

Subdivision and Land Development Ordinance

Butler County, Pennsylvania

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ARTICLE I

PURPOSE AND SCOPE

Section 101. Short Title

This Ordinance shall be known as the "Butler County Subdivision and Land Development Ordinance."

Section 102. Purpose of Ordinance

This Ordinance has been adopted for the following purposes:

- 102.1** To assist the public in the harmonious, orderly, efficient and integrated development within Butler County; and
- 102.2** To assure that proposed development sites are suitable for building purposes and human habitation; and
- 102.3** To secure equitable handling of all subdivision plans by providing uniform procedures and standards; and
- 102.4** To implement the Butler County Comprehensive Plan; and
- 102.5** To make provisions, as needed, for the reservation of land as it may be needed for public grounds or public purposes; and
- 102.6** To promote energy conservation; and
- 102.7** To insure that streets in and bordering a subdivision, land development or mobile home park shall be coordinated, and be of such widths and grades and in such locations as deemed necessary to accommodate prospective traffic and to facilitate fire protection; and
- 102.8** To insure that easements or right of ways shall provide adequate drainage and utilities; and
- 102.9** To insure that reservations, if any, by the developer of any area designed for use as public grounds shall be of suitable size and location for their designed uses; and
- 102.10** To insure that land which is subject to flooding, subsidence or underground fires either shall be made safe for the purpose for which

such land is proposed to be used, or that such land shall be set aside for uses which shall not endanger life or property or further aggravate or increase the existing menace.

- 102.11** To promote the preservation of Butler County's natural and historic resources and prime agricultural land.

Section 103. Authority

The Pennsylvania Municipalities Planning Code (hereinafter referred to as "MPC") Act 247 of 1968, and any/all amendments thereto enables and authorizes Butler County to enact a Subdivision and Land Development Ordinance and to administer said Subdivision and Land Development Ordinance.

Section 104. Jurisdiction of Ordinance

- 104.1** Plans for subdivisions, land developments, mobile home parks and recreational vehicle parks or campgrounds located within those municipalities in Butler County which have not adopted their own Subdivision and Land Development Ordinance shall be submitted to, reviewed by, and approved, tabled or denied by the Butler County Planning Commission before they may be recorded by the Butler County Recorder of Deeds.
- 104.2** Plans for subdivisions, land developments, mobile home parks and recreational vehicle parks or campgrounds located within those municipalities in Butler County which have adopted their own Subdivision and Land Development Ordinance shall, upon receipt by the municipality, forward one paper copy to the Butler County Planning Commission for review and comment. Municipalities shall not approve such plans until the County review has been completed or until thirty (30) days from the date the plan was received by the Butler County Planning Commission.
- 104.3** The aforementioned review and approval is in addition to, and does not supersede, those approvals required by other applicable ordinances, resolutions or regulations of a municipality, Butler County, the Commonwealth of Pennsylvania or the United States Government.
- 104.4** Any municipality within Butler County may adopt, by reference, the Butler County Subdivision and Land Development Ordinance, and may by separate ordinance, designate the Butler County Planning Commission (with the Butler County Planning Commission's concurrence) as its official Planning Commission for the review and

approval of all plans, in which case any Butler County Planning Commission action shall be considered as an action of the local municipal Governing Body.

Section 105. Types of Subdivisions and Land Developments Governed by This Ordinance

- 105.1** Minor Subdivision: Shall be considered the division of any complete lot, complete parcel or tract of land or part thereof into not more than three (3) lots, parcels or tracts for the imminent or future conveyance, transfer, improvement, sale or lease of said lots, parcels or tracts when all of such lots, parcels or tracts thus created abut a public road in existence prior to consideration of the proposed subdivision. In addition, such subdivision shall include no extension of public sewer and water lines, streets or other public improvements and shall not, by intent on the part of the owner/applicant or his successors, subsequently be part of a later division of the original lot, parcel or tract creating a total of more than three (3) lots, parcels or tracts except under provisions for a major subdivision.
- 105.2** Major Subdivision: Shall be considered the division of any lot, parcel or tract of land or part thereof into four (4) or more lots, parcels or tracts for the imminent or future conveyance, transfer, improvement, sale or lease of such lots, parcels or tracts of land, when any or all of the lots, parcels or tracts so created do not abut a public road in existence prior to consideration of the proposed subdivision, and/or require extension of public improvements; or when four (4) or more lots, parcels or tracts so created or further subdivided as in the case of townhouses or multi-family lots all abut a public road in existence prior to consideration of the proposed subdivision and do not require extension of public sewer or water service, or streets or other public improvements.
- 105.3** Mobile Home Park: Shall be considered a parcel (or contiguous parcels) of land which has been so designated and improved that it contains two (2) or more mobile home lots for lease, each such lot for the placement thereon of one (1) mobile home.
- 105.4** RV Parks and Campgrounds: Shall be considered a parcel (or contiguous parcels) of land which has been so designated and improved that it contains two (2) or more RV pads for lease, each pad for the placement of one (1) recreational vehicle or camper.

- 105.5** Land Development Plan: Shall be considered the arrangement of buildings and/or structures (or a single nonresidential building), paved and planted surfaces, utility systems and accessways that together constitute the development of a lot, tract or parcel of land, or contiguous lots, tracts or parcels of land. The development of a lot for a single family detached dwelling shall not be considered a land development.

