

CHAPTER 151
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE
for

THE BOROUGH OF CANONSBURG
WASHINGTON COUNTY, PA

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ARTICLE 100. – GENERAL PROVISIONS

§ 151-101. TITLE.

This Ordinance shall be known and may be cited as the Subdivision and Land Development Ordinance of The Borough of Canonsburg, Washington County, Pennsylvania.

§ 151-102. AUTHORITY.

The Pennsylvania Municipalities Planning Code (MPC), Act 247 of 1968, as reenacted and amended by Act 170 of 1988, and as subsequently amended, 53, P.S. 10101 et seq. MPC enables and authorizes governing bodies of municipalities to enact a subdivision and land development ordinance to regulate subdivisions and land developments situated within the Borough.

§ 151-103. PURPOSE.

- A.** This Ordinance has been developed to require basic minimum standards for the development of land, including the subdivision thereof into separate lots; and establishes rules and regulations, definitions, application procedures and permits by which the standards may be carried out. These requirements are designed to provide for:
1. The coordinated development of land throughout the Borough;
 2. Assurance that new subdivisions will be developed consistent with the maintenance of the health, safety and general welfare of the public;
 3. Necessary public facilities in an amount and size commensurate with the needs of the area to be subdivided and the uses to which the land will be devoted;
 4. Assistance in identification of hazards from flooding, landslides, subsidence or other dangers, by requirements that land subject to such dangers will be made safe for its proposed use or be set aside for uses that will not precipitate dangerous conditions;
 5. Protection of the soil, water and other natural environmental resources of the area from the effects of uncontrolled development practices;
 6. Coordination of continuing community growth with respect to overall development considerations, such as sewage disposal, water supply, drainage facilities, traffic circulation systems, emergency access ways, retention of open spaces and related factors; and,
 7. Equitable administration of all subdivision and development proposals throughout the Borough.

§ 151-104. JURISDICTION.

- A.** Subdivision and Land Development. No subdivision or land development of any lot, tract, or parcel of land shall be made, no street, sanitary sewer, storm sewer, water main or other improvements in connection wherewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Chapter.

- B. Sale of Lots, Issuance of Building Permits, or Erection of Buildings. No lot in a subdivision or land development may be sold, and no permit to erect, alter, or repair any building upon land in a subdivision or land development will be issued unless and until a subdivision and/or land development plan has been approved, and where required, recorded, and until the required improvements in connection therewith have either been constructed or guaranteed for construction in the form of a bond, escrow, or other means approved by the Borough under the advice of the Engineer and Solicitor, in accordance with the laws of the Commonwealth of Pennsylvania.
- C. Condominiums. No provision of this Ordinance shall be construed to prohibit condominium ownership as permitted by the applicable enabling legislation of the Commonwealth of Pennsylvania.

§ 151-105. CONFLICTS BETWEEN REGULATIONS.

In their interpretation and application, the provisions of this Chapter shall be minimum requirements. Wherever the requirements of this Chapter are at conflict with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions or covenants, the most restrictive, or that imposing the highest standards, shall govern.

§ 151-106. AMENDMENTS.

Council may from time to time amend, add to, change or repeal in its entirety provision of this Chapter. Such amendments shall be enacted in conformance with Section 505 and Section 506 of the MPC. Applicability of any such amendment to an approved plan or pending plan application shall be governed by Section 508(4) of the MPC.

§ 151-107. ENFORCEMENT REMEDIES AND PREVENTIVE REMEDIES.

Any person, partnership or corporation, who or which has violated the provisions of this Chapter, upon being found liable therefore in a civil enforcement proceeding commenced by the Borough, shall be subject to the enforcement remedies of the MPC. (§ 515.3 Enforcement remedies) In addition, the Borough may utilize the preventive remedies authorized by the MPC. (§ 515.1 Preventive Remedies).

§ 151-108. REPEALS.

Upon the adoption of these regulations according to law, the subdivision regulations of the Borough of Canonsburg adopted as [Ordinance No. 1217, February 17, 1998], as amended, are hereby repealed.

§ 151-109. SEVERABILITY.

Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

§ 151-1010. EFFECTIVE DATE.

Pursuant to the provisions of the Pennsylvania Municipalities Planning Code, Act 245, as amended, the effective date of this Chapter shall be five days after the date on which the Borough Council of Canonsburg has formally adopted this Chapter.

ARTICLE 200. – ADMINISTRATION

§ 151-201. GENERAL REGULATIONS.

Borough Council shall, with the recommendation of the Borough Planning Commission and the Washington County Planning Commission, review and act upon as appropriate all subdivision, resubdivision, consolidation and land development activities in the Borough in accordance with the procedures specified in this and other sections of this Chapter and in Article V of the MPC, as amended.

- A. Objectives.** In all cases where this Chapter requires approval of a subdivision or land development plan, Council and the Planning Commissions shall take into consideration public health, safety and welfare and the comfort and convenience of the public in general and of the residents of the proposed development and immediate neighborhood in particular and may prescribe such appropriate conditions and safeguards as may be required in order that the result of its actions shall, to the maximum extent possible, further the public interest in general and the accomplishment of the objectives set forth hereinbefore in particular.
- B. Comprehensive plan.** The layout or arrangement of the subdivision or land development shall conform to the comprehensive plan and to any regulations or maps adopted in furtherance thereof.
- C. Zoning Regulations.** Those procedures and requirements set forth in the Canonsburg Borough Zoning Ordinance, as amended from time to time, shall apply to all applications for subdivision and land development.
- D. Modifications.**
 - 1.** If any mandatory provisions of this Chapter are shown by the applicant, to the satisfaction of the Council, to be unreasonable, to cause undue hardship, or that an alternate standard can provide equal or better results, the Council may grant a modification to that provision. A modification may be granted provided it will not be contrary to public interest and provided the purpose and intent of this Chapter is maintained.
 - 2.** All requests for modification shall be in writing and signed by the applicant. The request shall fully state the reasons and grounds for why the provision is unreasonable or the hardship imposed, and shall discuss the minimum modification necessary.
 - 3.** It is not sufficient proof of hardship to show that greater profit would result if the modification were granted. Furthermore, a hardship cannot be one personal to the applicant; it must be from the application of this Chapter; it must be suffered directly by the property in question; and evidence of a modification granted under similar circumstances shall not be considered.
 - 4.** Council shall consider modification requests that are necessary to meet objectives of this Chapter and the Comprehensive Plan, that encourage flexibility and creativity in design of plans to protect environmentally sensitive areas, and otherwise are consistent with the objectives of this Chapter and the Comprehensive Plan.

5. Council shall request an advisory opinion from the Borough Manager and the Borough Engineer on the modification request.
6. In granting modifications, Council may impose such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so modified.
7. The Borough shall keep a written record of all requests for modifications.
8. If a modification is granted it shall be referenced in the conditions of approval of the plan, and shall apply only to that plan.
9. The written request for a modification shall be included in the application for development. Such request shall cite the section(s) of this Chapter to be modified, the extent of modification and the reasons for the modification.
10. Any modification thus granted shall be entered in the minutes of the Council setting forth the reasons which, in the opinion of the Council, justified the modification.
11. Applicant for modifications shall be required to pay a fee as specified in the fee resolution of the Borough.

E. Digital Submittals.

1. All subdivision and land development applicants shall be required to submit a digital drawing in addition to the drawings required in other sections of this Chapter. All drawings must be provided electronically in accordance with the digital submittal requirements outlined below.
 - a. All drawings must be in PA State plan projection, PA South Zone, NAD83 datum. Units shall be in U.S. feet.
 - b. All digital files submitted shall be based on accurate geometric calculations as determined by the registered land surveyor, professional engineer, architect, or landscape architect responsible for the plans.
 - c. All coincident points on external boundaries and lot lines will have the same coordinate values, i.e., boundary lines will be conterminous. Boundaries and lot lines will be transmitted as a closed figure. For example, in DXF or DWG a boundary would be represented as one polyline rather than a series of lines, arcs and curves.
 - d. Digital submission shall have all layers clearly and separately represented. A document shall be included with all digital submittals outline the following:
 - i. A list of all layers used with a description of what those layers represent.
 - ii. A list of all point files and break lines with a description of any abbreviations.
 - e. All drawings must be submitted in autocad drawing (.dwg), autocad interchange (.dxf) format, or GIS data sources (geodatabase feature class, coverage, or shapefile) on a storage medium designated by the Borough.

§ 151-202. CLASSIFICATION OF APPLICANTS.

- A.** Applications for subdivision or land development shall be classified based upon the following criteria and definitions, and shall be processed according to the provisions contained within this section.
- B.** Major subdivisions. A subdivision that includes one or more of the following characteristics:
 - 1.** Multiple phasing of the plan.
 - 2.** Containing public improvements, including one or more of the following: streets, storm water detention and storm water retention facilities and public utilities.
 - 3.** Containing more than three (3) lots.
- C.** Minor subdivisions. A subdivision not including any of the characteristics included in the major subdivision category. In general, a minor subdivision involves the adjustment of lot lines for existing lots and/or the creation of new lots that are already serviced by a public street and public utilities,
- D.** Land developments.
 - 1.** Any of the following activities:
 - a.** The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - i.** A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
 - ii.** The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
 - b.** A subdivision of land.
 - c.** An increase in impervious area and/or buildings of 2,500 square feet or greater.
 - 2.** The following shall not be considered a "land development":
 - a.** The conversion of an existing single-family detached dwelling into not more than three residential units, unless such units are intended to be a condominium;
 - b.** The addition of an accessory building to a residential or farm use, on a lot or lots subordinate to an existing principal building; or
 - c.** The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. The exclusion shall not apply to a newly acquired parcel to be used for operating an amusement park until the initial plans for the expanded area have been approved by the Borough.

- E.** Preliminary and Final Approval. All applicants shall be required to submit a preliminary plan application and final plan application for all projects categorized as a major subdivision or a land developments except as provided for in subsection F. Fast Track Approval Process.
- F.** Fast Track Approval Process. Certain subdivision and land development applications, are eligible for a fast-track approval process. Said applications shall bypass the Planning Commission and go directly to Council for approval.
 - 1.** The following subdivisions are eligible for fast-track approval:
 - a.** A lot (lots) consolidation (reverse subdivision).
 - b.** A subdivision involving a lot line change between two existing LOTS that will result in only two lots, where all lots lie within the same zoning district, where the resulting lots conform to Zoning Ordinance requirements in terms of minimum lot size and setbacks, and where the size of no lot increases or decreases by more than the minimum lot size of the respective zoning district in which it is situated.
 - c.** The final subdivision of dwelling unit lots, whether condominium or townhouse construction, the finalization of which relies on as-built surveys and results in no material change. Each newly formed lot must conform to the bulk and area requirements of the zoning district in which it is situated.
 - 2.** The following land developments are eligible for fast-track approval:
 - a.** An addition that is 1,000 square feet or less than or equal to 10% of the principal structure shown on the most recent site plan approved by Council, whichever is less
 - b.** Expansion of a parking lot that is 10% or less than the parking approved through the last land development approved by Council, where no change is proposed in terms of site access and circulation.
 - c.** Revisions to the landscaping or site plan approved by Council.
 - 3.** No application is eligible for fast-track approval if it is involved in a conditional use, does not meet the requirements of the Zoning Ordinance or requires a variance from the Zoning Hearing Board.
 - 4.** When filing the application, the applicant must specify that the applicant is filing for a fast-track approval.
 - 5.** The Zoning Officer shall make the ultimate determination regarding whether an application is eligible for fast-track approval. If it is determined that an application is not eligible for fast-track approval, it will be forwarded to the Planning Commission for consideration in accordance with the otherwise applicable requirements of this Chapter.
 - 6.** Application and Filing Requirements. All applications for fast track approval must adhere to the application requirements set forth in § 151-302 and the filing requirements in § 151-204.

§ 151-203. PRE-APPLICATION CONFERENCE

The pre-application conference is provided as an informal session to provide information prior to preparation of formal application documentation and shall be optional at the discretion of the applicant.

- A.** Prospective applicants may arrange a preapplication conference with the Borough Staff to determine the practical and legal feasibility of the proposed project prior to the development of formal preliminary plan preparation. Staff shall include at least the Manager, Engineer and Zoning Officer.
- B.** In assessing the suitability of the plan, Borough Staff shall consider the Borough's Comprehensive Plan and any other appropriate plans.
- C.** Consideration shall also be given to possible hazards to health, safety and welfare. Land subject to flooding, slides due to soil type or slope or excavation, excessive erosion, improper drainage, mine subsidence problems, or land unsuited for on-site sewage disposal shall be deemed hazardous and shall require a specific demonstration of measures to remove the identified hazard producing condition.
- D.** The Applicant may want to contact the Washington County Conservation District, PA DEP and local water/sewer authorities for input on the proposed plan as well.
- E.** In order to facilitate productive discussion on the proposal, it is recommended that the applicant submit proposal drawings on a sheet either 11"x17", or 24"x36", which shall contain the following:
 - 1.** The name and address of the record owner.
 - 2.** The name and address of the developer, if different from the owner.
 - 3.** The name of the individual preparing the proposal.
 - 4.** A location map, taken from the Zoning Map, drawn at a minimum scale of one inch equals 1,200 feet, to include the location of the proposed subdivision in relation to municipal boundaries, public streets, adjacent zoning districts and all properties adjoining the property being developed.
 - 5.** The North arrow, graphic scale [no greater than one inch equals 200 feet] and date of drawing.
 - 6.** Approximate tract boundaries and a statement of total acreage of the tract.
 - 7.** Zoning district(s) of property and adjacent properties.
 - 8.** All contemplated land uses and approximate locations of existing buildings on the property and adjacent properties and proposed locations of all principal structures and parking area on the property.
 - 9.** Proposed streets, by type, and their relationships to the existing streets outside the site.
 - 10.** Existing rights-of-way and easements which may affect future development.

11. Phased development. In the case of plans which call for development in stages, a map at an appropriate scale showing the successive phases shall be submitted.

§ 151-204. FILING REQUIREMENTS.

