



**ARTICLE VII**

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LAND DEVELOPMENT

701. Definition

A. Land Development shall include: 1) the improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving (a) a group of two (2) or more buildings; or (b) the division or allocation of land or space between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features; 2) a Subdivision of land.

B. For the purpose of this Ordinance, Land Developments are classified as Residential and Non-Residential.

1. Residential Land Developments are those Land Developments where the principal proposed use is residential, although accessory non-residential uses are permitted. The Residential Land Development may consist entirely of single family residential lots, or may be any combination of single family lots and/or the following:

a. Those Developments where single family residences, two family residences, or other types of multiple dwelling units, are intended to be leased or sold, and where a lease or sale agreement transfers the building or dwelling unit and private interests in all or a portion of the land;

b. Those Developments where multiple dwelling units occur in one building or several buildings for the purpose of leasing as apartments or for the purpose of selling as condominiums. Such leases or agreements of sale transfer a private interest only in the dwelling unit and all of the land is held in common ownership.

2. Non-Residential Land Developments are those Land Developments where the principal proposed use or uses are non-residential, such

non-residential uses include but are not limited to shopping centers, industrial parks, office complexes and other similar uses.

702. Purpose

The purpose of providing for such Land Development provisions is to encourage and promote flexibility, economy and ingenuity in the layout and design of Land Developments.

703. Procedure

The Applicant shall apply for approval of a proposed Land Development in accordance with the following procedure:

- A. Pre-submission Conference (Optional);
- B. Preliminary Plan;\*
- C. Final Plan.

704. Pre-submission Conference

A conference between the Staff and the Applicant prior to the submission of a formal plan is strongly recommended, but is not required. The Applicant should bring sketch plans or working drawings, if any, for review at such Conference. All information presented shall remain confidential. At the discretion of the Applicant, the Development proposal may be presented at a Commission meeting for informal review and comment.

705. Preliminary Plan Submission

The Preliminary Plan shall be accepted for processing upon receipt of the following from the Applicant:

- A. Seven (7) copies of the Preliminary Plan;
- B. A Completed Application Form;

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\*NOTE: The Staff, at its discretion, may waive the Preliminary Plan if the Development is contained within one building with the maximum number of uses not exceeding four (4), or if the Development is contained within no more than two (2) buildings with the maximum number of uses per building not exceeding two (2).

- C. Four (4) copies of a Sewage Disposal Report;
- D. Payment of the processing fee.

706. Distribution of Copies

The Staff shall, upon receipt of a properly submitted Preliminary Plan, forward copies to each of the following, as applicable:

- A. Governing Body of the Municipality in which the Land Development is located;
- B. Planning Commission of the Municipality;
- C. Sewage Enforcement Officer;
- D. Agencies or departments of local, state, or federal government, as deemed appropriate by the Staff.

707. Date of Submission and Review

For consideration at the next regularly scheduled meeting of the Commission, the Applicant shall submit his Preliminary Plan and completed Application Form to the Staff not less than twelve (12) calendar days prior to the scheduled meeting.

708. Commission Action on Preliminary Plan

The Commission shall review the Preliminary Plan, render its decision and communicate said decision to the Applicant not later than ninety (90) days after such Application for preliminary approval is accepted or such additional period of time as may be agreed upon by the Commission and the Applicant in writing. The Applicant shall be notified in writing of the action of the Commission within fifteen (15) days following its decision, and if conditionally approved, specify any changes which shall be required before the submission of the Final Plan. If disapproved, the Commission shall specify the defects found and describe the requirements which have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon.

709. Effect of Preliminary Plan Approval

Approval of the Preliminary Plan by the Commission constitutes conditional approval of the proposed Land Development in regard to the general design, the

the approximate dimensions of streets and lots and other planned features. The Preliminary Plan approval obligates the Applicant to the general scheme of the Land Development. However, if the Applicant determines that a significant change to his original submission is desirable, he may modify his plans by submitting a revised Preliminary Plan for review and approval.