Section 106. Application and Scope of Regulations

- 106.1** No lot in a subdivision may be sold or leased, no permit to erect or move any building upon land in a subdivision or land development plan may be issued, and no building, permanent or temporary, may be erected in a subdivision or land development plan unless and until a subdivision or land development plan has been approved in accordance with the requirements of this Ordinance and recorded in the office of the Butler County Recorder of Deeds, and until the improvements required by this restated Ordinance, in any part of the approved plan, have either been constructed or guaranteed by a form of surety acceptable to the County, Township, Borough or City.
- 106.2** In their interpretation and application, the provisions of this Ordinance are held to be the minimum requirements adopted for the protection of the public health, safety, morals and general welfare.
- 106.3** This Ordinance shall not apply to any lot or lots, subdivision or land development plan created and lawfully recorded prior to enactment of this restated Ordinance. However, the development of individual lots shall be in accordance with the provisions of this Ordinance. Any lot, subdivision or development plan illegally recorded or not legally recorded prior to enactment shall not be given legal status by enactment of this Ordinance amendment.
- 106.4** Any redivision or combining of lots or adjustment of lot lines within a plan previously approved and/or recorded, or any rearrangement of structures, parking areas, access points, graded land surfaces or other elements within a development plan, shall be subject to the provisions of this Ordinance.
- 106.5** Where existing regulations of another level of government, or restrictive covenants, restrictions placed by deed or other private agreements duly recorded with Butler County are more restrictive than this restated Ordinance, such regulations shall apply.

106.6 Certain land developments are excluded from the required review and approval procedures, in this ordinance, as follows:

106.1.1 The conversion of an existing single-family detached dwelling or single family semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium;

106.1.2 The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; or

106.1.3 The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this subclause, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by proper authorities.

ARTICLE II

DEFINITIONS OF WORDS AND PHRASES

Section 201. General Interpretations

Unless otherwise expressly stated, the following terms shall, for the purpose of this Ordinance, have the meaning indicated:

- words in the singular include the plural
- words in the plural include the singular
- words in the past tense include the present and future
- words in the future tense include the present
- words in the present tense include the future
- the words "shall" and "will" are mandatory
- the word "person" includes a corporation, trust, company, unincorporated association and a partnership as well as an individual or any legal entity
- words generally found in legal terminology and not otherwise defined in Section 202 shall have the same meaning in this Ordinance as in a standard dictionary.

Section 202. Meanings of Words and Phrases

Access Lane (Drive): A driveway, turnout or other means of providing for the movement of vehicles to or from the public roadway.

Access Points: The locations along the perimeter of a lot or property abutting a street, including but not limited to local or collector streets, that provide the authorized vehicular and pedestrian entry or exit from the lot or property.

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

ADT (Average Daily Trips): The average number of trips generated by a land use over a twenty-four hour period during the week.

Aerial (Aviation) Easement: An air rights easement that protects an airport

operator's use of air lanes over real property.

Agricultural Operation: An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.

Alignment, Horizontal: The combination of bearings and distances, radii and arcs in the plan which describe the passage of a right-of-way across the land.

Alignment, Vertical: The combination of grades, distances, and vertical curves in profile which describe the passage of a right-of-way over the topography.

All Season Pedestrian Walkway: A durable, easily maintained mud-free surface of sufficient width and depth to support pedestrian and bicycle traffic.

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

Amendment: Any addition, deletion or revision of this Ordinance, text, or graphic officially adopted by the Butler County Commissioners.

Anchor Easement: An area used by public utilities to install an anchor or down-guy for utility equipment with the consent of the property owner.

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

Application for Development: Every application, whether preliminary, tentative, or final, required to be filed and approved prior to the start of construction or development, including, but not limited to, an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan.

Approval, Final: Acknowledgment by the Butler County Planning Commission that all plan reviews required prior to acceptance of a subdivision, land development or planned residential development proposal have been successfully completed, is ready for recording, and that local building permits may be issued.

Approval, Preliminary/Final: An acknowledgment by the Butler County Planning Commission that the combined preliminary/final plan application conforms to all the requirements of these regulations and that the owner/applicant may proceed to provide surety for all required improvements and secure all required permits.

Arc: A curved line that is centered from a point and has a definite length terminating each end in a tangent or another arc.

Architect: A professional architect as registered with the Commonwealth of Pennsylvania.

Area, Lot: The area of a lot measured on a horizontal plane bounded by the front, sides and rear lines of the lot.

Area, Site: The total area of the lot or lots comprising a site.

As-Built Plans: Plans and profiles prepared by the developer's engineer or surveyor showing the exact location, size, grade, and depth of all proposed improvements after their completion, which includes but is not limited to Y-branches and laterals for future connections.

Base Course: The road building materials precisely laid down on the prepared subgrade of a roadway to support the pavement of the road.

Bearing: The direction that a line points relative to a referenced North.

Bench: A flat or slightly sloped graded surface designed to divert storm drainage and/or stabilize a graded slope.

Benchmark: An elevation reference point.

Berm: The graded strip along each side of a street pavement when curbs are not present, designed to direct stormwater from the pavement to a gutter, and to provide a stable location for disabled or parked vehicles off the pavement.

Bikeway: A path designed to be used by non-motorized bicycles.

Binder Course: In asphaltic concrete paving, an intermediate course between the base course and the surface material consisting of intermediate sized aggregate bound by bituminous material.

Block: A parcel of land, generally containing a number of lots, bounded by streets, railroad right of way, water ways, parks, un-subdivided acreage or a combination thereof.

Buffer: An area within a property or site, generally adjacent to and parallel with the property line, either consisting of natural existing vegetation or created by the use of shrubs, trees, fences and/or berms, designed to limit continuously the view of and/or sound from the site to adjacent sites or properties.

Building: A structure designed or intended for the support, enclosure, shelter or protection of persons, animals or property. When separated by "party walls," each portion of such structure shall be considered a separate building.