All applications for subdivisions or land developments shall adhere to the following filing requirements:

- A. All applications shall be submitted to the Borough no later than twenty-eight (28) calendar days prior to the regular monthly meeting of the Planning Commission. Any application submitted after this date shall not be considered at the following monthly meeting.
- B. Upon submission, the application shall be reviewed by the Zoning Officer to determine its completeness. In order for an application to be determined to be complete and considered filed and placed on the Planning Commission agenda, it shall include:
 1. Three (3) full-size (24"x36") hard copies, seven (7) half-size (11"x17") copies of the preliminary plan.
 2. Meet all requirements for submission based on the classification of the plan. The review of the submission requirements shall not include a review of the correctness of the plan, but rather a review to determine whether the required items have been submitted.
 3. Include the appropriate application fee, in accordance with the Borough's fee schedule.
 4. Include all original signatures of all property owners or agents for property owners involved in the application.
 5. Evidence of filing of all necessary permit applications with any regulatory agency having jurisdiction over the project.
- C. Official filing date. When the Zoning Officer's initial review has determined that the application satisfies the requirements applicable thereto and, with the exception of subdivision and land development approval, is in full compliance with this Chapter, the application shall be accepted. In the event the applicant's initial submission is deemed complete, the applicant's official filing date shall relate back to the date of said submission, and will be placed on the Planning Commission agenda.
- D. If the application is determined to be incomplete, the applicant shall be notified in writing and all submitted documents shall be returned to the applicant, including the application fee and review deposit, with a letter indicating that the application is being rejected as administratively incomplete and identifying the application deficiency (s). The application shall not be considered by the Planning Commission until it is filed with all required components.
- E. Applications determined to be complete shall be reviewed for compliance with all applicable Borough ordinance requirements by the Zoning Officer, who shall also forward copies of the application and plans to the Borough Engineer for their review comments.
- F. It shall be the responsibility of the applicant to provide the required full-size plans, application, and fees to the Washington County Planning Commission for review prior to the

final review and approval by the Borough. The applicant shall be required to submit a copy of the letter that shows the date of submittal to the Borough for proof of submittal.

§ 151-205. APPROVAL PROCEDURES.

- A.** The Zoning Officer shall submit a report to the Planning Commission listing any review comments and questions on the application prior to the regularly scheduled Planning Commission meeting. A copy of this report shall also be sent to the applicant.
- B.** In reviewing the application, the Borough may secure the advice or assistance from one or more expert consultants qualified to evaluate all the implications of the proposed development and advise as to any conditions and safeguards that should be prescribed to assure the fullest achievable compatibility between the proposed use, its neighborhood and the community as a whole. Such conditions and safeguards may pertain to off-site improvements when deemed necessary for the public health, safety and welfare.
- C.** After presentation of the application at its meeting by the applicant, the Planning Commission shall forward its recommendations in writing to Council and the applicant. Any plan recommended with conditions shall include a listing of those conditions. In cases of a recommendation for denial, the Planning Commission shall cite the section(s) of relevant Borough ordinances and the other applicable governmental ordinances, statues, regulations codes or other authority.
- D.** Council shall have a ninety (90) day time period to act on the plan unless the applicant has agreed in writing to an extension of the time period.
 - 1.** The ninety (90) day time period shall be measured from the date of the Planning Commission meeting following the date the application was filed and accepted as complete by the Borough, provided that the application was filed at least 28 days prior to said meeting. Should the meeting occur more than 30 days following the date the application was filed and accepted as complete, the said 90-day period shall be measured from the 30th day following the date the application was filed.
 - 2.** If an extension of the ninety (90) day time period is applied, it shall be measured from the expiration of the original ninety (90) day period. A time extension shall postpone the deadline and effects of the ninety (90) day time period for the additional number of days agreed to in writing prior to the last scheduled Borough Council meeting within the ninety (90) day plan review period.
- E.** Before acting on any application, Council may hold a public hearing after public notice.
- F.** Council shall render its decision to approve, approve with conditions or deny the application, taking into consideration the recommendations of the Planning Commission, Borough Engineer, Washington County Planning Commission and/or other technical advisors as requested.
 - 1.** Council shall not act on any application until the Washington County Planning Commission report of its recommendations is received, or until the expiration of 30 days from the date the application was submitted to the County.

- 2.** The decision of Council shall be in writing and shall be communicated to the applicant personally or mailed to the applicant at the applicant's last known address not later than 15 days following the decision. Copies of the decision shall also be provided to the Planning Commission and other municipal officials, as appropriate.
 - a.** Denial. If Council denies an application, then the written notification to the applicant shall specify the defects found in the application and describe the requirements which have not been met, and shall cite the provisions of the statute or ordinance relied upon.
 - b.** Approval. If Council approves an application, as filed by the applicant, then the Secretary will so certify thereon, and a copy of the approved plan will be forwarded to the applicant.
 - c.** Approval with conditions. If Council approves an application with conditions, the written communication to the applicant shall specify the specific conditions. In addition, such written notification shall include notification that unless the applicant agrees to the conditions, then the application is denied in accordance with this Chapter. Said notification shall be mailed to the applicant's last known address within 15 days of the granting of approval with conditions by Council. The applicant shall notify the Borough in writing of his or her acceptance or rejection of the conditions of approval. If the applicant does not so notify the Borough within 20 days of the date of Council's written decision, the approval shall automatically be rescinded without written notice to the applicant.
- G.** Plans gaining only preliminary approval by Council will require final approval by Council through the filing of an application meeting all requirements of this Chapter for final approval and satisfying any conditions attached to preliminary approval.
- H.** Prior to the recording of any approved plan, or the issuance of Borough permits, the applicant shall execute a developer's agreement as prepared by the Borough Solicitor.
- I.** Substantial revisions to a subdivision or land development plan constitute a new application that does not relate back to the original application. Any increase in number of lots, any decrease in lot size of 10% or more, relocation of streets, decrease in open space or buffering and other basic design features as determined by the Zoning Officer constitute substantial revisions.

ARTICLE 300. – PLAN REQUIREMENTS.

§ 151-301. APPLICATION REQUIREMENTS FOR LAND DEVELOPMENTS.

- A.** Preliminary Application Requirements.
- B.** Procedure. Development plan review is required of a land development. Development plan drawings, along with an application for plan and the appropriate fee, shall be submitted to the Zoning Officer in accordance with the requirements of § 151-204 of this Chapter. Subdivision plans shall be prepared, submitted and reviewed in accordance with the provisions set forth in § 151-301.E.3 and § 151-303.D of this Chapter. The application shall include the following information:
1. Proof of proprietary interest.
 2. Written evidence of compliance with all other Borough, county, state or federal permits required for the plan, if any.
 3. If the proposed use is a conditional use or use by special exception, an application for approval of the conditional use or use by special exception shall accompany the application for preliminary approval of the land development. Preliminary approval of the land development shall not be granted unless the conditional use or use by special exception is approved prior to or concurrent with the preliminary land development plan.
 4. For all applications which propose 25 or more dwelling units or any nonresidential building or buildings (existing and proposed) that generate 100 or more vehicle trips per day, a traffic report prepared by a qualified traffic engineer shall be submitted detailing the nature and extent of trip generation expected to result from the proposed development based on the ratios and methodology contained in the current edition of the Manuals of the Institute of Transportation Engineers. The report shall include current and projected capacities and levels of service of all streets and intersections within 1,000 feet of the site proposed for development or the next nearest intersection and recommendations for improvements to streets and/or traffic control devices within the site or immediately adjacent to the site. The traffic report shall be signed and sealed by a registered professional traffic engineer.
 5. Wherever any public improvements are proposed and where evidence exists of deep mining, strip mining, landslide-prone soils or other geologic hazards on the site, a geologic report by a qualified registered professional engineer acceptable to the Borough regarding soil and subsurface conditions and the probable measures needed to be considered in the design of the development, the location of structures and the design of foundations, if any.
 6. A wetlands determination report for all sites which have hydric soils or soils with hydric inclusions and, if applicable, a wetlands delineation report for all jurisdictional wetlands on the site and the design techniques proposed to accommodate them.
- C.** Preliminary plat contents. A drawing for a land development plan shall be accurately drawn to a scale of not less than one inch equals 50 feet, on a survey prepared and sealed by a Pennsylvania registered land surveyor. The preliminary plat shall include or be accompanied

by the following information and shall be prepared and sealed by a registered professional engineer or registered professional land surveyor:

- 1.** Dates of preparation. All revisions shall be noted and dated;
- 2.** The name and address of the applicant and landowner. If the owner of the premises is a corporation, the name and address of the corporation's presiding officer and project contact person shall be submitted on the application. ;
- 3.** The name of the land development, if any, including the words "Preliminary Land Development Plan";
- 4.** The name of the owner(s) of adjacent properties, the location of structures on adjacent properties, and the nature of use of these properties;
- 5.** The name and address, signature, license number and seal of the Pennsylvania registered architect, landscape architect, surveyor or engineer;
- 6.** Graphic and written scale;
- 7.** North arrow;
- 8.** A site location map to include the location of the proposed land development in relation to Borough boundaries, public streets, adjacent zoning districts and all properties adjoining the property being developed;
 - a.** Property lines, with bearings and distances shown, for the site and adjacent lots, if available.
 - b.** Zoning district for the site and adjacent properties.
 - c.** Area, to the nearest thousandth of an acre, of the site to be developed for nonresidential purposes and/or the area, in square feet, of each lot to be developed for residential purposes.
 - d.** Proposed screening and landscaping, including a preliminary planting plan. The landscape plan shall indicate the location, dimension, and types of vegetation to be installed under the landscaping and bufferyard requirements of the Zoning Ordinance.
 - e.** Location and dimensions of existing and proposed public and private streets, alleys, driveways, sidewalks, trails or other means of access on the site. The name, jurisdiction of ownership, width, type and location of right-of-way, and existing grades and types of curbs must be shown.
 - f.** A copy of any existing or proposed covenants, and deed restrictions, which are applicable to the property.
 - g.** A written statement requesting any waivers or modifications to this chapter in accordance with § 151-201.D, if applicable.

- h.** A written statement identifying any zoning variances which will be needed or which have been granted to the property by the Zoning Hearing Board.
- i.** The location and dimensions of proposed buildings and structures, all accessory structures and fences, if any, including front, side, and rear yard setbacks, height of buildings, first-floor elevations of all structures, and floor plans and elevation plans of each building. Proposed location and dimensions of all yards and open spaces.
- j.** If applicable, flood hazard zone boundaries, as identified on the current Official Map for the Borough issued by the Federal Insurance Administration.
- k.** Existing contours and proposed grading plan in compliance with Chapter 102 of the Borough Code of Ordinances, Grading and Excavating, drawn to no greater than two (2) foot contours proposed major changes in these contours. Existing contours need to be shown with dashed lines and numbered clearly. State the location and elevation of datum to which contour elevations refer. Datum used shall be a known, established benchmark. Contours plotted from U.S.G.S. quadrangle maps shall not be acceptable. The benchmark used shall be cited and labeled with the elevation and the northing and easting coordinates on the State Plane Coordinate System.
- l.** Plans of proposed stormwater systems showing feasible connections to existing or any proposed utility systems. All stormwater facility plans shall be accompanied by a separate sketch showing all existing drainage within 500 feet of any boundary, and all areas and any other surface area contributing to the calculations, and showing methods to be used in the drainage calculations. Stormwater management plans, as required by Chapter 147 Stormwater Management, of the Canonsburg Borough Code of Ordinances.
- m.** Water service. The location and size of all existing and proposed waterlines, valves and hydrants. If water is to be provided by means other than by the individual owners of LOTS within the land development, the developer shall present evidence that the land development is to be supplied by a certificated public utility, a bona fide cooperative association of lot owners or by a municipal corporation, authority or utility.
- n.** Sanitary Sewage Facilities. The location and size of all existing sanitary sewers and the location and size of all proposed sanitary sewers. All land developments shall be provided with sanitary sewage facilities which are in accordance with the municipal sewage facilities plans and which have been approved by the PADEP, the Borough and the Canonsburg Houston Joint Authority or other applicable sewer authority which serves the Borough.
- o.** A table (with computations) estimating the impervious surface ratio;
- p.** A slope map showing the location and the area (in square feet) of land which has a slope of 25% or greater.

- q. Certification by a registered professional geotechnical engineer regarding the feasibility of any proposed grading on slopes greater than 25%, the stability of the finished slopes, measures to mitigate landslides, soil erosion, sedimentation, stormwater runoff, and potential impacts on adjacent properties.
- r. Identification of soil series as shown in the soil of the County, with the soil limit lines plotted on the base map. A soil erosion and sedimentation control plan, prepared by a person trained and experienced in control methods and techniques, which conforms to the requirements of the Pennsylvania Clean Streams Law, 35 P.S. § 691.1 et seq., and Chapter 102 of the Rules and Regulations of the Pennsylvania Department of Environmental Protection governing erosion control, 25 Pa. Code Chapter 102, and documentation that the County Soil Conservation Service has issued an NPDES permit if required.
- s. The location, type and approximate size of existing utilities to serve the development and written verification from each utility that service will be provided to the development.
- t. Significant cultural features, including cemeteries, burial sites, archeological sites, historic buildings, structures, plaques and markers or monuments.
- u. The number and density of dwelling units (if residential).
- v. All means of vehicular access for ingress and egress to and from the site onto public streets, showing the size and location of internal streets or driveways and curb cuts, including the organization of traffic channels, acceleration and deceleration lanes, additional width, and any other improvements on the site or along the site's street frontage necessary to prevent a difficult traffic situation. All pedestrian walkways and provisions for handicapped facilities in compliance with the requirements of the Americans with Disabilities Act (ADA) for an accessible site shall also be shown.
- w. Computation of the number of parking spaces to be provided, and the location and design of off-street parking areas and loading areas, showing size and location of bays, aisles and barriers and the proposed direction of movement.
- x. Tabulation of site data, indicating zoning requirements applicable to the site and whether the proposed site development features comply.
- y. The methods, placement and screening of solid waste disposal and storage facilities.
- z. If applicable, a detailed proposal, including covenants, agreements, or other specific documents, showing the ownership and method of assuring perpetual maintenance to be applied to those areas which are to be used for recreational or other common purposes.
- aa. Written or graphic evidence that all public and/or private improvements will comply with the design standards of this chapter and the Infrastructure Improvement and Development Specifications.

