsection or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole, or of any part thereof.

711 – Conflict

All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

712 – Effective Date

This Ordinance shall be effective five (5) days from the date of its adoption.

713 – Large-Scale Developments

The standards and requirements of this Ordinance may be modified by the Three Springs Borough Planning Commission in the case of plans for complete communities or neighborhood units or other large-scale developments which, in the judgment of the ***Borough Council***, achieve substantially the objectives of the regulations contained herein and which are further protected by such covenants or other legal provisions as will assure conformity to and achievement of the plan.

714 – Procedure for Applying

714.1 Application to be Submitted in Writing

Applications for modifications and variances shall be submitted in writing by the developer at the time the preliminary plan is filed with the Borough Council. The application shall state fully the grounds and all the facts relied upon by the applicant.

715 – Recording of Modification or Variance

In granting a modification of variance, the Borough Council shall record its actions and the grounds for granting the modification or variance in its minutes. A statement showing the date that such modification or variance was granted shall be affixed to the final plan.

Article 8 – Definitions

800 – General Interpretations:

Unless otherwise expressly stated, the following terms shall, for the purposes of this Ordinance, have the meaning indicated: words in the singular include the plural, and the words in the plural include the singular. The word "person" includes a corporation, unincorporated association and a partnership as well as an individual or any other legal entity. The words "shall" and "will" are mandatory; the word "may" is permissive. An "agency" shall be construed to include its successors or assigns. Words not defined in this Article or the Pennsylvania Municipalities Planning Code (MPC) shall have the common meaning given to them.

801 – Meaning of Words:

Accessory Building: A subordinate building, incidental to, and located on the same lot as the principal building. Such buildings are utilized for purposes subordinate to and incidental to the principal building's use.

Agricultural Purposes: Any agricultural use, including farming, dairying, pasturage, horticulture, aquiculture, floriculture, viticulture, capriculture, animal and poultry husbandry and forestry, including the harvesting of timber.

Agriculture (Intensive): Any agricultural use with a concentration of animals meeting the state or federal definitions of Concentrated Animal Feeding Operation (CAFO), 1,000 animal equivalent units per acre or Concentrated Animal Operation (CAO), 300 animal equivalent units per acre.

Agricultural Security Areas: A deeded covenant between landowners and the Borough of Three Springs.

Alley: A passage of way open to public travel which affords generally a secondary means of vehicular access to abutting lots and is not intended for general traffic circulation.

Applicant: A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns. (MPC)

Application for Development: Every application, whether preliminary, tentative or final, required to be filed and approved prior to the 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. (MPC)

Block: A parcel of land bounded by streets, railroad rights-of-way, waterways, parks, unsubdivided acreage or a combination thereof.

Building: Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals or property.

Building Line: An imaginary line located a fixed distance from the front line (yard line) of the lot and interpreted as being the nearest point that a building may be constructed to the front lot line (see Yard, Front). The building line shall limit the location of porches, patios and similar construction, steps excepted, to the face of this line. Said line is a specified distance from, and generally parallel to, the street right-of-way or abutting lot lines.

Cartway: The improved surface of a street or alley designed for vehicular traffic. Does not include shoulders or surface outside the gutter line.

Clear Sight Triangle: A triangular area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of street centerlines.

Condominium: A building, or group of buildings, in which dwelling units, offices or floor areas are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis or by a separate managing entity.

Cul-de-Sac: A street open to traffic at one end and terminating at the other in a vehicular turn-around.

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

Department of Environmental Protection (DEP): The Pennsylvania Department of Environmental Protection, its bureaus, divisions, departments and/or agencies, as may from time to time be established, or such Department or Departments as may in the future succeed it.

Detention Pond: An area in which surface water runoff is temporarily stored pending its release at a controlled rate.

Developer: Any landowner, agent of such landowner or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development. (MPC)

Development: Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, the placement of mobile homes, streets and other paving, utilities, storm sewers, drains, improvements to water courses, sidewalks, street signs, crosswalks, shade trees, seeding, sodding, monuments or other property markers, water supply facilities, and sewage facilities; filling, grading, excavation, mining, dredging, or drilling operations, in the subdivision of land, when conducted within the context of subdivision or land development activities, as defined by the Pennsylvania Municipalities Planning Code.

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 Ordinance, shall mean the written and graphic materials referred to in this definition.