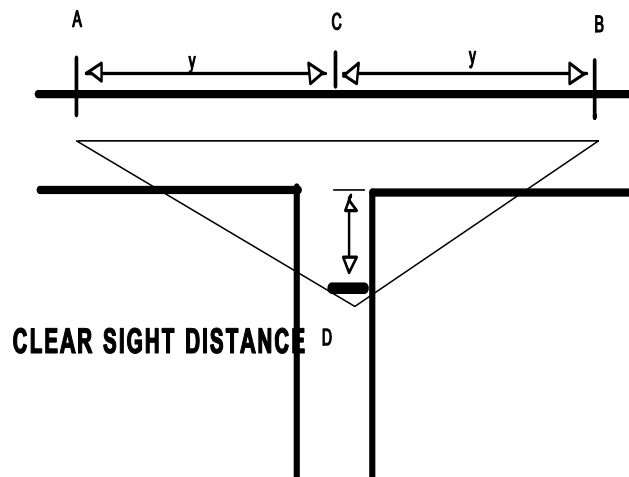
Building Setback Line or Building Line: A line located at a set distance from the front property line (yard line) of the lot and interpreted as being the nearest point that a building may be constructed to the front property line (see yard, front). The building line shall limit the location of porches,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

Butler County Board of Commissions (or Board of Butler County Commissioners): The elected fiscal and administrative managers of Butler County.

Cartway: The improved surface of a street or alley designed for vehicular traffic use. This does not include curbs, shoulders or surface outside the gutter line.

Centerline: A line running parallel to and equidistant from the right-of-way lines on each side of a street.

Clear Sight Triangle: A triangular area of unobstructed vision at the intersection of two (2) or more streets, roads or driveways formed by a seventy-five foot (75') sight line along the centerline of a local street, or a one hundred and fifty foot (150') sight line along the centerline of an arterial or collector roadway, and by a line joining these sight lines at the greatest distance from their intersection. No sight obstruction above three feet nine inches (3'9") in elevation (Pennsylvania Department of Transportation 67, PA Code, Chapter 1), from grade level of the street, road, or driveway shall be



permitted within the clear sight triangle.

Collector Street: A street or road that in addition to serving the properties abutting it also receives traffic from intersecting minor streets for distribution to major collector or arterial roadways.

Cluster or Cluster Development: A concept of design and site planning utilized in Planned Residential Developments and Traditional Neighborhood Developments in which several buildings, usually of similar construction and usage, are grouped together on one tract of land whether on individual parcels or not. Each cluster is set off from others by intervening space often held for the common enjoyment or the community at large and which helps give visual definition to each individual group.

Commission: The Butler County Planning Commission. The office of Butler County designated by the Butler County Board of Commissioners to review, approve, and comment on all proposed subdivisions and land development within Butler County, Pennsylvania.

Common Area: That area in a subdivision or planned residential development including common open space, owned and leased and maintained by an association or other combination of persons for the benefit of all residents of the subdivision or planned residential development and, if owned under the Pennsylvania Unit Property Act, including all common elements designated for the use of all dwelling unit owners.

Common Open Space: A parcel or parcels of land or an area of water or a combination of land and water within a development site and designed and intended for the use or enjoyment of all residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities.

Community Sewage Disposal or Water Supply System: A utility system constructed by an owner/applicant to serve his plan in conformance with these regulations and the requirements of the Commonwealth Department of Environment Protection, such system to be operated by the owner/applicant until or unless taken over by a public authority.

Complete Plan Submittal: The submittal of a plat or plan for subdivision or land development which includes all information required by this ordinance for review by the Butler County Planning Commission.

Comprehensive Plan: The County of Butler Comprehensive Plan and any amendments or additions thereto.

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

Construction: The construction, reconstruction, renovation, repair, extension, expansion, alteration, or relocation of a building or structure, including the placement of a mobile home(s).

Contour: An imaginary line connecting all points with the same elevation above or below a fixed base point whose elevation is known.

County Conservation District: A public agency charged with protecting the soils and water resources of Butler County from erosion and pollution.

County: The County of Butler, Commonwealth of Pennsylvania.

Covenant: A formal agreement of legal validity.

Cross-Section: A cut through a road or utility at right angles to its length revealing materials and dimensions of components of construction.

Crosswalk: A pedestrian right-of-way extending through a block between streets on opposite sides of the block or connecting across a block or blocks.

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

Culvert: Any structure not classified as a bridge, which provides an opening under the roadway.

Curb Cut: An opening requiring a local or Commonwealth permit along the curb line at which point vehicles may enter or leave the roadway.

Curb: Concrete, bituminous concrete, or other improved boundary material usually marking the edge of a roadway, parking lot, or other paved area.

Curve: A rounded change of direction of an alignment that can be described by radii and arc distances. A sag curve includes the lowest elevation in a curve in vertical alignment while a crest curve includes the highest elevation. A compound curve is two (2) or more abutting curves without a tangent between them.

Cut: An excavation. The difference between a point on the existing original surface of the land and a designated point of lower elevation on the final proposed grade.

Also, the material removed in excavation.

DBH: Diameter at breast height, or the diameter of a tree at approximately 3.5-4.5 feet from grade.

Dedication: The designation of property, formerly privately owned, for public purpose, such designation stipulated in writing, recorded by the private owner and accepted by the local elected officials.

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

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 of Regional Significance and Impact: Any land development that, because of its character, magnitude or location will have a substantial effect upon the health, safety or welfare of citizens in more than one municipality.

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

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

Diking System: A method to prevent the leaching of flammable or hazardous liquids into aquifers or stream channels consisting of an impervious membrane at grade or below and beneath an outside storage tank surrounded by sloped earthen or impervious berms.

Drainage: The removal of surface water or groundwater from land by drains,

grading or other means, including control of runoff to minimize erosion and sedimentation during and after construction or development.