- bb.** If the plan is to be completed in phases, the proposed sequence of development, with a projected time schedule for completion of each of the several phases.
- cc.** If applicable, a notation on the plat that access to a state highway shall only be authorized by a highway occupancy permit issued by the Pennsylvania Department of Transportation under Section 420 of the State Highway Law, P.L. 1242, No. 428, of June 1, 1945, 36 P.S. § 670-420, and that the approvals of the Canonsburg Borough Planning Commission and Borough Council are conditional, subject to action by the Pennsylvania Department of Transportation pursuant to application for a highway occupancy permit.
- dd.** Spaces for the signature of the Chairman and Secretary of the Planning Commission and the President and Secretary of Borough Council, and dates of approval.
- 9.** Floor plans, elevation drawings of all facades on all structures, exterior building materials and colors.
- 10.** Traffic Impact Study.
 - a.** A Traffic Impact Study (TIS) Or Traffic Impact Assessment (TIA) shall be conducted under the supervision of a person who possesses a current Professional Engineer’s (P.E.) license issued by the Pennsylvania Department of State. All costs of traffic studies shall be borne by the applicant. A TIS shall be required for:
 - i.** A TIS shall be required for:
 - a.** All commercial and residential subdivisions or land developments, including new structure or additions to structures, generating three thousand (3,000) or more average daily TRIPS, or one hundred (100) or more vehicle TRIPS entering the development or one hundred (100) or more vehicle trips exiting the development during any one (1) hour time periods any day of the week.
 - b.** Any change or modification in commercial land use and conditional uses in residential zoning districts resulting in one hundred (100) or more vehicle TRIPS entering the development or one hundred (100) or more vehicle trips exiting the development during any one (1) hour time period any day of the week.
 - ii.** If the warrants in (1) or (2) for a TIS are not met, the Borough may still require a TIA. The purpose of a TIA is to assess the impact of the subdivision or land development on specific intersection(s) and site driveway(s) for the year after completion of the project..
 - iii.** A TIS or TIA will be required if, in the opinion of the Borough, the development, change, modification or conditional use is expected to have a significant impact on highway safety or traffic flow.
 - b.** The procedure for the preparation and content of a TIS or TIA shall adhere to the following:

- i. For sites with access to state highways, a TIS scoping meeting application shall be completed in accordance with PENNDOT requirements.
 - ii. For sites with access to Borough streets or County ROADS only, the applicant shall submit projected TRIP generation data and a sketch plan. The Borough Traffic Consultant, with input from Borough staff, shall determine the scope of the TIS or TIA and respond to the applicant or applicant's consultant. The applicant is encouraged to discuss potential traffic impacts in the pre-application conference discussed in § 151-203.
 - iii. Collect data in accordance with the TIS scoping meeting or Borough Traffic Consultant's scope, which will define the study area. If using the data from previous studies, data cannot be greater than three (3) years old.
 - iv. Use appropriate traffic engineering software. This may include the Highway Capacity Software, Synchro and Sim Traffic. Project background growth for the study area in accordance with the traffic growth rate obtained from the Southwestern Pennsylvania Commission. In addition to background growth, planned and permitted developments in the area that will impact the transportation study area should be evaluated.
 - v. Reference the most current ITE Trip Generation manual for use in calculating the site TRIP generation. When the site is not compatible with an ITE land use code, or insufficient data exists in the ITE manual, local data may be needed. TRIP generation needs to also account for pass-by, diverted link, internally captured and redevelopment trip credits.
 - vi. PENNDOT policy for "standard assumptions" of modal split can be adopted.
 - vii. A gravity model is the preferred method of arrival and departure distribution. The applicant must provide a description of how site TRIPS were assigned to the study roadways and intersections including diagrams.
 - viii. The capacity analysis shall incorporate PENNDOT's level of service (LOS) and ten (10)-second variance criteria.
 - ix. LOS D has been established as the minimum acceptable LOS for intersections to be signalized and for new intersections established to serve as site access.
 - x. Incorporate PENNDOT TIS format guidelines. TIS to be submitted to PENNDOT and/or County only when PENNDOT and/or County roads are impacted.
- c. If LOS criteria is not met due to impractical or infeasible mitigation, applicant should refer to the strategies specified in PENNDOT's Policies and Procedures for Transportation Impact Studies for Condition 1: Marginal LOS Degradation and Condition 2: Significant LOS Degradation.
- 11.** Site Capacity Analysis for a land development of five (5) or more dwelling units and mobile home parks.

- 12.** Proof of compliance with performance standards as contained in the Zoning Ordinance by submission of a certificate of a registered architect or engineer.
- 13.** Written narrative describing on-site treatment of any industrial wastewater before drainage to public sewer system and subsequent letter of approval by the applicable authority or governmental agency.
- 14.** The final location denoted on the plan for fire hydrants and any required fire lanes as specified by the Borough Fire Inspection Department pursuant to § 151-508 of this Chapter.
- 15.** Significant physical features within the tract including; natural drainage patterns and water resources, including streams, drainage, ponds, lakes, wetlands and floodplains subject to a one-hundred-year-flood frequency or to that specified in the Zoning Ordinance, and proposed major changes in the above.
- 16.** Copies of other deed restrictions, covenants and condominium documents to be imposed upon the use of land, buildings and structures. Said covenants, deed restrictions and condominium documents shall be subject to the review and approval of the Borough Solicitor.

D. Final Application Requirements.

- 1.** One copy of the approved preliminary plat.
- 2.** The final plat shall be drawn at a scale of not less than one inch equals 100 feet. The final plat shall show or be accompanied by the following information and shall be prepared and sealed by a Pennsylvania registered land surveyor or engineer:
 - a.** Date, name, and location of the land development, the name of the owner, graphic scale and the words "Final Major Land Development Plan."
 - b.** Tract boundary lines, right-of-way lines of streets, street names, easements and other rights-of-way, land reserved or dedicated to public use, all lot lines and other boundary lines; with accurate dimensions, bearing or deflection angles, and radii, arcs, and central angles of curves; and the area of each lot.
 - c.** The names, exact location, and widths of all existing and recorded streets intersecting or paralleling the plot boundaries within a distance of 200 feet or the next nearest intersection.
 - d.** The purpose, location, and dimensions of any easement or land reserved for or dedicated to public use shall be designated.
 - e.** Lot and block numbers assigned to the property by the County Assessment Office, including lot and block numbers of immediately abutting property.
 - f.** Certification by the applicant's surveyor as to accuracy of details of the plat. The error of closure shall not be less than one in 15,000.
 - g.** Dates of preparation and dates of all revisions to the plan.

- h.** Name, address, signature and seal of the professional or professionals who prepared the plans, including the following mandatory requirements:
 - i.** Registered engineer for stormwater management plans and construction drawings for public and private improvements.
 - ii.** Registered land surveyor shall prepare property survey.
- i.** The name, address, signature, and seal of the professional or professionals who prepared the plans, including the following optional requirements:
 - i.** A registered architect may prepare building drawings, only.
 - ii.** In lieu of a registered engineer or registered land surveyor, a registered landscape architect may prepare grading or landscaping plans, only.
- j.** Evidence of required permits from applicable federal, state, and county agencies.
- k.** Certification of service from all applicable utility companies.
- l.** A design view of the front, side and rear elevations of the proposed structures.
- m.** Location, height, and use of all existing and proposed structures on the property, indicating structures to be removed, if any, and the distances between proposed structures or additions to existing structures and adjacent property lines.
- n.** A site lighting plan showing details of all exterior lighting fixtures and supports, the location of exterior lighting fixtures proposed to light the buildings, parking areas, sidewalks, and any other areas proposed for public use.
- o.** Layout and design of proposed parking and loading areas, including the gradient of proposed driveways and parking facilities and the proposed pattern of traffic circulation on the site, including pavement markings, islands, curbs, bumper guards, and similar facilities.
- p.** Sidewalks or walkways, if any, proposed for pedestrian circulation on the site.
- q.** The type of paving material to be used for all sidewalks, walkways, driveways, and parking facilities.
- r.** A final landscaping plan showing the type, size, and location of any plant material proposed and all areas proposed to be seeded and the parties responsible for future maintenance.
- s.** Construction materials of all fences, walls, or screens.
- t.** A final grading plan, demonstrating compliance with Chapter 102 of the Code of Ordinances of the Borough ("Grading and Excavating"), including erosion and sedimentation control measures.
- u.** If applicable, a notation on the plat that access to a state highway shall only be authorized by a highway occupancy permit issued by the Pennsylvania Department

of Transportation under Section 420 of the State Highway Law, P.L. 1242, No. 428, of June 1, 1945, 36 P.S. § 670-420, and that the approvals by the Planning Commission and Council are conditional, subject to action of the Pennsylvania Department of Transportation pursuant to an application for a highway occupancy permit.

- v. Soil erosion and sedimentation control plan and narrative.
 - w. If applicable, an NPDES permit obtained from the Washington County Conservation District or the Pennsylvania Department of Environmental Protection.
 - x. Final stormwater management calculations and construction drawings for stormwater management facilities in accordance with Chapter 147, Stormwater management, of the Canonsburg Borough Code of Ordinances.
 - y. Storm drainage plan, including location, pipe size, grade, direction of flow, capacity, and material of all storm sewers and connections to existing systems; location and invert and other elevations of all catch basins, manholes, culverts, and other appurtenances; location and width of all storm drainage easements; and location of surface swales, if any.
 - z. Plans showing compliance with recommendations of the soils report, wetlands delineation report or geotechnical engineer's report, if applicable.
- 3. If any public improvements are proposed, written evidence that a performance bond, as required by § 151-5015 of this chapter, will be submitted at the time of execution of the development agreement.
 - 4. Spaces for signatures of the President and Secretary of Borough Council and the Chairman and Secretary of the Planning Commission, and dates of approval.
 - 5. Plan monumentations, as required by § 151-5010 of this chapter.
- E. Phased Development.**
- 1. For land developments to be developed in phases or sections, the requirements of the MPC shall apply. Final plan requirements as listed herein shall apply only to the phase or section for which final approval is being sought. However, the final plan presented for the phase or section must be considered as it relates to information presented for the entire land development.
 - 2. The developer shall construct in any other phase not under development any sanitary or stormwater facility deemed necessary by the Borough Engineer for servicing of the phase under construction. The performance guarantees for such facilities shall be posted at the time of posting for the improvements within the current phase.
 - 3. All sections or phases shall conform to the preliminary application as previously approved by the Borough. Any phase that contains substantive changes in the number of lots or buildings proposed or in the layout of the lots, buildings or streets previously

approved in the preliminary application shall require complete resubmission of the preliminary application in accordance with this Chapter.

§ 151-302. APPLICATION REQUIREMENTS FOR MINOR SUBDIVISIONS

- A.** Procedure. The applicant shall submit an application for preliminary and final approval of a minor subdivision in accordance with § 151-204 of this chapter.
- B.** Plan Requirements. All applications for minor subdivision shall therefore be treated as final applications and shall include the following information:
 - 1.** Proof of proprietary interest.
 - 2.** Written evidence of compliance with all other Borough, county, state, or federal permits required for the plan, if any.
 - 3.** A location map showing the plan name and location, major existing thoroughfares related to the site, including the distance therefrom, title, scale, and North point.
 - 4.** A copy of any existing or proposed covenants or deed restrictions applicable to the property.
 - 5.** Written evidence of any zoning variances granted which are applicable to the property. The application shall not be considered for final approval until any necessary zoning variances have been granted by the Zoning Hearing Board or until the plat is revised to conform to the zoning requirements at issue.
 - 6.** A written statement requesting any waivers or modifications to this chapter in accordance with § 151-201.D, if applicable.
 - 7.** Final plans shall be on sheets not exceeding 24 inches by 36 inches, accurately drawn to a scale of not less than one inch equals 100 feet, prepared and sealed by a Pennsylvania registered land surveyor as to existing features, design features, and boundaries. The final plat shall contain the following information:
 - a.** Date of preparation. All revisions shall be noted and dated.
 - b.** Title of development; North arrow; scale; county tax parcel identification number; the name and address of the record owner; the name and address of the applicant; and the name and address, signature, license number, and seal of the surveyor preparing the subdivision. If the owner of the premises is a corporation, the name and address of the president and secretary shall be submitted on the application.
 - c.** All distances shall be in feet and decimals of a foot, and all bearings shall be given to the nearest 10 seconds.
 - d.** The names of all adjoining subdivisions, showing the location of the nearest streets in such plats.

- e. Survey data showing boundaries of the property, building, or setback lines and lines of existing and proposed streets and rights-of-way, lots, reservations, easements, and areas dedicated to public use, including grants.
- f. Restrictions, and rights-of-way, to be prepared by a licensed land surveyor. The name, address, signature, and seal of the surveyor shall be indicated.
- g. Location of existing buildings and all other structures, including walls, fences, culverts, and bridges, with spot elevations of such buildings and structures. Structures to be removed shall be indicated by dashed lines; structures to remain shall be indicated by solid lines.
- h. Area, to the nearest thousandth of an acre, of the tract to be subdivided and the area, in square feet, of all lots.
- i. Plans of all existing or proposed sanitary and stormwater systems, showing feasible connections to existing or any proposed utility systems. Pipe sizes, grades and direction of flow, locations of inlets, manholes or other appurtenances and appropriate invert and other elevations shall be indicated.
- j. An indication on the plat identifying the company or authority that will provide water, sewer, gas, electric, and other utility services, showing the existing or proposed location of the utilities.
- k. A copy of the USGS Topographic Survey Map, with the boundaries of the project site outlined on the map.
- l. If applicable, a notation on the plat that access to a state highway shall only be authorized by a highway occupancy permit issued by the Pennsylvania Department of Transportation under Section 420 of the State Highway Law, P.L. 1242, No. 428, of June 1, 1945, 36 P.S. § 670.420, and that the approvals of the Canonsburg Borough Planning Commission and Council are conditional, subject to action of the Pennsylvania Department of Transportation pursuant to application for a highway occupancy permit.
- m. Spaces for the signature of the Chairman and Secretary of the Planning Commission, the Council President and the Borough Engineer, and dates of approval.
- n. Certification clauses as required by the Washington County Recorder of Deeds.
- o. If the subdivision represents the resubdivision, replatting, or consolidation of lots of record in a previously recorded plat, reference shall be made in the title to the recorded plat which is being revised.
- p. If applicable, flood hazard zone boundaries.
- q. Plan monumentations, as required by § 151-5010 of this chapter.