Drainage: The removal of surface water or groundwater from land by drains, grading or other means, and includes control of runoff to minimize erosion and sedimentation during and after construction or development.

Drainage Facility: Any ditch, gutter, culvert, storm sewer or other structure designed, intended or constructed for the purpose of carrying, diverting or controlling surface water or groundwater.

Drainage Easement: The lands required for the installation of storm water sewers or drainage ditches, or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage.

Driveway: A private vehicular passageway providing access between a street and a private parking area or private garage.

Dwelling Unit: Any structure, or part thereof, designed to be occupied as living quarters as a single housekeeping unit.

Easement: A right granted for limited use of private land for public and quasi-public purposes including such things as utilities and drainage. There shall be no structures on any easements granted to Three Springs Borough and to any officially created municipal authority.

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

Environmentally Sensitive Areas: Environmentally sensitive areas shall include areas with slopes of over fifteen percent (15%), floodway areas, unstable soils or geology, riparian buffers, natural heritage areas and wetland areas. This determination shall be made based on information available from submitted subdivision plans, topographic maps, soils reports, the Huntingdon County Comprehensive Plan, Huntingdon County Conservation District, United States Geologic Survey, the Pennsylvania Department of Environmental Protection or other sources.

Erosion: The displacement of surface materials by the action of natural elements.

Erosion and Sediment Control Plan: A plan showing all present and proposed grades and facilities for storm water, drainage, erosion and sediment controls, and which is in accordance with this Ordinance.

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

Fill: Any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface and shall include the conditions resulting therefrom. The difference in

elevation between a point on the original ground and a designated point of higher elevation on the final grade. The material used to make a fill.

Flood:

A. Flood Prone Area: A relatively flat or low land area adjoining a stream, river or watercourse, which is subject to partial or complete inundation or any area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

B. Floodway: The channel of a river or other watercourse and the adjacent land areas required to carry and discharge a flood of a given magnitude.

C. One Hundred (100) Year Flood: A flood having an average frequency of occurrence on the order of once in every one hundred (100) years, although the flood may occur in any year.

D. Regulatory Flood Elevation: The one hundred (100) year elevation based upon the information contained in the Official Flood Insurance Study, as prepared by the Federal Insurance Administration.

Borough Council: The council in cities, boroughs and incorporated downs; the board of commissioners in Boroughs of the first class; the board of supervisors in Boroughs of the second class; the board of commissioners in counties of the second class through eighth class or as may be designed in the law providing for the form of government. (Def. amended Dec. 14, 1992, P.L. 815, No. 131) (MPC)

Grading and Drainage Plan: A plan showing all existing ground features and proposed grading, including existing and proposed surface and subsurface drainage facilities, described by materials, grades, contours and topography.

Gross Leasable Area: The sum of the gross horizontal areas of a building or structure (excluding vehicular parking lots) from the exterior face of exterior walls or from the centerline of a wall separating two buildings, but excluding any space where the floor to ceiling height is less than six (6) feet.

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

Land Development: Any of the following activities:

A. The improvements of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:

    1. A group of two (2) or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

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;

3. See also Article I and Article V of the Pennsylvania Municipalities Planning Code.

B. A subdivision of land.

C. For the purposes of this Ordinance, land development does not include development which involves:

1. 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.

2. The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building. However, farm buildings on developments, which qualify as CAFOs are not accessory and are considered land developments.

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 landowner, or other person having a proprietary interest in land. (MPC)

Large-Scale Development:

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

Lot, Area of: The total horizontal ground area of a lot expressed in acres or square feet and computed exclusive of any portion of the right-of-way of any public or private thoroughfare, street, road, alley or easement of access of use; but including any easement for essential service.

Lot, Corner: A lot at the junction of and fronting on two or more intersecting street rights-of-way.

Lot Coverage: A measure of intensity of land use that represents the portion of a site that is impervious (i.e. does not absorb water). This portion includes, but is not limited to, all areas covered by buildings, parking areas, driveways, roads, sidewalks, and any area of concrete asphalt, or similar impervious material.

Lot, Double Frontage: A lot which abuts streets in both the front, rear and/or side yards.

Lot, Flag: A lot which has only a narrow portion connecting a larger area to a street..

Lot, Non-Conforming: A lot the area or dimension of which was lawful prior to the adoption or amendment of subdivision regulations, but which fails to conform to the requirements of the governing ordinance in which it is located by reasons of such adoption or amendment.