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

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

Driveway: A private, vehicular passageway providing access between a street and a private parking area or private garage, but which does not provide access to any other lot or parcel under separate ownership than that of the private parking area or private garage.

Dwelling or Dwelling Unit: A building or entirely self-contained portion thereof containing complete housekeeping facilities for occupancy by only one (1) family, including any domestic servants living or employed on the premises, with no enclosed space, other than vestibules, entrance or other hallways, in common with any other dwelling unit. Dwellings may be classified as follows:

- A. Single-Family Detached – A building having only one (1) dwelling unit from ground to roof, independent outside access and open space on all sides.
- B. Two-Family - A building on a single lot containing two (2) dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof (duplex), or an unpierced ceiling and floor extending from exterior wall to exterior wall (stacked flat).
- C. Multifamily - A building containing three (3) or more dwelling units, including units that are located one over the other.
 1. Triplex - A building containing three (3) dwelling units, each of which has direct access to the outside or to a common hall.
 2. Townhouse – A one (1) family dwelling in a row of at least three (3) such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one (1) or more vertical common fire-resistant walls.

3. Quadruplex – Four (4) attached dwellings in one building in which each unit has two (2) open space exposures and shares one (1) or two (2) walls with an adjoining unit or units.
4. Apartment – One (1) or more rooms with private bath and kitchen facilities comprising an independent self-contained dwelling unit in a building containing three (3) or more such dwelling units.

Easement: A right granted by a landowner for limited use of private land for public and quasi-public purposes, including the installation of utilities and stormwater drainage. The landowner shall not make use of said private land in a manner which violates the right of the grantee.

Elevation: A point or series of points (contours) which are a common distance above sea level or some other alternate point of reference which has a predetermined elevation.

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

Environmental Impact Assessment: A study of the effect of a use on the (1) natural environment; (2) cultural environment as may be required by the Environmental Protection Agency and/or the Pennsylvania Department of Environmental Protection.

Environmentally Sensitive Area: An area with one or more of the following environmental characteristics:

- (1) slopes of more than twenty five percent (25%); one unit of rise in 4 units of run
- (2) an identified flood plain area
- (3) jurisdictional wetlands
- (4) an identified threatened or endangered species and/or habitat as defined by the Pennsylvania Natural Diversity Inventory (PNDI); or as identified in an official study conducted by a recognized public or private conservation agency.

Erosion: The displacement of natural, ground surface or subsurface materials by the action of natural elements such as wind or water.

Erosion and Sedimentation Control Plan: A plan showing all existing and proposed grades and facilities for storm water, drainage, erosion and sedimentation controls, and which is in accordance with this Ordinance and Pennsylvania Department of Environmental Protection standards.

Escrow Fund or Account: An interest bearing note, established by an owner/applicant at a financial institution, of an amount required to guarantee completion of improvements to be constructed in the plan and payable to the County or local municipality if the owner/applicant fails to complete the improvements within the time stipulated in the plan approval.

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

Fill: ←Any act by which earth, sand, gravel, rock, or any other similar material is placed, pushed, dumped, pulled, transported or moved to a new location above the existing surface of the ground or on top of the stripped surface and shall include the conditions resulting therefrom. ↑The difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade. →The material used to make the fill.

Flood Plain or Flood Prone Area: A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or water course; and/or any area subject to the unusual and rapid accumulation of surface waters from any source, as defined by the Federal Emergency Management Agency (FEMA).

Forestry: The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.

Frontage: The distance across the front of a lot between side lot lines, normally the width of the lot abutting the street to which the lot has access.

Governing Body: The council in cities, boroughs and incorporated towns; the board of commissioners in townships of the first class; the board of supervisors in townships of the second class; the board of commissioners in counties of the second class through eighth class or as may be designated in the law providing for the form of government.

Grade: The vertical alignment of a land surface, as it exists or as modified by cut and/or fill activities.

Grade, Finished: The final elevation of the ground level.

Grading and Drainage Plan: A plan showing all existing ground features and proposed grading, including existing and proposed surface and subsurface

drainage facilities, described by materials, grades, contours and topography.

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

Highway Occupancy Permit: Authorization issued by PennDOT, allowing a property owner specific access to a Commonwealth maintained highway, and required before a building permit for development of the property may be issued.

Home Owners' Association: An organization formed to manage the open space and common facilities within a development that are not to be publicly maintained; membership in, and financial support of such organization is mandatory for all owners of property in the development.

Improvement: Those physical additions and changes to the land that may be either desired, or necessary, to produce usable and desired lots.

Inspector: An authorized representative of the **Butler County Board of Commissioners or the Butler County Planning Commission or a locally designated person who is assigned to make any or all inspections of the work performed and materials furnished by the developer.**

Labor and Material Bond: A guarantee, backed by the developer's collateral held in escrow, that the developer's financial obligations in connection with a development approved by the County or local municipality will be covered without harm to the County or local municipality.

Land Development: Any of the following activities:

- (1) 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.

(2) A subdivision of land.

(3) Development in accordance with Section 503 (1.1) of the MPC

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

Landscape Architect: A landscape architect as registered with the Commonwealth of Pennsylvania.

Line, Lot: A line which separates a lot from another lot or from a street or any other public or private space.

Line, Setback: A line generally parallel to a lot line, at a distance from the lot line in accordance with the yard, perimeter or setback requirements of this ordinance.

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

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

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

Lot Depth: The mean horizontal distance between the front and rear lines of a lot.

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

Lot, Flag: A lot with access provided to the bulk of the lot by means of a narrow corridor with frontage on a recorded right-of-way.

Lot Line Revision: A subdivision plan in which existing property lines are moved, relocated or removed and in which a new lot may or may not be created.