- r. Construction drawings as required by § 151-501 of this chapter shall be included if the plan proposes the extension or creation of any public improvements, other than a public street.

§ 151-303. APPLICATION REQUIREMENTS FOR MAJOR SUBDIVISIONS

A. PRELIMINARY APPLICATIONS

B. Procedure. In the case of a major subdivision, copies of a preliminary subdivision plan and any related information, together with an application for review and the required fee and review deposit, shall be submitted to the Zoning Officer in accordance with the requirements of § 151-204 of this Chapter.

C. Preliminary subdivision plan contents. A preliminary subdivision plan shall be legibly drawn to a scale of no less than one (1) inch equals one hundred (100) feet. If the plan requires more than one (1) sheet, a single-sheet shall be drawn at an appropriate scale and a key diagram showing the relative location of the several sections shall be added to each sheet. The plan shall contain at least the following data:

1. A location map, which shall be taken from the Zoning Map, drawn at a minimum scale of one (1) inch equals twelve hundred (1,200) feet, to include the location of the proposed subdivision in relation to Borough boundaries, public streets, adjacent zoning districts and all properties adjoining the property being developed.
2. The name and address of the owner of record.
3. The name and address of the developer, if different from the owner.
4. The name and seal of the registered land surveyor, professional engineer, and landscape architect responsible for the preliminary plan.
5. North arrow, graphic scale and date of original drawing and any revisions.
6. Tabulation of site data, total acreage of land to be subdivided, the number of lots, the acreage of individual lots, the acreage of the subdivision and the acreage of proposed open space and recreation areas.
7. Significant physical features within the tract and within two hundred (200) feet on the immediate adjoining properties, to the extent practicable, including:
 - a. Two (2) foot contours within major subdivisions requiring streets, drainage systems, sanitary sewers and other on-site improvements and proposed major changes in these contours. Existing contours need to be shown with dashed lines and numbered clearly. State location and elevation of datum to which contour elevations refer. Datum used shall be a known, established benchmark. Contours plotted from U.S.G.S. quadrangle maps shall not be acceptable. The benchmark used shall be cited and labeled with the elevation and the northing and easting coordinates on the State Plane Coordinate System.

- b.** Natural drainage patterns and water resources, including streams, drainage swales, ponds, lakes, wetlands and floodplains subject to a one-hundred-year (100) flood frequency or to that specified in the Zoning Ordinance, and proposed major changes in the above.
- 8.** Zoning district(s) and adjacent zoning district(s).
- 9.** Locations and sizes of all existing land uses within the tract and on the immediate adjoining properties to the extent practicable, including residential uses by type, and areas to be dedicated or reserved for public or common use, together with the proposed manner of their maintenance and all proposed improvements for those portions.
- 10.** All property lines within the subdivision.
- 11.** The layout of lots (showing scaled dimensions), lot numbers in sequence, together with lot areas in both acreage and square feet.
- 12.** All existing streets on or adjoining the tract, including streets of record (recorded but not constructed), with names, rights-of-way and paved cartways.
- 13.** Proposed streets, and curbs by type and the proposed widths of the rights-of-way and paved cartways, including the length of all straight lines, radii and lengths of curves.
- 14.** The layout and dimensional and paving data for all streets or other ways adjacent to or abutting the plan within two hundred (200) feet of the proposed subdivision boundaries.
- 15.** A layout of proposed sidewalks, trails, and greenway lands.
- 16.** A description of the proposed systems for drainage, waterlines, fire hydrants, utility transmission lines, culverts, bridges and other infrastructure, within the tract and two hundred (200) feet of the tract.
- 17.** Location, width and purpose of existing easements and utility rights-of-way within the subdivision.
- 18.** Tentative covenants, grants of easements or other restrictions to be imposed upon the use of land and structures.
- 19.** Location and approximate dimensions of buffer, screening or landscaped areas.
- 20.** Building lines as specified by front yard setback requirement of the Zoning Ordinance.
- 21.** Delineation of steep slope area(s), with categories of slope oriented as follows: (1) 15 to 25 percent; (2) over 25 percent. All steep slope areas shall be accurately depicted and noted on the site plan.
- 22.** Certification by a registered professional geotechnical engineer regarding the feasibility of any proposed grading on slopes greater than 25%, the stability of the finished slopes,

and measures to mitigate landslides, soil erosion, sedimentation, stormwater runoff, and potential impacts on adjacent properties.

23. Identification of soil series as shown in the soil of the County, with the soil limit lines plotted on the base map.
24. Location, width, bearings, and purpose of existing and proposed easements and utility rights-of-way.
25. Significant cultural features, including cemeteries, burial sites, archeological sites, historic buildings, structures, plaques and markers or monuments.
26. Preliminary stormwater management plan as specified in Chapter 147, Stormwater management, of the Canonsburg Borough Code of Ordinances.
27. Preliminary erosion and sedimentation plan as specified in Chapter 147, Stormwater management, of the Canonsburg Borough Code of Ordinances (except for minor subdivisions).
28. A traffic impact assessment for all commercial and residential subdivisions or land development, or any change or modification in commercial land use and conditional uses in residential zoning districts generating three thousand (3,000) or more average daily trips, or one hundred (100) or more vehicle trips entering the development or one hundred (100) or more vehicle trips exiting the development during any one (1) hour time period any day of the week in accordance with § 151-301.C.10 of this Chapter§ 151-301.C.10 above.
29. Site Capacity Analysis, as described in the Zoning Ordinance.
30. The names of adjacent properties owners and uses.
31. The plan name, the plan book volume and page number of existing adjacent subdivisions.
32. Phased development. In the case of plans which call for development in phases, a map at an appropriate scale showing the total tract and a schedule of time within which applications for final approval of all parts of the development are intended to be filed. The approval of the preliminary plan shall be for all the land intended to be subdivided and shall serve as a master plan for the area

D. FINAL SUBDIVISION PLANS.

- E. Procedure. Within 12 months following approval of a preliminary plan, copies of a final plan together with the application for review and required fee and review deposit, shall be submitted to the Zoning Officer in accordance with the requirements of § 151-204 of this Chapter. An extension of time beyond the 12-month period may be granted by Council upon a determination based on evidence that extenuating circumstances warrant such action.

- F.** Final subdivision plan contents. The final plan shall include all the data requirements set forth for the preliminary plan. It shall not be necessary to resubmit supporting maps and data submitted with the preliminary plan, provided that there has been no change.
- 1.** All plans shall be drawn on good quality white paper at a scale of 24 x 36 inches.
 - 2.** All plans shall be drawn with waterproof black India ink. All records, data, entries, and statements shall be made with waterproof black India ink or by an approved varityping process.
 - 3.** All drawings shall be drafted to a scale of no less than 100 feet to an inch and shall be of sufficient size to clearly show all dimensions, notations, entries, etc. Dimensions shall be shown in feet with decimals shown to the nearest one-hundredth of a foot. Bearings shall be shown in degrees, minutes and seconds.
 - 4.** All plans shall have the title placed in the lower right-hand corner of the drawing.
 - 5.** All plans, drawings, data specifications, etc., that are submitted for review approval shall be in conformance with standard engineering practices.
- G.** The following data, in addition to that submitted with and for the preliminary subdivision plan, shall be attached to the final plan:
- 1.** The location of all perimeter monuments.
 - 2.** A statement of the total area of the property being developed.
 - 3.** Certification of accuracy of the drawn plan and placement of the monuments by a registered land surveyor.
 - 4.** Other statements of proposed densities as it pertains to the requirements specified for the district(s) in question.
 - 5.** Lot numbers, bearings and dimensions of all property lines, and the total number of lots and parcels, together with all lot areas.
 - 6.** The following data for all proposed and existing streets on or adjoining the tract:
 - a.** the name, proposed name or number of the streets.
 - b.** The right-of-way width and typical pavement sections, including curbs and walks.
 - c.** The location of all street monuments.
 - d.** Final street profiles, cross sections and specifications will be required by § 151-404 of this Chapter, street improvements.
 - 7.** Locations and widths of pedestrian easements, if any.
 - 8.** Proposed systems for drainage, water supply and sewage disposal, including:
 - a.** Location, size and invert elevation of all sanitary sewer, water distribution and storm drainage systems and the locations of all manholes, inlets and culverts.

- b. Final profiles, cross sections and specifications (See § 151-507 and § 151-508 of this Chapter and Chapter 147, Stormwater Management, of the Canonsburg Borough Code of Ordinances).

5Copies of relevant permits or certificates, including:

- c. Water service. If water is to be provided by means other than by the individual owners of lots within the subdivision, the developer shall present evidence that the subdivision is to be supplied by a certificated public utility, a bona fide cooperative association of lot owners or by a municipal corporation, authority or utility.
- d. Sanitary Sewage Facilities. All subdivisions shall be provided with sanitary sewage facilities which are in accordance with the municipal sewage facilities plans and which have been approved by the PADEP, the Borough and the Canonsburg Houston Joint Authority or other applicable sewer authority which serves the Borough.
 - i. No plan shall receive final approval or be recorded until the plans and specifications for sanitary sewage facilities have been approved and permits issued, as required, by the PADEP.
 - ii. Conditional final approval may be granted; however, provided that the complete sewage facilities planning module, as required for the proposed development, has been approved by the Borough, and transmitted by the Borough to the PADEP, together with a resolution adopting the revision to its sewage facilities plan, if required.
 - iii. All sanitary sewers and related facilities shall be constructed in accordance with the requirements of the PADEP and the construction standards of the Borough and/or the Canonsburg Houston Joint Authority.
 - iv. Exceptions:
 - a. Lot line adjustments. Sewage facilities shall not be required for subdivision that are classified as lot line adjustments and where no new buildable lots are created.
 - b. Plans with no new development. Subdivisions in which no development of buildings or improvement of land for purposes requiring sewage facilities is proposed need not provide sanitary sewage facilities, provided a properly executed PADEP Bureau of Clean Water “Request for Planning Waiver & Non-Building Declaration” has been submitted to and approved by the PADEP. Where a waiver is approved by the PADEP, the final plan for recording shall include the notation.
 - c. Copies of relevant permits or certificates, including permits and approvals required by Federal, State, Washington County Sewage Council, local or other governmental or public utility entities, or which are deemed necessary by Council or the Borough Engineer.

9. Location, width, bearings and purpose of existing and proposed easements and utility rights-of-way (see § 151-509 of this Chapter).
10. Copies of other deed restrictions, condominium documents or covenants to be imposed upon the use of land, buildings, and structures. Said covenants, deed restrictions, or condominium documents shall be reviewed and approved by the Borough Solicitor. Community association documents for plans that include commonly owned facilities and land shall be consistent with the provisions of § 151-5015.H of this Chapter.
11. Location and acreage of all proposed land uses, including residential uses by type, community facilities, recreation, and open space.
12. Location and size of all public and/or common recreational areas, facilities and open space areas (or greenway lands) and the ownership and proposed maintenance, offers of dedication or covenants governing their use.
13. Subdivisions which require access to a street under the jurisdiction of the County and/or PENNDOT shall contain a note on the plans, in a form acceptable to the Borough Solicitor, indicating that a highway occupancy is required before street or driveway access to a street is permitted and indemnifying the Borough for any liability for any injury to persons or property arising out of issuance or denial of any such permit. Although site development may commence prior to issuance of any County and/or PENNDOT highway occupancy permit if all other requirements of Borough ordinances are met, no building permit for any building or structure within a subdivision shall be issued until the county and/or PENNDOT issues the highway occupancy permit.
14. Final stormwater management plan as specified in Chapter 147, Stormwater Management, of the Canonsburg Borough Code of Ordinances. (except for minor subdivisions).
15. Final erosion and sedimentation plan as specified in Chapter 147, Stormwater Management, of the Canonsburg Borough Code of Ordinances.
16. The boundaries of any overlay zoning districts described in the zoning ordinance.
17. All required municipal certifications, which shall include the Borough Engineer, certification of plat preparation and accuracy by a registered surveyor, certification of the dedication of streets and other property, and all other certifications as required by the Borough Engineer.
18. A Community Association Document, also known as a Homeowner Association Document or a Condominium Association Document, shall be provided for all subdivision and land development applications that propose lands or facilities to be used or owned in common by all the residents of that subdivision or land development and not deeded to the Borough. The elements of the Community Association Document shall include but shall not necessarily be limited to the following:

- a. A description of all lands and facilities to be owned by the Community Association. This description shall include a map of the proposal highlighting the precise location of those lands and facilities.
- b. Statements setting forth the powers, duties, and responsibilities of the Community Association, including the services to be provided.
- c. A Declaration of Covenants, Conditions, and Restrictions, giving perpetual easement to the lands and facilities owned by the Community Association. The Declaration shall be a legal document that also provides for automatic Association membership for all owners in the subdivision or land development and shall describe the mechanism by which owners participate in the Association, including voting, elections, and meetings. Furthermore, it shall give power to the Association to own and maintain the common property and to make and enforce rules.
- d. Statements prescribing the process by which Community Association decisions are reached and setting forth the authority to act.
- e. Statements requiring each owner within the subdivision or land development to become a member of the Community Association. Statements setting cross covenants or contractual terms binding each owner to all other owners for mutual benefit and enforcement.
- f. Requirements for all owners to provide a pro rata share of the cost of the operations of the Community Association.
- g. A process of collection and enforcement to obtain funds from owners who fail to comply.
- h. A process for transition of control of the Community Association from the developer to the unit owners.
- i. Statements describing how the lands and facilities of the Community Association will be insured, including limit of liability.