Lot, Reverse Frontage: A lot extending between and having frontage on an arterial street and a local access street, and with vehicular access solely from the latter.

Lot, Width of: A mean horizontal distance between the side lot lines measured at its widest and narrowest points.

Maintenance Guarantee: Any financial security, acceptable under Article V of the Pennsylvania Municipalities Planning Code, which may be accepted by Three Springs Borough for the maintenance of any improvements required by this Ordinance.

Major Subdivision: Any subdivision not classified as a minor subdivision.

Marker: A metal stake pin placed to designate the boundary and corners of lots in the subdivision of land for the purpose of reference in land and property survey and to facilitate the sale of lots.

Mineral Extraction: The excavation or extraction of any earth products of natural mineral deposit, except where such excavation is for purposes of grading a building lot or roadway or where materials are excavated from and used solely by the property owner**.**

Mobile Home: A transportable, single family dwelling intended for permanent occupancy, contained in one unit or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. (The term does not include recreational vehicles or travel trailers.) (MPC)

Mobile Home Lot: A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home. (MPC)

Mobile Home Park: A parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes.

Modification: When a developer can show that a provision of this Ordinance would cause unnecessary hardship if strictly adhered to, and where because of topographic or other conditions peculiar to the site, in the opinion of the Planning Commission a departure may be made without destroying the intent of such provisions, the Planning Commission may recommend and the Borough Council may authorize a modification. Any modification thus authorized and the reasoning on which departure was justified shall be entered on the minutes of the Borough Council. A modification applies only to the particular subdivision for which it is granted.

Monument: A concrete, stone, or other permanent object placed to designate boundary lines, corners of property, and rights-of-way of streets and utilities, for the purpose of reference in land and property survey.

Mountable Curb ("Cape Code Berm"): A low curb with an obtuse slope designed for vehicular crossing without discomfort or damage.

Municipal Authority: A body politic and corporate created pursuant to the Act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipalities Authority Act of 1945." (MPC)

Municipal Engineer: A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for a municipality, planning agency or joint planning commission. (MPC)

Natural Heritage Area: An area of ecological significance, documented in a Natural Heritage Inventory, including one or more of the following classifications: Biological Diversity Area (BDA), Dedicated Area (DA), Landscape Conservation Areas (LCA).

Person: An individual, partnership, corporation, or other legally recognized entity.

Plan, Final: A complete and exact subdivision plan, mobile home park or site plan prepared for official recording as required by statute and this Ordinance.

Plan, Preliminary: The preliminary drawing indicating the proposed layout of the subdivision, mobile home park or site plan to be submitted to Three Springs Borough for consideration, as required by this Ordinance.

Plan, Sketch: An informal plan indicating salient existing features of a parcel or development and its surroundings and general layout of the proposed subdivision.

Plan, Soil Erosion and Sedimentation Control: A plan for controlling erosion and sediment during construction which shall provide all steps, including scheduling, to assure erosion and sediment control during all phases of construction, including final stabilization and surface treatment.

Planning Code: The Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended by Act 170 of 1988 and such other amendments to same as may be adopted from time to time.

Planning Commission: The Planning Commission of Three Springs Borough, Huntingdon County, Pennsylvania. In the absence of a planning commission, the responsibilities and review activities designated in this Ordinance for a planning commission shall be conferred upon the Three Springs Borough or a planning committee of the Three Springs Borough.

Plat: The map or plan of a subdivision or land development, whether preliminary or final.

Public Grounds: Includes:

A. Parks, playgrounds, trails, paths and other recreational areas and other public areas;

B. Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities; and

C. Publicly owned or operated scenic and historic sites.

Public Hearing: A formal meeting held pursuant to public notice by Three Springs Borough or the Three Springs Borough Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with the Pennsylvania Municipalities Planning Code. (MPC, as amended for local usage.)

Public Meeting: A forum held pursuant to notice under the Act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act."

Public Notice: Notice published once each week for two (2) successive weeks in a newspaper of general circulation in the Borough. 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 thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing. (MPC)

Recreational Development: a subdivision or land development designed to provide camping, temporary parking for recreational vehicles or other active recreational facilities. Examples of such facilities include campgrounds, resorts, swimming pools, golf courses and similar facilities.

Recreational Vehicle: a vehicle primarily designed as temporary living quarters for recreation, camping or travel, whether self-powered or towed. Examples of recreational vehicles include travel trailer, camping trailer, truck camper and motor home.