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

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

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

Maintenance Bond: A guarantee, backed by the developer's collateral held in escrow, that improvements, upon completion to the County or local municipality's satisfaction, will be maintained for a stipulated time period at no County or local municipal expense against inferior construction.

Maintenance Guarantee: Any financial security, acceptable under Article V of the Pennsylvania Municipalities Planning Code, which may be accepted by a municipality or Butler County for the maintenance of any improvements required by this Ordinance **or municipal ordinance**.

Major Subdivision: Any subdivision not classified as a minor subdivision; specifically those involving four (4) or more parcels of land including the residual or remaining tract/parcel.

Manufactured Home: A transportable, single-family dwelling intended for permanent or temporary occupancy, office or place of assembly, contained in one (1) or more sections, built on a permanent chassis, which arrives at a site completed and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used with or without a permanent foundation. The term includes park trailers, travel trailers, mobile offices, recreational and other similar vehicles which are placed on a site for more than one hundred eighty (180) consecutive days.

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

Minor Subdivision: The subdivision of land into not more than three (3) parcels, including the residual property, located on an existing improved street that does not involve the construction, installation or dedication of new streets, utilities or other public improvements.

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.

Mobile Home Park: A parcel or contiguous parcels of land which have been so designated and improved that it contains two or more mobile homes lots for the

placement thereon of mobile homes.

Mobile Home: A transportable, single family dwelling intended for permanent occupancy, contained in one unit or in two or more units designed to be joined into one integral unit capable of being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

Modification: A change granted to an applicant/developer by the Butler County Planning Commission to the minimum standards of this ordinance and in accordance with Section 512.1 of the Pennsylvania Municipalities Planning Code (MPC). Said change may be granted only when the literal compliance with mandatory provisions of this Ordinance is demonstrated by the developer to be unreasonable, to cause undue hardship, or when an alternative standard can be demonstrated to provide equal or better results.

Module: A proposal, reviewed by the Pennsylvania Department of Environmental Protection, to provide sewage disposal for a property, a development plan, an individual on-lot septic system, or a subdivision when such proposal involves a public or community sewer system.

Monument: A permanent precise indication, established by a Registered Land Surveyor, of points at changes of direction in the boundary of a subdivision or land development plan, or at points of change of direction in street rights-of-way within or on the boundary of the plan.

Monumentation, Control: The placement of permanent markers constructed of concrete or metal at key locations in the ground, including tract corners, right-of-way centerline, offsets, and lot boundary lines.

Mountable Curb or "Cape Cod Berm": A low curb with an obtuse slope.

MPC: The Pennsylvania Municipalities Planning Code, Act 247 of 1968, 53P.S. 10101 et seq., and as amended.

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

On-Site Sewage Disposal or Water Supply: An independent utility system designed to accommodate only the property on which it is located and approved by the Pennsylvania Department of Environmental Protection.

Owner of Record: The individual or corporation whose name appears on the

records of the Butler County Recorder of Deeds as the current owner of a property.

Party Wall: A common wall separating two residential or two nonresidential units.

PennDOT.: The Pennsylvania Department of Transportation

Pennsylvania Municipalities Planning Code: see "MPC"

Perc Test: see "Soil Percolation Test."

Performance Guarantee: Any security that may be accepted by the local municipality or Butler County as a guarantee that improvements required as part of an application for subdivision development approval are satisfactorily completed.

Plan or Plat: The map design or drawing of a subdivision, mobile home or recreational vehicle park and/or land development, whether preliminary or final.

Plan, Final (Also Final Plat or Final Land Development Plan): The documentation presented by an owner/applicant to the County for consideration under the terms of these regulations following which recordation and issuance of required local, Commonwealth or federal permits and approvals are secured.

Plan, Preliminary: The documentation presented by an owner/applicant to the County in support of a subdivision or land development plan for preliminary consideration under the terms of these regulations where required public improvements are proposed.

Plan Sketch: An informal plan which indicates salient existing features of a subdivision, mobile home or recreational vehicle park or land development, and its surroundings, along with the general layout of what is proposed on-site. A sketch plan shall not be considered a formal application.

Plan, Soil, Erosion and Sedimentation: A map, design or drawing showing all steps proposed for controlling erosion and sedimentation during construction. Plan shall include all steps, including scheduling to assure erosion and sedimentation control during all phases of construction, including final stabilization, surface treatment and materials to be used.

Planned Residential Development: An area of land, controlled by one landowner, to be developed as a single entity for a number of dwelling units, or a combination of residential and non-residential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling, or use, density, or intensity, lot coverage and required open space to the regulations established in any one district created, from time to time, under the provisions of a municipal zoning

ordinance.

Planning Commission: The Butler County Planning Commission, of Butler County, Pennsylvania.

Plat: see "Plan".

Preservation or Protection: When used in connection with natural or historic resources, shall include a means to conserve and safeguard these resources from wasteful or destructive use, but shall not be interpreted to authorize the unreasonable restriction of forestry, mining or other lawful uses of natural resources.

Prime Agricultural Land: Land used for agricultural purposes that contains soils of the first, second or third class as defined by the United States Department of Agriculture Natural Resource and Conservation Services County Soil Survey.

Private Improvements: Any one of the following improvements for which a plan must comply with the minimum requirements of this Ordinance or with the conditions of approval of a final plan, mobile home or recreational vehicle park plan or land development: roads, streets, drives, lanes, walkways, parking areas, gutters, curbs, water lines, sewers, stormwater management facilities, landscaping or other facilities to be owned, maintained or operated by a private entity, such as an individual, corporation, or homeowner's association, including temporary erosion and sedimentation control or stormwater management control methods undertaken during construction.