Approval of the Preliminary Plan does not authorize the sale of lots or the leasing of parcels or the recording of the Preliminary Plan.

710. Time Limitation and Extensions

The Preliminary Plan approval shall expire within five (5) years after being granted unless an extension is requested by the Applicant and approved by the Commission. Any request for extensions must be submitted to the Commission thirty (30) days prior to any prevailing expiration date. Extensions may be granted for one or more six (6) month periods upon a finding by the Commission that such extension is warranted.

If the Applicant does not submit a Final Plan for all or a portion of the Preliminary Plan within five (5) years after the approval of the Preliminary Plan is granted, or after expiration of the final extension period, the approval of the Preliminary Plan is automatically void.

711. Preliminary Plan Requirements

The following materials and information shall be submitted with an Application for review and approval of a Preliminary Plan in the form of a map or series of maps drawn to a scale of one hundred (100) feet to the inch, or fifty (50) feet to the inch, or other suitable scale if approved by the Staff, on a sheet size of from 18 x 24 to 42 x 48 inches.

A. The Preliminary Plan shall include the following:

1. Title Block including name of Land Development, Municipality and date;
2. Name and address of the owner of the property;
3. North Point for the Land Development Plan;

4. Graphic scale as well as written scale;
5. Name and address of the registered Professional Land Surveyor and Professional Engineer, where applicable, responsible for the Plan;
6. Deed book and page number of tract or tracts being developed;
7. Tract boundaries showing, approximate distance and bearings;
8. The names, deed book and page numbers of owners of all abutting unplotted land and the names, plat book and page numbers of all abutting recorded Subdivisions;
9. All existing property lines with approximate bearings and distances;
10. All existing streets, easements, and rights-of-way on or adjacent to the tract, including name, right-of-way width and cartway width, and in the case of easements, the purpose for which the easements may have been established;
11. All existing buildings, sewers, water lines, culverts, natural gas lines, petroleum or petroleum products lines, electric and telephone lines, fire hydrants, and other significant man-made features on or adjacent to the tract;
12. Approximate location of sinkholes and existing watercourses and the general locations of swamps, tree masses, and other significant natural features;
13. Floodplain lines determined pursuant to Article XI;
14. Location, width, approximate grade (where appropriate), and purpose of all proposed streets, access roads, alleys, rights-of-way, easements, parking areas and loading and unloading areas;
15. Proposed parcels to be developed or leased, proposed buildings and proposed lot lines with approximate dimensions to the nearest foot and bearings to the nearest degree including a numbering system to identify each lot, building or leased parcel;

16. Public buildings, playgrounds, and parcels of land that are to be dedicated or reserved for public use; location of common open space, if any;

17. An indication of the general location of proposed water lines, sanitary sewers and storm water catchbasins and lines. The preliminary size of each line should be shown as well as the locations of or distances to any existing line to be connected to, with the size of such existing line to be indicated;

18. Site data to include proposed use or uses, number of lots, total acreage of lots being subdivided, number of acres in total tract, number and type of dwelling units including the gross density and/or structures and present zoning classification, including minimum lot area required;

19. Accurate location of all soil log test pits;

20. Existing and proposed (where required) contours of vertical interval of five (5) feet, or, at such intervals as may be necessary for satisfactory study and planning of the tract, as determined by the Staff. Contour elevations shall be tied to the latest U.S. Geological Survey datum;

21. Location map, at a scale not smaller than two thousand (2,000) feet to the inch, showing the proposed Development and adjoining areas sufficient to denote the proposed location (Also include North Point).

712. Undeveloped Portions

Where the Preliminary Plan submitted covers only a part of the Applicant's entire holding, a sketch of the prospective future street, sewer (including sanitary and storm sewers), and water systems of the unsubmitted part shall be furnished upon the request of the Staff. The street, sewer and water system of the submitted part will be considered with regard to connections with future streets, sewers and water in the part not submitted.