Replat: Replats involve the transfer of land between adjacent lots where no new building lot is created. No replat may create a lot in violation or this Ordinance or of any adopted Zoning Ordinance. Replats will be considered as minor subdivisions.

Reserve Strip: A narrow parcel of ground having inadequate area for building purposes separating a street or a proposed street from other adjacent properties.

Reverse Frontage Lot: A lot extending between, and having frontage on an arterial street and a minor street, and with vehicular access solely from the latter.

Right-of-Way: Land dedicated for use as a public street, alley or crosswalk, which may also be used by sewer, water, storm sewer, electric, gas, telephone and cable system(s).

Riparian Buffer: A vegetated strip of land bordering a stream which provides filtration of soil, sediments and other pollutants.

Runoff: The surface water discharge or rate of discharge of a given watershed after a fall of rain or snow that does not enter the soil but runs off the surface of the land.

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

Sewage System, Community: A system, whether publicly or privately owned, for the collection of sewage or industrial wastes of a liquid nature from two or more lots and for the treatment or disposal of the sewage or industrial waste on one or more of the lots or at any other site.

Sewage System, Individual: A system of piping, tanks or other facilities serving a single lot and collecting, treating and disposing of domestic sewage into the soil or into waters of this Commonwealth or by means of conveyance to another site for formal disposal.

Sight Distance: The extent of unobstructed vision, in a horizontal or vertical plane, along a street.

Slope: The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage based upon vertical differences in feet per one (100) feet of horizontal distance.

Street: Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways or strips of land used or intended to be used by vehicular traffic or pedestrians whether public or private. (MPC) Particular types of streets are further defined as follows:

A. Arterial: This class of highway facility is devoted primarily to the task of moving large volumes of comparatively high speed and long-distance traffic and performs little or no land service function. Arterial highways are defined by the Pennsylvania Department of Transportation Functional Classification Map or shall be by traffic volume, consistent with Institute of Transportation Engineers Standard.

B. Collector: This class of road serves the internal traffic movement within the Borough and connects developed areas with the arterial system. The collector system is intended to simultaneously supply abutting property with the same degree of land service as a local street and accommodate local internal traffic movements. Collector highways are defined by the Pennsylvania Department of Transportation Functional Classification Map or shall be by traffic volume, consistent with Institute of Transportation Engineers Standards.

C. Local: The local street's sole function is to provide access to abutting land.

Street Centerline: An imaginary line which passes through the middle of the right-of-way and the cartway simultaneously, or which is in the center of the right-of-way in cases where the cartway is not centered in the right-of-way.

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

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, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted. (MPC)

Subdivision Administrator: A person, employee, organization or corporation designated by the municipal Three Springs Borough to administer the Subdivision and Land Development Ordinance.

Subdivision, Major: A subdivision, as defined by this Ordinance, for which preliminary and final plans must be submitted because the Planning Commission determines it does not meet the description of "Minor Subdivision" in Section 205 of this Ordinance.

Subdivision - Replat: The change of a lot line between two abutting existing parcels which does not create a new parcel and where such lot line change is in full compliance with this Ordinance, the Three Springs Borough Zoning Ordinance and related ordinances, rules and regulations of the Borough. A replat shall be treated as a minor subdivision.

Substantially Completed: Where, in the judgment of the Borough Engineer, at least ninety percent (90%) (based on the cost of the required improvements for which financial security was posted) 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. (MPC)

Surveyor: A professional surveyor, licensed as such in the Commonwealth of Pennsylvania.

Swale: A low-lying stretch of land characterized as a depression used to carry surface water runoff.

Temporary Turnaround: A temporary circular turnaround at the end of a road which terminates at or near the subdivision boundary bordering undeveloped land.

Top Soil: Surface soils and subsurface soils which normally are fertile soils and soil material, ordinarily rich in organic matter of humus debris. Topsoil is usually found in the uppermost soil layer called the A Horizon.

Borough Authority: A body politic and corporate created pursuant to the Act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipalities Authority Act of 1945." (MPC)

Borough Engineer: A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for a Borough, planning agency or joint planning commission. (MPC)

Undeveloped Land: Any lot, tract or parcel of land which has not been graded or in any other manner prepared for the construction of a building or other improvement.

Utility Plan: A plan to show all existing and proposed fire hydrants, water and sewer lines, storm sewer lines, gas and electric lines, cable television facilities and street lighting.