H. Phased Development.

- 1. For subdivisions to be developed in phases or sections, the requirements of the MPC shall apply. Final plan requirements as listed herein shall apply only to the phase or section for which final approval is being sought. However, the final plan presented for the phase or section must be considered as it relates to information presented for the entire subdivision.
- 2. The developer shall construct in any other phase not under development any sanitary or stormwater facility deemed necessary by the Borough Engineer for servicing of the phase under construction. The performance guarantees for such facilities shall be posted at the time of posting for the improvements within the current phase.
- 3. All sections or phases shall conform to the preliminary application as previously approved by the Borough. Any phase that contains substantive changes in the number

of lots or buildings proposed or in the layout of the lots, buildings or streets previously approved in the preliminary application shall require complete resubmission of the preliminary application in accordance with this Chapter.

- I. Recording the final subdivision plan.**
 - 1.** Certification of recorded plan. Upon completion of the procedures set forth in this section, the final subdivision plan shall be executed by the Borough.
 - 2.** Time limit for recording. The developer shall file the approved plan in the Office of the Recorder of Deeds of Washington County within ninety (90) days following final plan approval or ninety (90) days following the delivery of the signed plans to the applicant by the Borough or following completion of conditions imposed for such approval. If the developer fails to record the final subdivision plan within this period, the action of Council shall be null and void unless an extension of time is granted, in writing, by Council upon written request by the developer.
 - 3.** Validity of recorded plan. No plan of any subdivision shall be entitled to be recorded by Washington County Recorder of Deeds or have any validity until it shall have been approved in the manner prescribed herein. In the event that any such unapproved plan is recorded, it shall be considered invalid and Council shall have the plan stricken from the records of the County or otherwise proceed as permitted under the MPC.
 - 4.** Mylar, prints and plan reduction. The Borough shall receive one reproducible Mylar, three prints and one reduction of the final lot and street configurations as approved and recorded, the reduction shall be at a scale of one inch equals 600 feet and shall indicate only the lot lines and the limits of the street rights-of-way.
 - 5.** Time limit for completion. Upon final subdivision plan approval and recording thereof, the developer may commence and complete the approved development in accordance with the terms of such approval.
- J. Sale of Land in subdivision.** No lot in a subdivision may be sold and no permit may be issued to erect, alter, or repair any building upon land in a subdivision unless and until a subdivision plan has been approved and recorded and the improvements required by the BOARD in connection therewith have either been constructed or guaranteed, as hereinabove provided. Where, owing to special conditions, a literal enforcement of this provision would result in unnecessary hardship, Council may make such reasonable exception thereto as will not be contrary to the public interest and may permit the sale of a lot, issuance of a permit or erection of a building, subject to conditions necessary to assure adequate streets and other public improvements and overall continuity of the plan.
- K. Permits.**
 - 1.** Building permits shall not be issued for any structure on a lot in a subdivision for which a plan has not been approved and recorded in the manner prescribed here

2. No owner or agent of the owner of any land shall be entitled to a permit for the installation of wells or septic tanks upon any lots in a subdivision for which a plan has not been approved and recorded in the manner prescribed herein.
 3. The Borough shall issue no building permit or zoning permit prior to the issuance of a sewer permit, by the appropriate governmental agency, for a lot upon which a dwelling unit is proposed for construction.
 4. Occupancy permits for any buildings to be erected shall not be issued prior to the improvement of the streets providing access to and from such buildings, as well as the completion of all other improvements as depicted upon the approved plan, that are necessary for the reasonable use of or occupancy of the buildings.
- L. Public improvements. Before approving any final subdivision or site plan, Council shall require a written agreement, and appropriate financial surety as specified in § 151-5015 herein, that necessary grading, paving and street improvements, sidewalks, street lights, fire hydrants, water mains, storm sewers and sanitary sewers, and setting of monuments, as may be required by the Borough, shall be installed by the developer in strict accordance with the design standards and specifications of the Borough, within a specified time period.

§ 151-304. FEES.

Application fees, review deposits, and inspections. In order to defray the costs incurred by the Borough in the review of proposed plans of subdivision and land development and inspection of improvements, each applicant shall pay such application and post such review deposits as required by the Borough's fee resolution. The appropriate fees and review deposits shall be in the form of a certified check or money order made payable to the Borough. The fees and review deposits shall accompany the plan at the time of application.

ARTICLE 400. – DESIGN STANDARDS

§ 151-401. APPLICABILITY.

- A.** Purpose. The design standards and requirements outlined in this Article will be utilized by the Planning Commission and Council in determining the adequacy of all plans for proposed subdivisions and land developments.
- B.** Conformance with other laws and regulations. Development shall be planned, reviewed, and carried out in conformance with all Borough, County, state and other applicable laws, ordinances and regulations, as amended.
- C.** More restrictive standards. Whenever other Borough ordinances or regulations impose more restrictive standards and requirements than those contained herein, those other regulations shall be observed.

§ 151-402. GENERAL STANDARDS.

- A.** Land subject to hazards of life, health and safety, such as strip mine land, quarry land, open ditches and land subject to flooding and subsidence, shall not be subdivided for residential purposes. All such hazards shall be identified and eliminated by the owner or developer and guarantees shall be provided to the Borough that adequate safeguards against such hazards have been provided.
- B.** No land shall be subdivided in a manner that landlocks or compromises the use or future development of contiguous or adjacent land areas.
- C.** All construction improvements shall comply with the latest version of Canonsburg Borough Standard Construction Details.

§ 151-403. LOTS.

- A.** Land shall be suited for the purpose for which it is to be subdivided and meet minimum lot sizes as directed by the Borough of Canonsburg Zoning Ordinance.
- B.** Every lot shall abut on a public dedicated street.
- C.** The following general provisions shall apply to all subdivisions of land:
 - 1.** All lot area and minimum yard and setback designations as required by the Borough of Canonsburg Zoning Ordinance shall be dimensioned from public right-of-ways where applicable. No lot area requirement or setback shall be computed from within a public right-of-way.
 - 2.** The frontage width of lots abutting a cul-de-sac shall be determined as the width along the building line. The yard and setback requirements will be calculated from the property line along the average length of front, sides, and rear of the structure.
 - 3.** All lot lines shall be set perpendicular or radial to the centerline of the street whenever possible.

4. Lots abutting local streets shall front on the streets that parallel the long dimension of the block, if possible.
 5. All lots shall abut by their full frontage on a publicly dedicated street. Lots abutting on a private street or easement shall not be approved, except that lots developed on private streets in existence prior to the enactment of this Ordinance may be approved. Private streets shall not be extended to permit additional lot development. (See § 151-404.Q of this Chapter.)
 6. No land shall be graded, cut, or filled so as to create a slope exceeding a vertical rise of one (1) foot for each two (2) feet of horizontal distance between abutting lots, unless a retaining structure is installed in accordance with specifications approved by the Borough Engineer and Council.
- D. Lots laid out for residential purposes shall be subdivided in accordance with the provisions of Chapter 170, Zoning, of the Borough Code with respect to lot area, lot width, setbacks, yard requirements and other applicable requirements.
 - E. Lots and tracts of land laid out for nonresidential purposes shall be subdivided in accordance with the provisions of Chapter 170, Zoning, of the Borough Code with respect to lot area, lot width, setbacks, yard requirements, and the following additional guidelines:
 1. The location of areas designated for structures, points of ingress and egress, internal site accessways, off-street parking and loading areas and generalized land use proposals shall be included as a part of all Final Plan applications for nonresidential purposes.
 2. The Planning Commission may recommend, and Council may authorize block platting in place of lot platting for nonresidential purposes to provide the developer maximum flexibility, provided that no block shall be subdivided in such a way that any subsequent lots would be smaller than the minimum size authorized by Chapter 170, Zoning, of the Borough Code.
 3. The developer shall demonstrate every effort to protect adjacent existing or potential residential development sites through the provision of guarantees or other appropriate procedures or amenities designed and established for the purpose of mitigating adverse influences resulting from business activities.

§ 151-404. STREETS.

- A. Proposed streets shall be properly related to Borough, County, and State Road and highway plans that have been prepared and officially adopted and/or filed as prescribed by law.
- B. Streets shall be logically related to the topography to achieve usable lots and reasonable grades.
- C. Internal subdivision streets shall be laid out to discourage through traffic, but provisions to coordinate adjacent area streets will be generally required.

- D. Where a subdivision plan abuts or contains an existing or proposed arterial street, Council may require local access streets, reverse frontage lots, or such other treatment that will provide protection for abutting properties, reduction in the number of intersections with arterial streets, and separation of local and through traffic.
- E. New half or partial streets will not be permitted, except where essential to reasonable subdivision of a tract in conformance with the other requirements and standards of this Ordinance, and where, in addition, satisfactory assurances for dedication of the remaining part of the street is secured.
- F. 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.
- G. Dead end streets shall be prohibited except as stubs to permit future street extensions or when designed as cul-de-sacs. Permanent cul-de-sac streets may be permitted when it is clear that through traffic at such a street end is not essential to the existing or future street system in that district, or to the development of adjacent properties in the area.
 - 1. Such streets, where permitted, shall not exceed 1,200 linear feet including the cul-de-sac. Temporary dead-end street stubs shall terminate with cul-de-sacs if said street extensions are not made within one (1) year unless said street stubs are 250 feet or less in length and accommodate no more than four (4) building lots.
 - 2. The turn-around shall have an outside pavement radius of not less than forty (40) feet and a right-of-way radius of not less than fifty (50) feet.
 - 3. The minimum grade of the turn-around portion of the cul-de-sac shall be one percent (1%).
 - 4. The maximum grade of the turn-around portion of the cul-de-sac shall be five percent (5%).
 - 5. The minimum width of all lots abutting a cul-de-sac shall be fifty (50) feet on the arc at the right-of-way line.
- H. If lots resulting from original subdivision are large enough to permit additional subdivision, or if a portion of the tract is not subdivided, adequate street right-of-ways shall be provided as necessary to allow for future development activity.
- I. Reserve strips, restricting or controlling access to adjacent streets or properties shall be prohibited. This requirement shall apply equally where the end point of a cul-de-sac touches portions of an adjacent tract or land parcel. In such situations, a minimum fifty (50) foot right-of-way shall be recorded on the plan to provide for future street extensions.
- J. Street Classification
 - 1. Local Streets:
 - a. ADT < 1000
 - b. Operating Speed ≤ 25 mph
 - 2. Collector Streets:

- a. 1,000 < ADT < 5,000
 - b. Operating Speed ≥ 25 mph
 - 3. Arterial Streets
 - a. ADT > 5,000
 - b. Operating Speed ≥ 35 mph
- K. Street Alignment
 - 1. Whenever street lines are deflected, connection shall be made by horizontal curves.
 - 2. The minimum radius at the centerline of horizontal curves shall be:
 - a. Arterial streets: 600 ft
 - b. Collector streets: 300 feet
 - c. Local streets: 150 feet.
 - 3. The minimum tangent between reverse curves shall be:
 - a. Arterial Streets: 250 feet
 - b. Collector Streets: 250 Feet
 - c. Local Streets 100 feet
- L. 4. Design for horizontal curves, including stopping sight distance and superelevation, shall conform to the Pennsylvania Department of Transportation Design Standards for local roads and streets.
- M. Street Grades.
 - 1. Center line grade shall be not less than two percent (2%).
 - 2. Center line grades shall, wherever feasible, not exceed the following:
 - a. Local street: twelve percent (12%).
 - b. Collector Street: ten percent (10%).
 - c. Arterial street: eight percent (8%).
 - 3. Vertical and horizontal alignment should comply with standards of the American Association of State Highway and Transportation officials. See Street Construction Standards.

Cross slopes (crown) shall not be less than two percent (2%) or greater than four percent (4%). Vertical curves shall be used in changes of grade exceeding one percent (1%) and shall provide proper sight distances as specified herein above.
- N. Street Width.
 - 1. Minimum street dimensions shall be as follows:
 - a. Right-of way/All streets - 50 feet (minimum)
 - i. Cartway/Street Widths, not including a parking lane
 - ii. Arterial Street: 24 foot width
 - iii. Collector Street: 24 foot width

- b. Local Street: 22 foot width
 - 2. Additional right-of-way and cartway width may be required by Council for the following purposes:
 - a. To promote public safety and convenience where anticipated traffic flows warrant, or where drainage easements should reasonably parallel thoroughfares.
 - b. To provide parking space in commercial districts and in areas of high density residential development.
 - 3. Short extensions of existing streets with lesser cartway widths than prescribed above may be permitted, provided however, that no section of new right-of-way less than fifty (50) feet in width shall be permitted.
- O. Street Intersections.
 - 1. Multiple intersections involving junction of more than four streets shall be prohibited. Where this proves impossible, such intersections shall be designed with extreme care for both pedestrian and vehicular safety.
 - 2. Streets shall be laid out to intersect as nearly as possible at right angles. Local Streets shall not intersect collector or arterial streets at an angle less than seventy-five degrees 75°. The intersection of two local streets shall not be at an angle of less than sixty (60) degrees.
 - 3. Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of 150 feet between their centerlines.
 - 4. Minimum curb radii at street intersections shall be twenty -five(25) feet for intersections involving only local streets, thirty-five (35) feet for intersections including other type streets, or such greater radius as is suitable to the specific intersection.
 - 5. The sight distance at intersections should be based on the traffic control signing and intersection visibility based on Chapter 5 "Local Roads and Streets" in A Policy on Geometric Design of Highway and Streets. The clear sight triangle must be shown on the plans.
 - 6. Intersections of local streets with collector and arterial streets shall be kept to a minimum, consistent with topography and other local conditions. All subdivision intersections of less than 150 feet shall be avoided. To the fullest extent possible, intersections with collector and arterial streets shall be located not less than 800 feet apart, measured from centerline to centerline.
- P. Alleys shall not be permitted in any subdivision.
- Q. Private streets, either new or existing, (vehicular right-of-ways not dedicated for public use) shall not be approved, nor shall layout or improvements for lots abutting private streets be approved. No extension of an existing private street shall be approved until the original portion of the street complies with all requirements of this Chapter and is dedicated for

public use. (See § 151-403.B and § 151-403.C.3 of this Chapter for exceptions to this provisions.)