Professional Consultants: Persons who provide expert or professional advice, including, but not limited to, architects, attorneys, certified public accountants, engineers, geologists, land surveyors, landscape architects or planners.

Profile: A vertical cut along the centerline of a street or utility line indicating the vertical alignment, with the vertical dimension often exaggerated at a maximum five to one (5:1) ratio to clarify the relation between horizontal and vertical measurements.

Property Line: The boundary line surrounding a property, lot or parcel, or any portion of such line described by bearings and distances.

Public: Owned, operated and controlled by a government agency including, federal, state or local.

Public Grounds: Includes:

(1) parks, playgrounds, trails, paths and other recreational areas and public

areas;

(2) sites for schools, sewage treatment, refuse, disposal, and other publicly owned or operated facilities;

(3) publicly owned or operated scenic and historic sites.

Public Hearing: A formal meeting held pursuant to public notice by the Butler County Board of Commissioners or the Butler County Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with the MPC.

Public Improvements: All roads, streets, lanes, drives, walkways, gutters, curbs, water lines, sewers, stormwater management facilities, landscaping, and other facilities to be dedicated to or maintained by a public entity.

Public Meeting: A forum held pursuant to notice under the Act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act" 65 PA C.S. CH. 7 (Relating to Open Meetings).

Public Notice: A notice published once each week for two consecutive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing. (MPC)

Public Sanitary Sewer: A system operated by a public authority or authorities appointed by a municipality or group of municipalities served by the system, with power to issue revenue bonds, construct such systems, and operate them, as well as extensions built by others but dedicated to the authority to operate.

Public Street: A right-of-way dedication for public vehicular use which has been accepted for maintenance by the local municipality or the Commonwealth of Pennsylvania.

Public Water System: A system which provides water to the public for human consumption which has at least two (2) service connections or regularly serves two (2) users whether residential or nonresidential daily at least sixty (60) days out of the year. The term includes collection, treatment, storage and distribution facilities under control of the operator of the system and used in connection with the system. The term also includes wells or pretreatment storage facilities not under control of the operator which are used in connection with the system, and may include a system which provides water for bottling or bulk hauling for human

consumption. Water for human consumption includes water that is used for drinking, bathing and showering, cooking, dishwashing or maintaining oral hygiene.

Recording: The act of registering with the Butler County Recorder of Deeds a subdivision or land development plan which has received final approval by the County.

Recording Documents: The final approved land development plan or subdivision plat with the Butler County recorded instrument number, and any restrictive covenants, rights-of-way or easements that are recorded by the owner/applicant after which he may commence development but only in compliance with such recorded plan, and the securing of all required permits and the posting of required surety.

Redivision (Lot Consolidation): The rearranging of property lines or the combining of several properties into one or more new properties.

Restrictive Covenant: A recorded private agreement legally binding successor owners of a property to certain conditions regarding use of the property stipulated by the original owner, such stipulations being more restrictive than these or other municipal or Commonwealth regulations, and enforceable for a set number of years after recording.

Retaining Wall: A wall at least four feet (4') high on its exposed side designed by a Registered Professional Engineer to contain the thrust of an earth embankment behind it.

Regulatory Flood Elevation: The one hundred (100) year flood elevation, plus a freeboard safety factor of one and a half (1 1/2) feet.

Report: Any letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant other than a solicitor to any other body, board, officer or consultant for the purpose of assisting the recipient of such report in the rendering of any decision or determination.

Reserve Strip: A narrow parcel of ground with inadequate area for building purposes which separates a street right-of-way or proposed street right-of-way from adjacent properties.

Right-of-Way: Land dedicated or reserved and shown on a subdivision or land development plan for use as a public or private street, private drive, alley or crosswalk, which may also be used by sewer, water, storm sewer, electric, gas, telephone, cable system(s) or other special use. The right of way includes the entire area reserved or dedicated for the intended use.

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

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

Service Road: A street which is generally parallel to a collector or arterial street which provides access to abutting residential or commercial properties and protection from through traffic.

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

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

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

Slope: The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon.

Soil Percolation (Perc) Test: A method of determining the ability of soil to absorb moisture under certain conditions by measuring the amount of water assimilated by the soil in inches of drop per time interval, thus indicating the suitability of such soils to be utilized for on-lot individual sewage disposal.

Steep Slope: Land area where the inclination of the land's surface from the horizontal plane is fifteen percent (15%) or greater. Slope is determined from on-site topographic surveys prepared with two foot contour intervals or topography taken from controlled aerial photography at two foot contour intervals.

Storm Drainage System: An arrangement of swales, conduits, underground pipes and/or impoundment basins designed to collect stormwater, control its flow and direct it to a stream or established drainageway.

Stormwater Management: The process of controlling storm water runoff from surfaces to prevent the rapid release of large volumes of water at high velocity that

would damage lower elevation properties through flash flooding, erosion or sediment deposition in accordance with the Pennsylvania Stormwater Management Act 167.

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

- (1) **Arterial (Expressway):** Class of highway facilities devoted entirely to the task of moving large volumes of traffic and performs little or no land service function. It is generally characterized by some degree of access control. Normally, this classification should be reserved for multi-lane divided roads with few, if any, grade intersections.
- (2) **Collector:** Serves the internal traffic movement within the municipality and connects developed areas with the arterial system. They do not accommodate long, through trips and are not continuous for any appreciable length. The collector system is intended to simultaneously supply abutting property with the same degree of land service as a minor street and accommodate local internal traffic movement.
- (3) **Commercial:** Service roads generally leading or connecting with collector streets, whose predominate use is commercial. In function, design and specification, they will be considered a collector street.
- (4) **Local, Minor:** Provides access to immediate, adjacent land.
- (5) **Industrial:** Primarily designed to serve industrial and manufacturing development. These roads will be designed to accommodate extensive truck traffic of all types and shall be considered a collector street.