Water Facility: Any water works, water supply works, water distribution system or part thereof, designed, intended or constructed to provide or distribute potable water.

Water Survey: An inventory of the source, quantity, yield and use of groundwater and surface-water resources within Three Springs Borough.

Watercourse: A permanent stream, intermittent stream, river, brook, creek, or a channel, drain or ditch for water, whether natural or man-made.

Yard: That portion of a lot which is unoccupied and open to the sky and extends from the lot line to the yard line.

Yard Line: A line within a lot defining the minimum distance between any building or structure or portion thereof, and an adjacent lot line. Such line shall be measured at right angles from and parallel to the corresponding lot line.

Yard, Front: A yard between an adjacent right-of-way and the building line and extending for the full width of the lot.

Yard, Rear: A yard between the rear lot line and a line drawn parallel thereto at such distance therefrom, and extending for the full width of the lot.

Yard, Side: An open yard space between the side lot line and parallel thereto extending from the front lot line to the rear lot line.

This Subdivision and Land Development Ordinance shall take effect immediately.

ENACTED AND ORDAINED at a meeting of the Borough Council of the Borough of Three Springs held this 3rd day of November, 2025.

ATTEST:

Stacy Kauffman

Stacy Kauffman, Secretary

BOROUGH OF THREE SPRINGS

Charles E. Harper

Charles Harper, President

Approved this 3rd day of November, 2025.

Donald R Hileman - mayor

Donald Hileman, Mayor

APPENDIX A

FEE SCHEDULE

Resolution 11 of 2025

WHEREAS, the Borough of Three Springs, having adopted a Subdivision and Land Development Ordinance pursuant to the authority conferred by the Pennsylvania Municipalities Planning Code (Act 247 of 1968 as amended); and

WHEREAS, the Pennsylvania Municipalities Planning Code allows communities to establish reviews fees consistent with the actual public cost of reviewing subdivisions and Land Developments within the community.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Three Springs shall require a prepaid, non-refundable fee for the review of subdivisions, land developments, and mobile home parks as follows.

Minor Subdivisions and Minor Land Developments	*$100.00 plus $5.00 per lot or building*
Major Subdivisions and Land Developments: Preliminary Plan	*$175.00 plus $10.00 per lot or building*
Major Subdivisions and Land Developments: Final Plan	*$175.00 plus $10.00 per lot or building*
Mobile Home Park: Preliminary Plan	*$175.00 plus $5.00 per mobile home lot*
Mobile Home Park: Final Plan	*$175.00 plus $5.00 per mobile home lot*

RESOLVED this 3rd day of November, 2025

ATTEST:

Stacy Kauffman
Borough Secretary

THREE SPRINGS BOROUGH COUNCIL

Charles E. Hoover

Ronald R. Thomas /mayor

APPENDIX B

SPECIFICATIONS FOR OPENING OF NEW STREETS

The following specifications for new streets are required in all areas of the Borough of Three Springs:

(1) Responsibility for Inspection

Responsibility for Inspection and supervision of said improvement shall rest with the developer and a certified professional engineer retained by the developer. A sealed certified report prepared by a certified engineer retained by the developer shall be submitted with the final plan to the Borough. The report shall certify that the installation of the new streets meets the minimum requirements of the Three Springs Borough Subdivision Regulations of new streets and any the following specifications.

This does not preclude the Borough from retaining the right to inspect and supervise the installation of new streets if so desired. Notification of the intent to install the improvement shall be given to the Borough by the developer or agent prior to starting work on the improvement so the Borough can exercise its option.

(2) Excavating and Grading

Streets shall be excavated and graded as indicated on the approved plans. This shall include excavation of the street to the lines, grades and limits indicated on the drawings or as may be revised by the Borough Council to meet conditions encountered during construction and excavation for intersecting roadways, stream channels and culverts within the approved right-of-way limits; and shall also include the widening of cuts, flattening and rounding of slopes outside the right-of-way as called for on approved plans, removal of top soil and excavating of ditches and the construction of fill. Inspection shall be performed and approval granted by the Borough Council prior to further work.

(4) Road Drainage Structures

All drainage structures shown on the approved plans shall be installed to State standards and to the satisfaction of the Borough Council. Culverts may be corrugated iron pipe, plain concrete or reinforced concrete pipe as specified on the approved plan and shall be prepared according to State standards. Head walls shall be installed properly and inspected by the Borough Council.