- R.** Streets proposed for commercial or industrial land development purposes shall, if possible, be laid out to intersect directly with arterial and collector streets. Insofar as possible, traffic circulation systems for commercial and industrial subdivisions shall be designed in a manner to eliminate or discourage traffic flow through residential areas.
- S.** Street names and numbering.
 - 1.** Proposed streets which are in alignment with other already existing and named streets shall bear the names of the existing streets. In no case shall the name of a proposed street duplicate or be similar in sound and spelling to an existing street name in the Borough's postal service area, irrespective to the use of the suffix "street," "avenue," "boulevard," "drive," "place," "court," "lane," etc. All street names shall be subject to the approval of Council.
 - 2.** All house numbering systems shall be coordinated with the numbering of existing development in the area and approved by the Planning Commission and Council.
 - 3.** Emergency Communication System
 - a.** Posting of Address Identification Number Required
 - b.** The property owner of each residence, apartment building or business shall post and display the legally assigned identification number assigned by the Borough, after coordination with the County Public Safety Department, within sixty (60) days after said numbers are received by the Borough in cooperation with the U.S. Post Office.
 - c.** Regulations Regarding Size, Posting and Display of Address Identification Numbers
 - i.** Size - The minimum size of any identification number which is attached to a building, residence or mobile home is four (4) inches in height. The minimum size of an identification number which is attached to a United States Postal mailbox is one (1) inch in height.
 - ii.** Color - The color of the identification numbers must be such that it is clearly visible as it relates to the background color upon which it is attached.
 - iii.** Posting –
 - a.** Every building, residence or mobile home must have the identification number posted on its United States Postal mailbox if such a mailbox is utilized and located directly in front of the residence, building or mobile home.
 - b.** Any residence, building or mobile home that does not utilize a United States Postal mailbox that is located directly in front of the residence

must place an identification number directly on the residence, building or mobile home in a conspicuous place.

- c. All residents and owners are encouraged to use both locations described above to clearly mark their residence, building or mobile home.
- d. AU identification numbers must be clearly visible from the street or road which provides public access to the premises and cannot be obstructed by vegetation, trees or any other object.
- e. If any residence, building or mobile home would not be visible from the street or road and does not utilize a United States Postal mailbox, identification numbers must be posted on a post or masonry pillar visible from the street or road.

§ 151-405. DRIVEWAYS.

- A.** Commercial and Industrial ingress and egress (driveways) shall be designed to provide optimum visibility and to minimize traffic congestion in the vicinity of the development parcel. Traffic access design shall conform to the following requirements:
 - 1.** All applications for preliminary and final plan approvals of subdivisions for commercial and industrial land development shall contain a traffic circulation plan showing:
 - a.** Locations and dimensions of vehicular ingress and egress for each development parcel.
 - b.** Location and access provisions for parking and loading for each development parcel.
 - c.** Available sight distances at all driveways.
 - 2.** Defined ingress and egress points shall be required for all commercial and industrial development parcels and there shall be no more than two access points, which must be a minimum of 500 feet apart if on the same street.
- B.** All driveways shall be constructed so as not to interfere with roadway drainage. Cross drains shall be constructed beneath the driveway where required to provide adequate drainage. Driveways shall be constructed consistent with requirements delineated with Borough standards.

§ 151-406. RESERVED AREAS.

Reserve strips surrounding property, or areas reserved for any purpose that shall make any area unprofitable for regular or special assessments, or that may revert to an untended nuisance area, shall not be approved by Council.

§ 151-407. ACCESS.

Subdividing land shall be done in a manner that will not bar adjacent property owners from access to streets and ways of alignment or otherwise preclude the development of surrounding land areas.

§ 151-408. PUBLIC USE AREAS.

Provisions for improvement and maintenance of any open space and recreation areas set aside as common space shall be guaranteed by appropriate bonds or similar provisions satisfactory to Council.

§ 151-409. VEGETATION.

Trees, shrubbery and similar vegetation shall not be established within a road right-of-way, except as specifically authorized by the Borough Council. Trees, shrubbery and similar vegetation shall not be established in proximity to a road right-of-way in a manner that interferes with clear site access from the road cartway.

ARTICLE 500. – REQUIRED IMPROVEMENTS

§ 151-501. GENERAL REGULATIONS

- A. The granting of final approval of the subdivision plan or land development, shall be contingent upon, the subdivider furnishing adequate bond or other satisfactory guaranty, according to requirements of Council for the ultimate installation of the improvements listed and described in sections of this Article.
- B. No developer shall proceed with the construction of any utilities or improvements, or make connection to any existing Borough facility or utility system, without proper inspection by an authorized official or representative thereof. Drawings and specifications shall be provided in sufficient detail to show the form, construction and method of installation of the following and shall accompany or otherwise be a part of the subdivision plan.
 - 1. Streets, gutters and culverts
 - 2. Storm sewers and surface drainage facilities
 - 3. Water system
 - 4. Sanitary sewers and septic tanks
 - 5. Survey monuments
- C. No person shall dig or make any cuts or changes whatsoever in the cartway, gutters or right-of-ways of any Borough, County or State road without first obtaining required permits.
- D. No person shall connect to any water line, storm or sanitary sewer without obtaining a permit and paying the proper connection charge.
- E. Grade stakes shall be set and cut sheets prepared and a copy furnished to the Borough Manager and Engineer before any work is started.
- F. The developer shall notify the Borough Engineer at least seventy-two (72) hours prior to his intention to proceed with the construction or installation of said streets and improvements or any other work related to the improvements.
- G. The construction of all facilities to be dedicated to the Borough shall require inspection by the Borough, the cost of which shall be the responsibility of the Developer. Inspection reports shall be prepared by an inspector authorized by Council.
- H. Upon completion of the required improvements, a plan and profile of all the improvements in the subdivision or land development as constructed shall be filed with the Borough.
- I. In all respects in which standards for required improvements are not set forth herein or specified by Council hereunder, the applicable State and Municipal standard requirements shall govern.

§ 151-502. STANDARDS AND REQUIREMENTS.

Street improvements and the installation of waterlines, sanitary sewers, and storm drainage facilities within the limits of the Borough shall be made in full compliance with specifications and requirements of those regulations and shall be subject to the approval of the Borough Engineer. Installation of waterlines, individual wells, private water supply systems, sanitary sewers and individual or collective sewage disposal facilities shall be made in accordance with the standards and requirements of the state and other authorities having jurisdiction over such installments.

§ 151-503. STREET IMPROVEMENTS.

A. Grading.

1. Streets shall be constructed to grades and cross sections as cited on, and presented with, the plans and street profiles, in conformance with Borough specifications. (See § 151-404 of this Chapter)
2. Street shoulders shall be graded to the full width of the street right-of-way (minimum 50 feet) in accordance with Borough construction standards, and thoroughly compacted by rolling all shoulders. The Planning Commission may recommend, and the Council may approve, a lessening of this requirement where the preservation of unique environmental features or mature plant materials are threatened.
3. The subgrade of a street shall be brought to the proper grade and contour and shall be rolled and cross rolled. All soft spots shall be removed. These soft spots shall be recompacted with a suitable firm material, approved by the Borough Engineer, before the placing of any base material.
4. No base course shall be placed until the subgrade has been proofrolled in the presence of the Borough Engineer and subsequently approved.

B. Street construction requirements.

1. All street construction, including sub-base and wearing course, shall be constructed in accordance with Borough specifications.
2. Council may specify an alternate pavement design where the drainage of the subgrade, the size of the development and the nature of the traffic warrants.
3. All construction work, including grading, drainage, base course and surfacing, shall be performed by the Developer or his representatives under the direct supervision of the Borough Engineer or the Borough's authorized representative, and all costs for said supervision are to be paid by the Developer prior to the final acceptance by the Borough.
4. The Developer shall furnish record plans of all streets as actually constructed for the files of the Borough of Canonsburg, the cost of this to be paid by the Developer.
5. Utility line area locations shall be established in accordance with Borough specifications.

- C. Street pavement standards. Local and collector access streets shall be constructed in accordance with Borough specifications.
- D. Street signs. Street name signs and traffic control signs, as specified by the Borough Council, shall be installed at each street intersection in accordance with the type of materials, designs and standards officially established for use throughout the Borough.

§ 151-504. UNDER DRAINAGE.

- A. Pipe underdrain, stone underdrain or subgrade drains shall be constructed according to specifications approved by the Borough Engineer, in areas where springs, poor soil drainage conditions, wet weather springs or other conditions exist, at the discretion of the Borough Engineer, that require underground drainage.
- B. If during construction, unknown adverse drainage conditions are encountered by the developer, the Borough Engineer shall be notified and such conditions shall be corrected at the direction of the Borough Engineer.
- C. Cross drains of a minimum fifteen inches (15") reinforced concrete pipe shall be placed wherever necessary to transfer the water across the road in the natural water course and at road intersections whenever needed.
- D. When laying out plans to be submitted for approval by Council, suitable easements shall be provided for drainage right-of-ways in the natural water courses or for storm water drains where necessary.

§ 151-505. CURBING.

- A. The requirements of curbs or curbs and gutters may vary in accordance with the character of the area and density of development involved.
- B. The type of curbs used, when specified by the Developer or when required by Council, are to be approved by, and subject to, the Borough Engineer's approval before installation. Must adhere to the details provided by the Borough.

§ 151-506. SIDEWALKS.

- A. Sidewalks shall be provided:
 - 1. On all existing and proposed streets within a subdivision or land development.
 - 2. In all nonresidential land developments.
- B. Minimum requirements. The following shall be considered to be minimum standards for sidewalk construction:
 - 1. Minimum width for sidewalks shall be five (5) feet. Council may determine that a greater width is necessary due to an anticipated high volume of pedestrian traffic.
 - 2. All phases of construction shall be in accordance with this Ordinance and design standards established and approved by the Borough; the forms shall be inspected prior

to pouring, and finished walks shall be inspected by the Borough Engineer or authorized agent.

3. Pedestrian interior walks may be required where necessary to assist circulation or provide access to community facilities.

§ 151-507. SANITARY SEWERS.

- A. Sanitary sewer service is deemed to be available where the average distance from a main to the beginning point of a collection system for the development is eight hundred feet (800') or less, unless the service is not topographically feasible.
- B. If public sewers are available or definitely planned for the area, the developer shall extend the main line to serve all lots in the subdivision. This main line extension shall be designed and constructed according to the specifications of the Borough.
- C. Where municipal sewers are not available, the installation of a private sanitary sewage treatment plant and other appurtenances shall be subject to approval by the Pennsylvania Department of Environmental Protection and Council.
 1. In areas of the Borough not presently served by public sewers, but in which they are to be installed within a reasonable time, in the opinion of the Planning Commission based on studies of the area, the Commission may require that capped sewer mains and house connections be installed in all subdivisions of twenty (20) lots of more in addition to the required on-site facilities. The plans for the installation of a sanitary sewer system shall be prepared for the subdivision and approved by the Borough Engineer to which it will be connected and the Pennsylvania Department of Environmental Protection. The Borough Engineer shall inspect the sewer line before it is covered over. Upon completion of the sanitary sewer installation, one copy of each of the plans for such system as built shall be filed with the municipality and the Pennsylvania Department of Environmental Resources.
 2. In instances of severe conditions deemed unsuitable for on-site septic systems, the Planning Commission may recommend that Council require that the developer shall install adequate sewage treatment facilities as approved by the Borough Engineer and the Pennsylvania Department of Environmental Protection. In these cases, plans for such sewage treatment facilities, instead of on-site septic systems, must be approved by the above-mentioned departments before final approval of the subdivision may be given.
- D. Private sewage disposal systems on individual lots shall be laid out and constructed in compliance with the Pennsylvania Department of Environmental Protection regulations and with approval from the Washington County Sewage Council.
- E. No building permit will be issued for any construction or subdivision development until either an individual sanitary sewage disposal system, a sanitary sewage treatment plant installation or connection to a municipal sewerage system has been approved by Council or authorized agent thereof and the Pennsylvania Department of Environmental Protection,

pursuant to the rules and regulations of the Pennsylvania Sewage Facilities Act (Act 537) as amended.

- F. No subdivision shall be approved for development by Council until the developer provides certification that mutually acceptable agreements have been reached between the developer and applicable private or municipal utility authorities relative to utility system installations, maintenance, ownership of facilities, tap fees and other related considerations.

§ 151-508. WATER SUPPLY.

- A. If water is supplied from other than private wells on individual lots, the developer shall verify that the water supply is from a public utility having a "Certificate of Public Convenience" from the Pennsylvania Public Utility Commission, a bona fide lot owner's association, or a municipal entity.
- B. If public water is available or definitely planned for the area, it shall be utilized. Public water service is deemed to be available where the distance from the access point of a main to the beginning point of a distribution system for the plan is one thousand feet (1,000') or less.
- C. The developer shall supply and install all materials associated with the fire hydrant(s) as well as the fire hydrants themselves. Spacing of hydrants to be as specified by the Borough Second Class Code and the Borough Fire Inspection Department.
- D. The materials and installation thereof shall comply with the requirements set forth by the local water utility company and by the municipality.

§ 151-509. UTILITIES AND EASEMENTS.

- A. Utility and public utility easements shall have a minimum width of twenty (20) feet and be placed at the side or rear of lots if possible. When Council determines that conditions are suitable for utilities and/or public utilities, an easement reservation will be required.
- B. 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 such width as will be adequate to preserve natural drainage and provide sufficient width for maintenance by adjacent property owners, but not less than twenty (20) feet. Where applicable, federal, state and local flood maps and data shall be employed to determine the location of easements or right-of-ways required by this Ordinance.

§ 151-5010. MONUMENTS/BENCHMARKS

Monuments shall be placed in all subdivisions as determined by the Borough Engineer. Monuments shall be permanent reference monuments of a size and material according to Borough specifications. Iron pins shall be placed at all subdivision boundary corners, angle points, points of curvature, lot corners, and intermediate points as determined by the Borough Engineer.

§ 151-5011. STREET TREES

Should the Subdivider plan to provide trees, their proposed location, spacing and species must be submitted for approval to Council.