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

Street, Private: A street, including the entire private right of way which is privately owned and maintained through private agreement and which is intended for private use.

Street, Public: A street, including the entire public right of way which has been dedicated to and accepted by the municipality or which has been devoted to public use by legal mapping, use or other means.

Structure: Any manmade object have an ascertainable stationary location on or in land or water, whether or not affixed to the land. (MPC)

Subdivision: The division or re-division of a lot, tract or parcel of land by any means into two or more lots, tracts or parcels or other divisions of land, including changes in existing lot lines, for the purpose, whether immediate or future, if lease, partition by the court for distribution to heirs or devisee, 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 County or municipal appointed Inspector, at least 90 percent (90%) (based on the cost of the required improvements for which financial security was posted pursuant to Section 509 of the MPC) 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.

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

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

Tangent: A straight line in horizontal or vertical alignment connecting the ends of curves.

Through Traffic: Traffic that is passing through an area but has no origin or destination there.

Title Block: A box on a drawing containing specific information relative to a subdivision or land development required for review of the proposal.

Topographic Map: A map delineating by contours the surface elevations of a land area.

Temporary Turnaround: An impermanent circular turnaround at the end of a road which terminates at or near a subdivision boundary bordering undeveloped land and is intended to provide an area for vehicles to maneuver and change the direction of travel.

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

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

Use: The purpose for which land or a building is arranged, designed, or intended, or for which either land or a building is or may be occupied or maintained.

Utility Plan: A plan to show all existing and proposed fire hydrants, water and sewer lines, storm sewer lines, gas and electric lines, cable television facilities, street lighting, telephone lines or any other service lines serving individual lots or public facilities.

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

Water Development Impact Study: A technical report which identifies sources and quantities of groundwater available for use by consumers in a residential or nonresidential development.

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

Water Survey: An inventory of the source, quantity, yield and use of ground water and surface water resources within Butler County.

Wetland: Any ground area meeting the criteria of appropriate state or federal agencies to be a wetland.

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

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

Yard, Front: An open space between the front lot line and the building line and extending for the full width of the lot.

Yard, Rear: An open space between the rear lot line and the building line, and extending for the full width of the lot.

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

ARTICLE III

ADMINISTRATION

Section 301. Responsibility and Liability

The provisions of this Ordinance are designed to establish standards which, when consistently enforced, will achieve the purposes cited in Section 102 of this Ordinance. The degree of protection sought by the conditions and requirements of this Ordinance for the present and future residents and land owners within Butler County is considered reasonable for regulatory purposes. This Ordinance in no way implies that compliance with the minimum requirements for subdivisions, land developments, mobile home parks and recreational vehicle parks will render such subdivisions, land developments or mobile home/recreational vehicle parks free from inconveniences, conflicts, dangers and damages. Therefore, this Ordinance shall not create liability on the part of the individual members of the Butler County Planning Commission, or any officer, official, appointee or employee of Butler County or the Butler County Planning Commission for any damages that may result from reliance on this Ordinance or any administrative decision lawfully made thereunder.

Section 302. Effective Date and Repealer

This Ordinance shall become effective on _____ ____, 2012 and shall remain effective until amended, modified or rescinded by the Butler County Board of Commissioners. This Ordinance shall supersede and replace all other conflicting regulations enacted by Butler County previous to the approval date of this ordinance. No applicable subdivision, land development, mobile home park or recreational vehicle park shall occur in Butler County except in compliance with the provisions of this Ordinance. Compliance with the Butler County Subdivision and Land Development Ordinance does not release any party from compliance with any other applicable local, County, State or Federal laws, rules or regulations.

Section 303. Compliance Required

No subdivision or land development of any lot, tract or parcel of land shall be made, no mobile home park shall be initiated or altered (See Article V), no street, sanitary sewer, storm sewer, water main or other improvements in connection herewith 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 Subdivision and Land Development

Ordinance.

Section 304. Modifications and Waivers to Ordinance

304.1 The Butler County Planning Commission may grant a modification or a waiver of one or more of the requirements, criteria or standards contained in this Ordinance for the following reasons, provided that such modification or waiver will not be contrary to the public interest and that the purposes (Section 102) of this Ordinance are observed:

304.1.1 Hardship: The literal enforcement of one or more requirements in this Ordinance will cause undue hardship because of peculiar conditions pertaining to the land in question and the modification or waiver is the minimum necessary to afford relief. Financial hardship is not and will not be considered a hardship. The burden of the proof of hardship lies solely on the applicant/developer and must be demonstrated to the satisfaction of the Butler County Planning Commission before a modification or waiver due to hardship is granted; or

304.1.2 Alternative: An alternative standard can be demonstrated to the satisfaction of the Butler County Planning Commission, with input from the County or Municipal Engineer, where required, which shall result in equal or better results.

304.2 The Butler County Planning Commission has the authority to impose conditions, when granting a modification or waiver, to ensure that the public interest is preserved and the intent and purpose of this Ordinance is observed.

304.3 A request for a waiver or modification shall be submitted by the applicant/developer in writing to the Butler County Planning Commission along with the applicant/developer's initial plan submission and shall be considered part of the plan.

304.3.1 The request shall clearly state in full the grounds and facts the hardship or evidence of equal or better result on which the request is based, and the provision or provisions of this Ordinance which is/are applicable in this situation and the minimum modification necessary for remedy.

304.4 The Butler County Planning Commission shall, by written letter, notify the applicant/developer of a grant or denial of a modification or waiver, setting forth the findings which justified the Commission's decision. Said letter shall be postmarked no later than ten (10) working days following the date the Butler County Planning Commission reviewed at a regular or special meeting the developer's request for a modification or waiver. The Commission, when granting approval for a modification or waiver, shall authorize only the minimum modification or waiver necessary which will afford relief.