Backfilling

After the pipe is laid and inspected, the trench shall be backfilled to a height not exceeding the outside diameter of the pipe with a suitable material installed in four-inch layers and thoroughly compacted to the satisfaction of the Borough Council.

(5) Preparation of Sub-Grade

After the drains have been constructed, the sub-grade shall be formed by shaping the graded roadway surface to the approved profile. The surface shall be brought to a firm, thoroughly compacted condition for the width of the base course by rolling with an approved ten-ton power roller, to the satisfaction of the Borough Council. Any soft or unsuitable material shall be removed and replaced with suitable material.

(6) Installation of Cartway

(a) Combination base course and surface course (gravel road)

(1) Description: This work shall consist of furnishing and placing selected material upon prepared sub-base of four-inch course aggregate installed and compacted.

(2) Sub-Base Course: The first course shall conform to state standards for No. 4 aggregate and shall be graded gravel, crushed gravel, crushed stone or similar material meeting the approval of the Borough Council. This shall be choked and rolled.

(3) Selected Material Surface Course: Material shall be identified as 2 RC aggregate. It shall be made from stone, or gravel and meet the following gradation:

Passing 1-1/2" Sieve	100%
Passing #4 Sieve	15-60%
Passing #100 Sieve	0-20%

The aggregate shall be uniformly spread upon the graded areas, without segregation of course and fine material, in loose layers not exceeding 6 inches in depth and compacted with a 10-ton roller meeting the requirements of Section 108.5(c) 3.a or 3.b, Form 408, Specifications, Commonwealth of Pennsylvania, Department of Transportation.

The surface shall be crowned or sloped as indicated, and the final compacted depth shall comply with the depth shown on the drawings.

Satisfactory compaction will be determined by the stability of the material under the specified compaction equipment; if the material used does not contain sufficient fined to lock properly under the roller, additional fines of the same material or limestone fines shall be added as necessary to secure the desired compaction and stability.

(b) CP-2 Surface Course (2-1/2" compact depth)

(1) Description: Selected material for the cartway shall consist of one 5-inch layer of coarse aggregate and one 5-inch top course of No. 2-A aggregate installed and compacted. Where

special sub-grade conditions warrant, the coarse aggregate course may be eliminated by written approval of the Borough Council.

(2) Coarse Aggregate: The first course shall conform to State standards for No. 4 aggregate and shall be graded gravel, crushed gravel, crushed stone, or crushed slag, meeting the approval of the Borough Council. This shall be choked and rolled.

(3) Top Course: The top course shall consist of approved, granulated slag or graded gravel equivalent to State standards for No. 2-A aggregate, spread and compacted into a 5-inch layer. The depth after final compaction shall be as indicated on the approved plans and the surface shall be brought to such crown as specified.

(4) CP-a Surface Course: This is a standard CP-2 surface course with initial primer and a No. 2-B stone dragged and rolled as applied; then three successive layers of No. 1-B stone and tap applied to build up the appropriate tar-and-chip surface.

(c) Bituminous Surfacing

(1) Base: Base course shall consist of two 5-inch layers of No. 4 slag or graded gravel installed according to State standards for crushed aggregate base courses described above.

(2) Bituminous Surface Course: This surface will be the State applied ID-2 bituminous concrete surfacing applied to meet State standards. If the base course has deteriorated prior to installation of surfacing, it shall be brought to a suitable condition prior to laying the surface.

APPENDIX C

APPLICATION FOR SUBDIVISION OR LAND DEVELOPMENT
THREE SPRINGS BOROUGH, HUNTINGDON COUNTY

Name of Development: _____

Sketch Plan: _____

Minor Subdivision or Land Development_____

Major Subdivision or Land Development
Preliminary Plan: _____

Final Plan: _____

General Information

Owner: _____

Address: _____

Telephone No.: _____

Applicant:
_____

Address: _____

Telephone No.: _____

Engineer or Surveyor: _____

Address: _____

Telephone No.: _____

Development Data

Location: _____
Block and parcel number of lot(s) being subdivided or developed
(From County Tax Maps): _____
Total Acreage: _____ Number of Lots Existing: _____
Proposed Use: _____
Number of Proposed: Lots _____ Dwelling Units _____
For Land Development Square Feet of Building or Acreage _____
Minimum Lot Size Proposed: _____
Lineal Feet of New Streets Proposed: _____
Are All Streets Proposed for Dedication? _____
Are any easements for utilities, stormwater drainage, or other purposes proposed?
_____

Proposed Water Supply: Community System _____ On-Lot System _____

Proposed Sewerage System: Community System _____ On-Lot System _____

I hereby declare that I am the owner or developer of the land, which is the subject of this application, and state that all information contained herein is true and correct, and hereby submit this application for the purposes of receiving approval under the requirements of the Three Springs Borough Subdivision and Land Development Ordinance.