§ 151-5012. RECREATIONAL SPACE

- A.** In reviewing subdivision plans, the Planning Commission shall consider the adequacy of existing and proposed community facilities to serve Borough residents.
- B.** Subdividers may give consideration to providing or reserving areas for community facilities and recreation facilities.
- C.** Recreation and community facilities developed totally or in part on land provided by a developer shall be established consistent with the following criteria:
 - 1. Facilities and areas shall be located in a manner to best serve both the municipality and the future inhabitants of the development or subdivision.
 - 2. Facilities and areas shall be located on land that is topographically suitable and safe from traffic and other safety hazards and readily accessible to the general public.

§ 151-5013. NATURAL CONDITIONS AND EROSION CONTROL

- A.** In wooded areas or where other natural conditions exist in such a manner that their presence adds to the desirability of a subdivision, Council shall require that the subdivider preserve as much of the original vegetation and natural conditions as is economically feasible, and require that a minimum of grading be done other than the grading and excavating that is required in the construction of the improvements, in accordance with the standards included herein.
- B.** All development and earthmoving activities subject to applicable law under the Pennsylvania Department of Environmental Protection, Title 25, Chapter 102, Erosion Control, shall be complied with.
 - 1. The developer shall notify the Washington County Conservation District immediately upon making application for a building permit involving an earthmoving activity that affects 5,000 square feet or more land. A written Erosion and Sedimentation Control Plan (E&S) is required for projects that disturb between 5,000 square feet to one (1) acre of land.
 - 2. Construction activities with earth disturbances greater than or equal to one (1) acre, not including agricultural plowing or tilling, animal heavy use areas, timber harvesting activities or road maintenance activities, require a National Pollutant Discharge Elimination System (NPDES) permit.
 - 3. The Borough shall not issue a building permit for a development where it has been determined that the earthmoving activities require a permit (or verification that no permit is required) from the Department of Environmental Protection, pursuant to Section 102.41 and 102.42 relating to permit requirements of Title 25, Chapter 102, Erosion Control.
 - 4. In addition, proposed projects in or near streams or wetlands may require a Chapter 105 Water Obstruction & Encroachment General Permit.

- C. In cases where the cross slope exceeds ten percent (10%) as shown on the grading plan, sod or seed shall be required to retain soil and prevent damage to finished street or lot grades. In all cases where the developer removes the sod, he shall immediately upon completion of grading (weather permitting), reseed such areas with common farm grass. In cases where the home builder creates side terraces, they shall immediately upon completion of grading, be seeded with perennial rye grass or better.

§ 151-5014. CONSTRUCTION DETAILS.

- A. Improvements required by this Ordinance shall be constructed in accordance with all applicable requirements contained herein and shall be designed consistent with construction standard details provided by the Borough.
- B. Commercial and/or industrial lot development shall be undertaken in accordance with all applicable requirements contained herein consistent with site plan guidelines and standards provided by the Borough.

§ 151-5015. GUARANTEE OF IMPROVEMENTS.

- A. Performance Guarantee. Council shall insure, through receipt of certificates of compliance submitted and attested by the Borough Engineer, that the required improvements have been installed according to the specifications of the final plan, or alternately require the posting of adequate surety to cover the cost for such improvements. Council may also insure, through the posting of bonds or other surety acceptable to the Borough, the maintenance of existing public right-of-ways and road surfaces which are in any manner utilized for transport or related purposes during development and construction associated with subdivision development. Council shall specify one of the following alternatives, or such other alternatives as may be acceptable, for guaranteeing compliance with the requirements of this Section. Decision of which alternative shall be required is that of Council. Final approval of a plan may not be granted by Council until the surety required is fully provided. In any event, the required surety shall be secured along with the written agreement prior to any construction or related activity.
 - 1. Completion of Improvements Prior to Final Approval - Prior to final plan approval, the developer shall complete, in a manner satisfactory to Council and the Borough Engineer, all improvements required in these regulations as specified in the final subdivision plan, and as approved by Council and shall dedicate the same to the Borough in accordance with these regulations. The cost associated with the Borough inspection of the site infrastructure improvements will be at the developer's expense and will be performed on a time and material basis as required by the Borough Engineer.
 - 2. Guarantee of Future Performance - In lieu of requiring the completion of all improvements prior to final plan approval, the Borough may, at its discretion, enter into a contract with the developer whereby the developer shall guarantee to complete all improvements required by this Ordinance, or otherwise specified by Council in a manner satisfactory to Council.
 - 3. When requested by the developer in order to facilitate financing, Council shall furnish the developer with a signed copy of a resolution indicating approval of the final plat

contingent upon the developer obtaining a satisfactory financial security. The final plat or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within ninety (90) days, unless a written extension is granted by Council; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.

4. To secure this contract, the developer shall provide, subject to the approval of Council, one of the following guarantees:
 - a. **Surety Bond:** The developer shall obtain a security bond from a surety bonding company authorized to do business in the Commonwealth of Pennsylvania. The bond shall be payable to the Borough. The amount of financial security shall be equal to 110% of the cost of the required improvements as estimated by the developer and approved by the Borough Engineer. The duration of the bond shall be until such time as the improvements are accepted by the Borough in accordance with the requirements of this Ordinance.
 - b. **Escrow Account:** The developer shall deposit cash, or other instrument readily convertible into cash at face value, either with the Borough or in escrow in a bank. The use of any instrument other than cash, and in the case of an escrow account, the bank with which the funds are to be deposited shall be subject to the approval of Council. The amount of financial security shall be equal to 110% of the cost of the required improvements as estimated by the developer and approved by the Borough Engineer.
 - i. In case of an escrow account, the developer shall file with Council an agreement between the financial bank and himself guaranteeing the following:
 - ii. That the funds of said escrow account shall be held in trust until released by Council and may not be used or pledged by the developer as security in any other matter during the period; and,
 - iii. That in the case of a failure on the part of the developer to complete said improvements, the bank shall immediately make the funds in said account available to the Borough for use in the completion of those improvements.
 - c. **Property Escrow:** The developer shall offer as a guarantee, land or other property, including corporate stocks or bonds. The value of any such property shall be at least equal to 110% of the cost, as estimated by the developer and approved by the Borough Engineer, of the installation of all contracted improvements. Property value shall be determined by means acceptable to the Borough and shall take into account the likelihood of a decline in the value of said property during the guarantee period. Council shall retain the right to reject the use of any property when it believes that the property will be unusually difficult to sell, or for other reasons such as will inhibit the Borough from exchanging the property for a sufficient amount of money to complete the required improvements.

- d. When property is offered as an improvement guarantee, the developer shall:
 - i. Execute an agreement with the trustee when it is not Council, instructing the trust to release the property to the Borough in the case of default. The agreement shall also state that the property may be released only upon consent of Council. The agreement shall be placed on file with the Borough Manager.
 - ii. File with the Governing Body an affidavit affirming that the property to be used as a guarantee is free and clear of any encumbrances or liens at the time it is to be put in trust; and,
 - iii. Execute and file with the Governing Body an agreement stating that the property to be placed in trust as an improvement guarantee will not be used for any other purpose or pledged as a security in any other matter until it is released by the Governing Body.
- e. Extension of Guarantees: If the developer requires more than one (1) year from the date of posting financial security to complete the required improvements, the amount of security may be increased to assure that financial security equals 110%. Any additional security shall be posted by the developer in accordance with Section 1001.

B. RELEASE FROM IMPROVEMENT BOND

1. When the developer has completed all of the required improvements, the developer shall notify the Governing Body, in writing, by certified or registered mail, of the completion of the required improvements and shall send a copy thereof to the Borough Engineer.
2. The Governing Body shall, at the next scheduled meeting after receipt of such notice, direct and authorize the Borough Engineer to inspect all of the aforesaid improvements. The Borough Engineer shall, thereupon, file a report in writing, with the Governing Body, and shall mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within 45 days after receipt by the Borough Engineer of the aforesaid authorization from the Governing Body. Said report shall be detailed and shall indicate approval or rejection of said improvements. If any portion thereof shall be rejected, the report shall contain a statement of reasons for such nonapproval or rejection.
3. After receipt of the Engineer's Report and maintenance bond, the Governing Body shall notify the developer within fifteen (15) days, in writing, by certified or registered mail, of the action of the Governing Body with relation thereto.
4. If the Governing Body or the Borough Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guaranty bond.

5. If any portion of the required improvements shall not be approved or shall be rejected by the Governing Body, the developer shall proceed to complete the same and upon completion, the same procedure of notification as outlined herein shall be followed.
6. Nothing herein, however, shall be construed in limitation of the subdivider's or developer's right to contest or question by legal proceedings or otherwise, any determination of the Governing Body or the Borough Engineer.
7. The developer shall furnish the Borough as-built drawings of the public improvements (streets, storm drainage, water systems and sanitary sewer), prepared by a registered engineer or surveyor.

C. REMEDIES TO EFFECT COMPLETION OF IMPROVEMENTS

1. In the event that any improvements that may be required have not been constructed and installed as provided for in the written agreement, this Ordinance, the requirements of the Governing Body or in accordance with the approved final plan, the Governing Body shall enforce any corporate bond, or other security by appropriate legal and equitable remedies.
2. 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 Governing Body may, at its option, install part of such improvements, and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements.
3. 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.

D. MAINTENANCE BOND

1. Before the Borough Engineer shall issue to Council a written certification that all improvements specified and required have been satisfactorily completed in accordance with the agreement and requirements relative to the land development, and in compliance with the specifications, standards, ordinances and requirements of the Borough, the subdivider or developer shall be required to deposit with the Borough, a Corporate Maintenance Bond, for two years for 10% of the total site improvement construction costs, in such form and with approved surety, as shall be required by Council. Said Maintenance Bond is to guarantee the repairs and maintenance by the subdivider or developer of the streets, roads, pavements, sidewalks, curbs, gutters, storm drains and facilities, sanitary sewer and facilities, sewage treatment plant and facilities and any other improvements constructed and installed in the subdivision or development, for a period of two (2) years from the date of final and official acceptance of the above said improvements and facilities by Council.
2. The repairs and maintenance required to be performed by the subdivider or developer shall extend only to making good any inherent defects which become manifested in the materials and workmanship under ordinary conditions and shall not be held to cover

any breakage or damage caused by improper use or by accident resulting from circumstances over which the subdivider or developer has no control.

E. HIGHER DESIGN STANDARDS

1. No road, street, land or related improvement shall be accepted as a part of the highway system of the Borough or for maintenance unless open, laid out, graded and improved in strict accordance with the standards and regulations of the Borough. The requirements, specifications, and standards of construction, material and appurtenances as designated herein are considered as minimum, and Council may as it deems advisable, revise said specifications and requirements to secure a higher standard of improvements and community development.
2. No storm water drainage facilities, sanitary sewer and sewage treatment facilities, water supply and water distribution system and facilities or any other facilities or improvements will be accepted as a part of the Borough's facilities for operation and maintenance unless designed and constructed in strict compliance with all the standards, specifications, rules, regulations, ordinances and requirements of the Borough.

F. RECORDING

1. Within ninety (90) days after the date of approval of the final plan, the developer shall record an approved duplicate copy of the plan (in Mylar or other transparent reproducible form) in the office of the County Recorder of Deeds, and file with the Borough Manager, a Recorder's Certificate that the approved plan has been recorded, with the Plan Book and page numbers indicated.
2. After an approved subdivision plan shall have been officially recorded, the streets, parks, and other public improvements shown hereon shall be so considered to be a part of the official plan of the Borough.
3. Streets, parks and other public improvements shown on a subdivision plan to be recorded shall be offered for dedication to the Borough by formal notation thereof on the plan, or the Owner shall note on such plan the any improvements have not been offered for dedication to the Borough.
4. Every street, park or other improvement shown on a subdivision plan shall be deemed to be a private street, park or improvement until such time as the same shall have been offered for dedication to the Borough and accepted by ordinance or resolution, or until it shall have been condemned for use as a public street, park or other improvement.
5. In the event that an approved subdivision plan is not recorded within the required ninety (90) day period, said approval shall be deemed voided and rescinded and the plan must be resubmitted if approval is sought by the developer.

G. NO RESPONSIBILITY OF BOROUGH WHERE PLANS ARE NOT APPROVED

1. If any road or any drainage facility in connection therewith shall be opened, constructed or dedicated for public use or travel, except in strict accordance with plans approved

and recorded as herein provided, neither Council nor any public authority shall place, construct or operate any sewer, drain, water pipe or other facility, or do any work of any kind in or upon such road; and neither Council nor any other public authority shall have responsibility of any kind with respect to any such road or drainage facility, notwithstanding any use of the same by the public. Provided, however, that nothing herein contained shall prevent the laying of trunk sewers, drains, water or gas mains, if required, by engineering necessity for the accommodating of other territory.

H. STANDARDS FOR LOCATION AND MANAGEMENT OF OPEN SPACE

- 1.** Common open space, when provided, shall be located so as to be consistent with accepted design principles. It shall be designed as a contiguous area easily accessible to the residents and preserving natural features.
- 2.** There shall be provisions that ensure that the common open space shall continue as such and be properly maintained. The developer shall either (a) dedicate such land to public use if the Borough or another public agency has indicated it will accept such dedications, (b) retain ownership and responsibility for maintenance of such open space, or (c) provide for and establish one or more organizations for the ownership and maintenance of all common open space. In the case of (b) and (c) above, each organization shall be a nonprofit homeowners' corporation, unless the developer demonstrates that a community open space trust is a more appropriate form of organization.
- 3.** If a homeowners' association or open space trust is formed, it shall be governed according to the following regulations:
 - a.** The organization is established by the developer and operated with financial subsidization by the developer (if necessary) before the sale of any lots_ within the development.
 - b.** Membership in the organization is mandatory for all purchasers of homes therein and their successors.
 - c.** The organization shall be responsible for maintenance, insurance and taxes on common open space.
 - d.** The members of the organization shall share equitably the costs of maintaining and developing common open space, in accordance with procedures established by them.
 - e.** The organization shall hire adequate staff to administer facilities and maintain the common open space.
 - f.** In the event that the organization established to own and maintain common open space, or any successor organization, shall at any time after establishment of the development, fail to maintain the common open space in reasonable order and condition in accordance with the development plan, the Borough may serve written notice upon such organization or upon the residents of the development setting

forth the manner in which the organization has failed to maintain the common open space in reasonable condition.