713. Final Plan Submission

A Final Plan, consistent with the requirements of this Ordinance, shall be

submitted to the Commission for review and approval. The Final Plan shall be accepted for processing upon receipt of the following from the Applicant:

- A. Seven (7) copies of the Final Plan;
- B. Seven (7) copies of Supporting Data as specified under Section 719;
- C. A completed Application Form;
- D. Four (4) copies of a Sewage Disposal Report if not previously submitted as part of a Preliminary Plan requirement;
- E. Payment of the processing fee.

714. Distribution of Copies

Copies shall be distributed by the Commission pursuant to Section 706 hereof.

715. Date of Submission for Review

For consideration at the next regularly scheduled meeting of the Commission, the Applicant shall submit his Final Plan and other related documents to the Staff not less than twelve (12) calendar days prior to the scheduled meeting.

716. Submission by Sections

The Final Plan submission may cover only a portion of the entire proposed Land Development as shown on the approved Preliminary Plan. In such cases, the Applicant must submit a tentative schedule for the development of the balance of the Land Development. Final Plan submission requirements and procedures must be followed for each subsequent section prior to recording and sale, lease or transfer of lots within such sections.

717. Commission Action on Final Plan

The Commission shall review the Final Plan, render its decision and communicate said decision to the Applicant not later than ninety (90) days after such Application for final approval is accepted or such additional period of time as may be agreed upon by the Commission and the Applicant in writing. The Applicant shall be notified in writing of the action of the Commission within fifteen (15) days following its decision, and if conditionally approved, specify any changes which shall be required before execution of the Final Plan. If disapproved, the Commission shall specify



the defects found and describe the requirements which have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon.

718. Final Plan Requirements

The following materials shall be submitted to the Commission with an Application for approval of a Final Plan. The Final Plan shall conform in all important details with the Preliminary Plan as previously approved, except that the Final Plan may cover only a portion of the total Land Development shown on the Preliminary Plan. Any conditions specified in the approval of the Preliminary Plan shall be incorporated on the Final Plan. Seven (7) copies of the Plan in the form of a map or series of maps drawn to a scale of one hundred (100) feet to the inch, or fifty (50) feet to the inch, or other suitable scale if approved by the Staff; on a sheet size from 18 x 24 to 42 x 48 inches.

A. The Final Plan shall include the following:

1. Title block, including name of the Land Development, Municipality and date of Plan;
2. Name and address of the owner of the property;
3. North Point for the Land Development;
4. Graphic scale as well as written scale;
5. Name and address of the registered Professional Land Surveyor and Professional Engineer, where applicable, responsible for the Plan;
6. Deed book and page number of tract or tracts being developed;
7. Tract boundaries showing accurate distance and bearings;
8. The names, deed book and page numbers of owners of all abutting unplotted land and the names, plat book and page numbers of all abutting recorded Subdivisions;
9. All existing property lines with accurate bearings and distances;
10. All existing streets, easements, and rights-of-way on or adjacent to the tract, including name, right-of-way width, cartway width, and in the case of easements, the purpose for which the easements may have been established;

11. All existing building, sewers, water lines, culverts, natural gas lines, petroleum or petroleum products lines, electric and telephone lines, fire hydrants, and other significant man-made features on or adjacent to the tract, with applicable dimensions and sizes;
12. Accurate locations of sinkholes and existing watercourses and the general locations of swamps, tree masses, and other significant natural features;
13. Floodplain lines determined pursuant to Article XI;
14. Accurate location, width, and grade (where appropriate) and purpose of proposed streets, access roads, alleys, rights-of-way, and easements, parking areas and loading and unloading areas. Complete curve data for streets and access roads, including radius, delta angle, tangent, arc, and chord shall be submitted;
15. Proposed parcels to be developed or leased, proposed buildings and proposed lot lines with dimensions to the nearest degree and minute, including a numbering system to identify each lot, building or leased parcel;
16. Public buildings, playgrounds, and parcels of ground that are to be dedicated or reserved for public use; common open space, if any;
17. An indication of the exact location of proposed water lines, sanitary sewers and storm water collection and retention facilities, including but not limited to catchbasins and lines. The final size of each line must be shown as well as the locations of or distances to any existing line to be connected to, with the size of such existing line to be indicated;
18. Site data to include proposed use or uses, number of lots, total acreage of lots being subdivided, number of acres in total tract, number and type of dwelling units including the gross density and/or structures and the present zoning classification, including minimum lot area;
19. Existing and proposed (where required) contours at vertical interval of five (5) feet, or at such intervals as may be necessary for satisfactory study

and planning of the tract, as determined by the Staff. Contour elevations shall be tied to the latest U.S. Geological Survey datum;