(Signature)_____

(Date)_____

DO NOT WRITE ON THIS SIDE - FOR MUNICIPAL USE ONLY

Exhibits Submitted		**Date**
_____	Filing Fee	____
_____	Sketch Plan	____
_____	Preliminary Plan	____
_____	Final Plan	____
_____	Centerline Street Profiles and Cross Sections	____
_____	Surface Drainage Plan and Stormwater Run-Off Calculations	____
_____	Performance Bond	____
_____	Deed Restrictions	____
_____	DEP Planning Module	____
_____	Water Facilities Feasibility Report	____
_____	Land Grading Plan	____
_____	PA DOT Highway Occupancy Permit	____
_____	Erosion and Sedimentation Plan	____
_____	Maintenance Guarantee	____
_____	Other: _____	____

This application has been accepted for filing and application fee paid on: _____.
(date)

(Signed) _____.
(Borough Secretary)

TO BE COMPLETED BY THE HUNTINGDON COUNTY PLANNING COMMISSION

The _____Subdivision/Land Development was reviewed on _____ 20___ by the Huntingdon County Planning Commission or Planning and Development Department staff in conformance with Planning Commission policies and Section 502(b) of the Pennsylvania Municipalities Planning Code. The Planning Commission offers the attached comments for your consideration (see letter). They are based on a "desk-top" review of the proposal, county and municipal plans and ordinances and applicable state laws. No field-view was made of the site. The comments are not intended to replace your own review or to offer either legal or engineering advice.

MAJOR SUBDIVISION For the Planning Commission	**MINOR SUBDIVISION For Planning and Development Department**
_____	_____
Title	**Title**

TO BE COMPLETED BY THE THREE SPRINGS BOROUGH PLANNING COMMISSION

This application was reviewed at a meeting of the Three Springs Borough Planning Commission, held on _____, 20_____, and has been:

____ Recommended for approval without qualification.

____ Recommended for approval if the specific changes and/or additional information noted in the attached letter are agreed to in writing by the applicant.

____ Recommended for disapproval for the reasons stated in the attached letter.

ATTEST:

_____	_____
Secretary	Chairman

TO BE COMPLETED BY THE APPROVAL BODY

This application was reviewed at a meeting of the APPROVAL BODY of Three Springs Borough held on _____, 20_____, and has been:

Check One:

____ Approved

____ Disapproved for reasons specified in the attached letter.

ATTEST:

_____
Secretary

APPROVAL BODY

_____

_____

_____

APPENDIX D

PRELIMINARY PLAN CHECKLIST

Part 1: Application Packet

Item	Complete	Incomplete
Original and 6 copies of Plan		
Application Form		
Fees		

Part 2: Plan Content

Item	Complete	Incomplete	Unacceptable (See Comments)
Scale Size			
Plan Size			
Identifying Title			
North Point/Scale/Date			
Certificates			
Name(s) of Responsible Designer			
Total Tract Boundaries			
Zoning/Land Use Designation			
Contours With Data			
Environmentally Sensitive Areas			
Existing Man-Made Features on Site			
Existing Streets/Alleys/Easements			
Proposed Streets/Lots/Improvements			
Names of Abutting Lands or Subdivisions			
Agricultural Security Areas			
Earth Disturbance Area			
Location Map			

Part 3: Supporting Material

Item	Complete	Incomplete	Unacceptable (See Comments)
Other Permit/Notification Data			
Proposed Deed Restrictions (if any)			
Design Details of Improvements			

COMMENTS: _____

APPENDIX E

FINAL PLAN CHECKLIST

Part 1: Application Packet

Item	Complete	Incomplete
Original and 6 copies of Plan		
Application Form		
Fees		

Part 2: Plan Content

Item	I. Complete	II. Incomplete	Unacceptable (See Comments)
Scale Size			
Plan Size			
Identifying Title			
North Point/Scale/Date			
Certificates			
Name(s) of Responsible Designers			
Total Tract Boundaries			
Street R.O.W. and Lot Lines			
Measurements and Bearings for All Lines or Curves			
Dimensions of All Lots			
Setback Lines			
Lot Numbers			
Street Names			
Names of Abutting Lands or Subdivisions			