- i. Said notice shall include a demand that such deficiencies of maintenance be corrected within thirty (30) days thereof, and shall state the date and place of a hearing thereon which shall be held within fourteen (14) days of the notice.
- ii. If the deficiencies set forth in the original notice or in the modifications thereof shall not be corrected within said thirty (30) days or any extension thereof, the Borough may enter upon said common space and maintain the same for a period of one (1) year.
- iii. Said maintenance by the Borough shall not constitute a taking, nor vest in the public any rights of use.
- iv. Before the expiration of said year, the Borough shall call a public hearing upon notice to such organization or to the residents of the development. At the hearing, such organization or the residents shall show cause why such maintenance by the Borough shall not, at the option of the Borough, continue for a succeeding year.
- v. If Council determines that such organization is ready and able to maintain said common space in reasonable condition, the Borough shall cease maintenance at the end of said year.
- vi. If Council shall determine that such organization is not ready and able to maintain said common open space in a reasonable condition, it may, at its discretion, continue maintenance during the next succeeding year subject to a similar determination in each year thereafter.
- vii. The costs of maintenance by the Borough shall be assessed against the properties within the development that have a right of enjoyment of the common open space and shall become a lien on said properties.

ARTICLE 600. – DEFINITIONS

§ 151-601. INTERPRETATION

For the purpose of this Chapter, certain terms and words used herein shall be interpreted or defined as follows:

- I. Words used in the present tense shall include the future.
- J. Words used in the singular number shall include the plural.
- K. Words used in the plural number shall include the singular.
- L. The words "person," or "subdivision," and "owner" include a corporation, unincorporated association and a partnership, or other legal entity, as well as an individual.
- M. The word "watercourse" includes channel, creek, ditch, dry run, spring, and stream. The words "shall" and "will" are always mandatory.
- N. The word "may" is permissive.
- O. The word "building" includes structure and shall be construed as if followed by the phrase "or part thereof."

§ 151-602. WORD MEANING

For the purpose of this Chapter, the following terms shall have the meaning indicated, unless otherwise specifically stated. Words not defined herein shall be observed and applied according to their generally accepted dictionary definitions.

ACCEPTED ENGINEERING PRACTICE - That which conforms to accepted principles, tests or standards of nationally recognized technical, scientific, and/or engineering authorities.

APPLICANT - a landowner or developer, as here in after defined, who has filed an application for development including his heirs, successors and assigns.

APPLICATION FOR DEVELOPMENT - every application, whether preliminary, tentative or final, required to be filed and approved prior to 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.

ALLEY - A minor right-of-way providing secondary vehicular access to the side or rear of two or more properties.

BLOCK-An area bounded by streets, utility, railroad, public facility or other right-of-ways; or easements or other definite barriers.

BOND - Any form of surety bond in an amount and form satisfactory to Borough Council. All bonds shall be approved by the Borough Council whenever a bond is required by regulations.

BOROUGH - Canonsburg Borough, Washington County, Pennsylvania.

BOROUGH COUNCIL - The Canonsburg Borough Council, Washington County, Pennsylvania.

BUILDING OR STRUCTURE - An independent and detached structure having a roof supported by columns or walls, or resting on its own foundation, including but not limited to principal structures, mobile homes, garages, greenhouses and other accessory buildings.

BUILDING LINE - The line of that face of the building nearest the front line of the lot at the street right-of-way line.

CARTWAY (Not right-of-way) - That portion of the total street right-of-way surfaced or otherwise prepared or meant for vehicular uses. Width is determined from face of curb to face of curb, or from one edge of driving surface to the other edge of driving surface.

COMMISSION, PLANNING - The Borough of Canonsburg Planning Commission as duly appointed by the local Governing Body.

COMPREHENSIVE PLAN – The adopted Comprehensive Plan for Canonsburg Borough, as amended.

CONSOLIDATION–the combination of two or more lots, tracts, or parcels of land into one lot, tract, or parcel for the purpose of sale, lease, or development of a building or lot.

County - The County of Washington, Commonwealth of Pennsylvania.

County PLANNING COMMISSION - The Planning Commission of the County of Washington.

COVENANT - An agreement, convention, or promise of two or more parties by deed in writing, signed and delivered by which either of the parties pledges himself to the other that something is either done or shall be done, or stipulates for the truth of certain facts.

CUL-DE-SAC - A street open to traffic and pedestrian access with one end permanently terminated by a vehicular turnaround.

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

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.

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.

DRIVEWAY - An improved surface for vehicular circulation or access on a lot or parcel of land.

EASEMENT - A grant by a property owner for the use of land which is given to an individual or entity for purposes such as access, utility placement or similar activities.

ENGINEER - The Engineer for the Borough as officially designated by Council.

FLOODPLAIN - A flat or low land area subject to inundation from a stream, river or watercourse; and/or any area subject to the rapid accumulation of surface waters from any source.

FRONTAGE - The front boundary line of a lot facing a street. The front of a corner lot shall be considered: on the street that parallels the long dimension of the block; on the street of highest use classification; or, on the basis of orientation of the majority of other lots in the vicinity.

GOVERNING BODY - The duly elected Council of the Borough of Canonsburg, Washington County, Pennsylvania.

GROSS ACREAGE - The entire land area of a tract, as distinguished from net acreage.

HALF street - A strip of land equal to or less than one-half of the required width of right-of-ways reserved or proposed for street purposes along the property line. (Half streets are prohibited except to complete another half street.)

HIGHWAY.OCCUPANCY PERMIT- Authorization issued by the Pennsylvania Department of Transportation allowing a property owner specific access to a state maintained highway. This permit is required before a subdivision is approved by the Borough.

IMPROVEMENTS - A valuable addition to real estate or an amelioration of its condition amounting to more than mere repairs or replacement of-waste, costing labor or capital and intended to enhance its value, beauty or utility or to adapt it for new or further purposes.

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 persons having a proprietary interest in land.

LAND DEVELOPMENT - The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving: a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; 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; or, a subdivision of land.

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

LOT, CORNER -A lot, abutting two or more streets at their intersection, on which the building line for all streets must be observed.

LOT DEPTH - The mean horizontal distance between the front lot line and the rear lot line.

LOT, DOUBLE FRONTAGE -A lot that has access to a public right-of-way from both the front yard and back yard. Double frontage lots may be permitted only as a modification due to unnecessary hardship or unique physical circumstances that were not created by an appellant.

LOT, REVERSE FRONTAGE -A lot abutting a public right-of-way along both the front and rear yards, having access to only one of the public right-of-ways.

LOT WIDTH - The total horizontal distance across the lot, between the side lot lines, measured at the building line. Width criteria may be modified by Council in cases of irregular lots, provided that the intent and purpose of the Ordinance is observed.

MAINTENANCE BOND - A guarantee to the Borough, backed by the developer's collateral and held in escrow by the Borough, to ensure that improvements, upon completion to the Borough's satisfaction, will be maintained for a stipulated time period at no Borough expense, against inferior construction.

MAJOR SUBDIVISION - Any subdivision not classified as a minor subdivision.

MINOR SUBDIVISION - A subdivision containing not more than three (3) lots, proposed either for the construction of one (1) family dwellings or two (2) family dwellings or for the transfer of property between lots which contain existing one (1) family dwellings or two (2) family dwellings, all of which have frontage on an improved public street, and which subdivision does not involve the construction or improvement of any public street, sewer line or water line and which does not adversely affect the future development of the remainder of the parcel or any adjoining property.

MOBILE HOME - A transportable single family dwelling intended for permanent occupancy, an office, or a place of assembly, contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, that 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.

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, which is developed and maintained consistent with the specific requirements of the Borough for such use.

MOBILE HOME PARK - Any contiguous parcel or tract of land under single ownership, used or intended to be used for the placement of two (2) or more mobile homes for non-transient use, developed and maintained consistent with the specific requirements of the Borough for such use.

MODIFICATION - A relaxation or change in the provisions of this Ordinance that is granted by Council in cases where the Developer can show, to the satisfaction of Council, that the literal enforcement of the provisions would exact undue hardship because of peculiar conditions pertaining to the land in question.

MONUMENT - A survey reference point constructed and placed as specified in this Ordinance.

MUNICIPALITY - The Borough of Canonsburg, Washington County, Pennsylvania.

NET ACREAGE - The total acreage of a development site minus the areas utilized for access ways, on grade utilities and facilities, lakes, ponds, or similar water surfaces and parking facilities.

OCCUPANCY PERMIT - Certification issued by the Borough attesting that the proposed development of a lot has been completed in accordance with the building permit and the applicable regulations of the Borough and may be occupied for its intended use.

OFF-SITE SEWER SERVICE - A sanitary sewage collection system in which sewage is carried from an individual lot or dwelling unit by a system of pipes to a central treatment and disposal plant which may be publicly or privately owned and operated.

OFF-SITE WATER SERVICE -A potable water distribution system in which water is carried to individual lots or dwelling units by a system of pipes from a central water source located beyond the limits of the lot being served which may be publicly or privately owned and operated.

ON-SITE SEWER SERVICE - A system of piping, tanks or other facilities serving only a single lot and disposing of sewage in whole or in part into the soil or by a processing system located on site.

ON-SITE WATER SERVICE - A single system of piping, tanks or other facilities serving only a single lot and obtaining the water either in whole or in part from a primary source located within the limits of the lot being served.

OPEN SPACE -An unoccupied and undeveloped lot open to the sky.

PARKING SPACE - For the purposes of this Ordinance, off-street parking and loading areas shall be defined as follows:

- A. An off-street parking space shall be a minimum dimension of nine feet wide by eighteen feet long (9' x 18'). Minimum aisle width 26' between stalls.
- B. A required off-street loading space shall be a minimum dimension of fourteen feet wide by sixty feet long (14' x 60').

PATIO -An outside surfaced courtyard or inner area having no roof.

PERFORMANCE BOND -A guarantee to the Borough, backed by the developer's collateral held in escrow by the Borough, to ensure that the developer's financial and performance obligations in connection with the development approved by the Borough, will be covered without harm to the Borough.

PERMANENT OPEN SPACE - A part of a plan designated on the recorded documents, to be left undeveloped and described on the plan the same as any lot to be sold for development. A covenant of the land by the organization responsible for the maintenance of such permanent open space shall be included with the recording document.

PLAN, PRELIMINARY - The preliminary map, drawing or chart indicating the proposed layout of a subdivision or land development which is filed for planning commission consideration and preliminary approval by Council.

PLAN, FINAL – The final map of a subdivision which is submitted for approval by Council and which, if approved, will be filed with the Washington County Recorder of Deeds or the final land development map officially recognized as the approved plan by Council.

PROPERTY LINE - The boundary line surrounding a property or any portion of such line and described by bearing and distance.

PUBLIC UTILITY - Within the terms of this Ordinance, public utility shall be defined to include gas, electric, telephone, sewerage, water and communication cable services.

RESUBDIVISION OR REPLATTING - The modification of a recorded subdivision, in whole or in part, by a redesign of lots, size, area or street layout. (Such action requires subdivision approval.)

RIGHT-OF-WAY - land reserved for use as a street, interior walk, or other public purpose, and dedicated for public use; all must be recorded in the County Recorder of Deeds Office. For purposes of this

Ordinance, public right-of-way lines shall prevail over private parcel lines that are designated as falling within the public right-of-way. When a lot abuts a right-of-way of a public thoroughfare, all applicable lot area and lot requirements shall be computed from the public right-of-way line.

SETBACK - The minimum distance that a structure can be located from a right-of-way or property line or another structure, thereby creating a required open space on a lot.

SEWAGE ENFORCEMENT OFFICER - The designated official of the Borough who issues and reviews on-site sewage permit applications and conducts such investigations and inspections as are necessary to implement the Pennsylvania Sewage Facilities Act, as amended, and the Rules and Regulations thereunder.

SITE DEVELOPMENT PLAN The proposed development or improvement of an individual lot in a commercial or industrial land use.

STORM WATER MANAGEMENT -A plan to control the increase and concentration of run-off of stormwater caused by land development or predeveloped conditions.

STREET CLASSIFICATIONS -The following street classifications shall apply to all streets in the Borough:

- A. Expressway - Expressways are limited access freeways that carry through traffic between major urban centers and to and from points outside of a region with no interference.
- B. Arterial - Arterials carry major movements of traffic within or through the community.
- C. Collector - Collectors carry the internal traffic movements within the Borough and connect developed areas with the arterial system. The collector system simultaneously provides abutting property with road access and accommodates local internal traffic movements.
- D. Local - Local streets provide access to immediately adjacent land.
- E. Private - Any vehicular way that is not dedicated as a public street.

STREET MAINTENANCE - The procedure applied to new or existing streets or streets under construction, including but not limited to, resurfacing, regrading, drainage improvement, pothole repair, dust prevention practices and snow removal.

STRUCTURE - any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

SUBDIVIDER - The owner, or authorized agent of the owner, of the subdivision.

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.

SUBSTANTIALLY COMPLETED - where, in the judgment of the municipal engineer, at least 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.

TOPOGRAPHIC MAP - A map showing ground elevations by contour lines, and the location of important natural, manmade and other features.

UNIT, DWELLING - A building or portion thereof providing complete housekeeping facilities for one individual or one family.

USE - The purpose or activity for which the land or building is designed, arranged or intended; or for which it is occupied or maintained.

YARD, FRONT - A yard extending across the full width of the lot, unoccupied other than by steps, walks, terraces, driveways, lamp posts and similar improvements, the depth of which is the least distance between the front lot line at the right-of-way line and the building line.

YARD, REAR - A yard extending across the full width of the lot between the rear of the principal building and the rear lot line, unimproved other than by steps, walks, terraces, driveways, lamp posts and similar improvements.

YARD, SIDE -A yard between the principal structure and the side lot line, extending from the front yard, or from the front line where no front yard is required, to the rear yard. The width of the required side yard is measured horizontally at ninety (90) degrees with the side lot line, from the nearest part of the principal building.

Zoning Ordinance – Chapter 170 of the Canonsburg Borough Code of Ordinances, Zoning.