20. Location map, at a scale not smaller than two thousand (2,000) feet to the inch, showing the proposed Development and adjoining areas sufficient to denote the proposed development location (Also include North Point);

21. Location and material of all permanent monuments and lot markers;

22. Setback lines on all lots and parcels, dimensions between buildings and other sites at not less than the minimum fixed by the Ordinance;

23. Any pedestrian ways or sidewalks that may be provided or may be required by the Commission;

24. Accurate location of all soil log test pits.

719. Additional Supplemental Requirements

A. Supporting Data

The Final Plan shall be accompanied by the following material where applicable:

1. Final profiles and cross sections for street improvements, sanitary and storm sewerage, underground utilities and water distribution systems shall be shown on one (1) or more separate sheets or on the Final Plan;

2. Where lot sizes are based on public water and/or public sewer facilities, assurance acceptable to the Commission that such facilities will be installed;

3. Such certificates of approval by proper authorities as may have been required by the Commission, including but not limited to certificates from the various utility companies involved with underground utilities;

4. Proposed street names, accompanied by a letter from the postmaster of the area in which the Development is located, stating that the proposed names are acceptable;

5. Detailed design of any bridge, culverts, storm water management facilities or other improvements may be required. These designs may be submitted as separate sheets;

6. One (1) copy of all proposed deed restrictions or lease provisions related to the approval of the proposed Development.

B. Improvements

Where appropriate the Applicant of any Land Development shall be required to provide the following improvements, or a suitable guarantee pursuant to Article XII hereof, said improvements to be constructed pursuant to the standards contained in this Ordinance or such other standards as may be imposed:

1. Streets and access roads, including where applicable, shoulders, curbs, parking areas, driveways, curb cuts and traffic control devices;

2. Utilities, including where applicable, storm water management facilities and/or storm sewers; sanitary sewer facilities including pumping stations, pretreatment facilities and sewer lines; water, including fire protection facilities; and electric, gas, telephone and other such lines;

3. Any proposed Land Development amenities such as recreation facilities, swimming pools, meeting facilities, screening and landscaping; including assurances and agreements related to the responsibilities for land ownership, the construction and/or purchase of facilities or other features, and the perpetual maintenance of the above;

4. Any other improvements which may be required for approval.

C. Certificates

The following certificates in block form shall be shown on the Final Plan where applicable:

1. Certification by means of a seal of a registered Professional Land Surveyor and Professional Engineer, where applicable, to the effect that the survey and Plan are correct (See Appendix No. 10);

2. Certificates for approval by the Governing Body and the Planning Commission from the Municipality in which the Land Development is located;
3. Certificate for approval by the Commission;
4. A statement, duly acknowledged before an Officer authorized to take acknowledgments of deed and signed by the owner or owners of the property, to the effect that the Land Development as shown on the Final Plan is the act and deed of the owner, that he (the Applicant) is the owner of the property of the survey and Plan, and that he desires the same to be recorded as such;
5. Certificate to accommodate the recording information with the Centre County Recorder of Deeds;
6. Certificate of dedication of streets and other public property (This is an offer of dedication);
7. Certificate indicating the type of sewage disposal to be utilized, consistent with the requirements of Section 414 as contained herein.