Part 3: Supporting Material

III. Item	IV. Complete	V. Incomplete	Unacceptable (See Comments)
Other Permit Data			
Proposed Deed Restrictions (if any)			
Improvement Agreements			

COMMENTS: _____

APPENDIX F

ILLUSTRATIONS

APPENDIX G
MODEL DEVELOPER'S AGREEMENT
(MEMORANDUM OF UNDERSTANDING)

This Developer's Agreement (Memorandum of Understanding) is entered into by and between the following parties:

THREE SPRINGS BOROUGH, hereinafter called "Municipality"

and

_____
hereinafter called "Developer."

RECITALS

WHEREAS, Developer has submitted to the Municipality, a plan and application for a Subdivision or Land Development Plan located in Three Springs Borough known and designated as _____; and,

WHEREAS, Municipality has required and Developer has agreed that as a condition precedent to final approval of the Developer's Subdivision or Land Development Plan, all improvements shall be completed by the Developer and approved, or, in lieu of the completion of the improvements required, the Developer shall provide a bond or other security as required by Section 509 and 510 of the Pennsylvania Municipalities Planning Code, (MPC), Act 247 of 1968, as amended (see attachment); and,

WHEREAS, the Municipality and Developer desire to set forth their understanding concerning the Developer's agreement and responsibility to pay the costs involved in inspecting and approving Developer's Subdivision or Land Development Plan.

NOW, THEREFORE, intending to be legally bound hereby, the Municipality and Developer agree as follows:

1. The Developer, at his own cost and expense, shall proceed to perform and complete all improvements required by the developer's Subdivision or Land Development, subject to the review and approval of the plans and specifications by the Municipality.

2. In lieu of the completion of the improvements required as a condition for the final approval of the Developer's Subdivision or Land Development Plan, the Developer SHALL PROVIDE for deposit with the Municipality, financial security **(consistent with Section 509 of the MPC)** in an amount sufficient to cover the costs of any improvements including, but not limited to, roads, stormwater facilities, utilities and other related facilities. Such bond, or other security SHALL PROVIDE for, and secure to the public, the completion of the improvements within one (1) year of the date fixed in the subdivision or development plat for the completion of such

improvements. THE AMOUNT of financial security shall be equal to one hundred ten percent (110%) of the cost of the required improvements for which financial security is to be posted. THE COST of the improvements shall be established by submission to the Municipality of an estimate prepared by the Developer's Engineer, subject to review, comment, and approval by the Municipality or its designees.

3. The Municipality or its designee and the Developer shall agree upon a notification procedure and a schedule of field inspections to be made during construction and upon completion of all improvements.

4. Upon completion of the improvements, the Developer shall give notice to the Municipality and its designee, in writing to inspect the improvements. The Municipality or its designee shall inspect the improvements within ten (10) days and shall approve same if they are completed in accordance with the Subdivision or Land Development Plan and acceptable engineering practices. If the Municipality or its designee disapproves, they shall notify the Developer promptly. If the Municipality or its designee does not approve or disapproves the improvements within thirty (30) days after written notification of completion by the Developer, then in such event, the improvements shall be deemed approved.

5. Developer agrees to reimburse the Municipality or its designee for Engineering services necessitated by the review and inspection of all required improvements and all associated expenses, at the following rates: $_____ per hour; associated itemized expenses, where applicable. It is agreed that the Engineering services shall be payable by the Developer within ten (10) days after date of invoice and prior to final approval of Developer's Subdivision or Land Development Plan or release of financial security.

6. Where applicable, Developer agrees to reimburse the Municipal Solicitor services necessitated by the review and approval of the Developer's plan and necessitated by the review of all required bonds or security, etc. It is agreed the Solicitor's services shall be payable within ten (10) days after date of invoice and prior to final approval of Developer's Subdivision or Land Development Plan or release of financial security.

IN WITNESS, WHEREOF, the parties hence caused this Memorandum of Understanding to be executed, DATED this _____day of _____, A. D., 20__.

THREE SPRINGS BOROUGH
By:_____
_____
_____

(Notary Seal)

Developer:
_____