720. General Design Standards

Land Developments shall comply with all of the provisions of Article IV, General Standards, except certain provisions as may be deemed by the Commission to be not applicable to the Land Development. Land Developments shall also comply with Article XI entitled REQUIREMENTS FOR SPECIAL CONDITIONS. The Commission and the Staff specifically are given the right to impose greater standards and to require the provision of improvements additional to those imposed elsewhere herein, as deemed necessary and desirable for the particular Land Development being considered. In addition to the foregoing, the Applicant shall demonstrate to the satisfaction of the Commission that the design and layout of the proposed Land Development is specifically suitable for and adopted to the proposed uses, and is coordinated with other uses and facilities in the vicinity.

721. Specific Design Standards

Land Developments, in addition to other standards, are required to comply

with the following for the intended purpose of assuring the safety, health and general welfare of the present or future inhabitants or occupants of the proposed Land Development.

A. Relationship to Adjoining Properties

Every effort shall be made to protect adjacent residential areas or other Sensitive Areas from potential adverse effects or nuisances from the proposed Land Development, including the provision of appropriate building setbacks and/or a permanently landscaped buffer strip.

B. Lot and Structure Arrangement

1. To the greatest possible extent, dwelling units and other buildings and structures should not be located on lands designated as Flood Prone Areas, lands which are subject to Mine Subsidence, or other Special Conditions as from time-to-time may be designated by the Commission and more fully described in Article XI.

2. Lands which the Commission finds to be unsuitable for Land Development due to flooding, potential mine subsidence, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which will reasonably be harmful to the safety, health, and general welfare of present or future inhabitants, occupants, or the public in general of the Land Development and/or its surrounding area, shall not be developed unless adequate methods are formulated by the Applicant to solve the problems created by the unsuitable land conditions. The Commission in considering such methods as formulated by the Applicant shall consider the recommendations of the Local Municipal Government, the Local Municipal Engineer and/or the County Engineer, and other appropriate agencies.

C. Street and Access Roads

1. All proposed streets and access roads and all proposed parking and load/unloading areas shall be designed in a compatible relationship with the

layout of all buildings and structures, with truck loading and maneuvering areas and with walks and parking areas so as to minimize potential conflicts of movement between the various types of traffic, including pedestrian, and further to reduce congestion and avoid hazardous intersections.

2. Street and access roads shall be adequate to accommodate the type and volume of traffic anticipated to be generated by the Land Development.

However, the street and access road standards shall not be less than that required for Private Streets, as set forth in Article IV, Section 402. B. 6.

3. Streets and access roads carrying non-residential traffic, especially truck traffic shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

4. Points of connection between the Land Development's internal street system and the existing public street system shall be designed to avoid congestion and hazardous intersections, including, if necessary, the installation of traffic control devices.

D. Parking Areas

1. Areas for off-street parking shall be provided and located to adequately serve the intended use or uses of the Land Development. Parking Areas shall be designed to provide safe and convenient ingress and egress and shall have an approved paved or all weather surface.

2. For Residential Land Developments, at least one and one-half (1.5) parking spaces shall be provided for each dwelling unit (Where the calculated number of parking spaces results in less than a whole number, the figure shall be rounded to the next highest number). The layout of the parking areas shall be designed to provide parking spaces reasonably accessible to all dwelling units.

E. Loading and Unloading Areas

Areas provided for loading and unloading of delivery trucks and other vehicles, and areas for the servicing of buildings or structures by refuse vehicles shall be

adequate in size and location, and be so arranged as to not interfere with the use of streets, access roads, pedestrian ways or parking facilities of the proposed Land Development.

F. Sidewalks

The Commission may require that sidewalks be provided between all residential buildings and all parking areas, recreation facilities and play areas.

G. Exceptional Utility Service

Industrial Developments shall provide assurances that exceptional utility services necessary for the Development (including but not limited to natural gas service, high capacity water systems, high voltage electrical power and industrial waste treatment facilities) are available and can be incorporated without interfering with other uses in the vicinity.

722. Unit Property Act

Where applicable, Residential Land Developments shall comply with the Unit Property Act of July 3, 1963, P.L. 196 (68 P.S. 700.101 et seq.) as amended (See Appendix No. 6).