304.5 The Butler County Planning Commission shall keep a written record of all action on requests for modifications or waivers, and any conditions imposed.

Section 305. Interpretation of Ordinance

When interpreting and applying the Butler County Subdivision and Land Development Ordinance, the provisions contained herein shall be considered minimum requirements - adopted for the promotion of health, safety and general welfare of the public.

Section 306. Conflict

306.1 Where any requirement, provision or standard of the Butler County Subdivision and Land Development Ordinance conflicts with any other ordinance, rule or regulation or other provision of law, of the municipality in which the land proposed for subdivision or land development is located, or Butler County, the Commonwealth of Pennsylvania or Federal statutes, then the most restrictive provision or that provision imposing the highest standards shall govern.

306.2 Where any requirement of the Butler County Subdivision and Land Development Ordinance conflicts with the provisions of deed restrictions, covenants or other private agreements, or with restrictive covenants running with the land to which Butler County is a party, then the most restrictive requirement, or that requirement imposing the highest standard shall govern. In the case of private deed restrictions or covenants where Butler County is not a party to such agreements or provisions, the enforcement of such restrictions or covenants shall be the responsibility of the private parties.

Section 307. Amendments to Ordinance

307.1 The Butler County Board of Commissioners may amend this Ordinance by appropriate action taken after a Public Hearing held pursuant to a Public Notice which Public Notice shall include a brief summary setting forth the principal provisions of the proposed amendment and a reference to the place within Butler County where copies of the proposed amendment may be obtained or examined without charge.

307.2 The Butler County Planning Commission shall publish the proposed amendment once in a newspaper of general circulation in Butler County not more than sixty (60) days nor less than seven (7) days prior to passage. Publication shall include notice of the time and place of the Public Hearing at which passage shall be considered and shall include either the full text of the amendment or the title and a brief summary prepared by the County Solicitor and setting forth all the provisions in reasonable detail.

307.2.1 If the full text is not included, then a copy thereof shall be supplied to the newspaper at the time the Public Notice is published. Also, an attested copy of the proposed Ordinance shall be filed in the Butler County Law Library or another office so designated by the Board of Butler County Commissioners, following adoption. A fee may be imposed no greater than that necessary to cover the actual costs of storing said Ordinances.

307.3 The amendment, upon adoption, may be incorporated into the official Butler County Subdivision and Land Development Ordinance by reference or insertion into the existing text with the same force and effect as if duly recorded therein.

Section 308. Recordkeeping

The Butler County Planning Commission shall maintain an accurate public record of all plans upon which it takes action and of its findings, decisions and recommendations in relation thereto.

Section 309. Validity of Ordinance

Should any section or provision of this Ordinance be declared by a court of

competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance, as a whole, or any individual part thereof.

Section 310. Signing Plans

The staff of the Butler County Planning Commission shall also have the authority to sign favorably reviewed Plans which fall under the jurisdiction of a municipal subdivision and land development ordinance, should they arrive after the regular Planning Commission meeting in which they appeared on the agenda. The staff person signing the name of the Chairman or Secretary shall subscript their initials following the signature.

Section 311. Fee to Accompany Application for Review and Approval of Plans

- 311.1** All applications of plans of subdivision and plans of land development, submitted to the Butler County Planning Commission, shall be accompanied by an application fee, in accordance with a schedule of fees and charges, established, and adopted by resolution of the Butler County Commissioners. Such fee will be used to help defray any costs that may be incurred by the County in viewing and inspecting the site of the subdivision or land development, and the costs of professional consultants in the review of the application data and the plans submitted relative to the same.
- 311.2** The schedule of fees and charges established or to be established shall vary, and be regulated in accordance with the scope and complexity of the plan of subdivision and/or land development project, including, but not limited to:
- 311.2.1** Number of parcels or lots in plan,
 - 311.2.2** Site development plans,
 - 311.2.3** Utility development plans,
 - 311.2.4** Applicant's plan of construction and development of the land, structures and facilities thereon, and appurtenant thereto, and
 - 311.2.5** The number of times that a revised plan is submitted or resubmitted by the applicant for review by the professional consultant and a

request for approval of the same.

- 311.3** Where a plan of subdivision or land development has for any reason been rejected by the Butler County Planning Commission, the applicant, when resubmitting plans and application for review and approval of the same, shall be required to pay a fee as set forth in Butler County's schedule of fees and charges for such submittals.
- 311.4** All fees shall be made payable to the Butler County Treasurer. All fees submitted are nonrefundable, and the approval or rejection for any reason of any plan of subdivision or land development shall not be reason or cause for the return of any fee submitted.
- 311.5** In the event that the Butler County Planning Commission deems that a professional consultant is needed for input on an application submitted, the Butler County Planning Commission shall submit to the applicant an itemized bill showing work performed, identifying the person performing the services and the time and date spent for each task. Nothing in this subparagraph shall prohibit interim itemized billing or municipal or County escrow or other security requirements. In the event the applicant disputes the amount of any such review fees, the applicant shall, no later than forty-five (45) calendar days after the date of transmittal of the bill to the applicant, notify the County and the County's professional consultant that such fees are disputed, and shall explain the basis of their objections to the fees charged, in which case the Butler County Planning Commission shall not delay or disapprove a subdivision or land development application due to the applicant's dispute over fees. Failure of the applicant to dispute a bill within forty-five (45) calendar days shall be a waiver of the applicant's right to arbitration of that bill under Section 510 of the Pennsylvania Municipalities Planning Code, as amended.
- 311.6** In the event that the County's professional consultant and the applicant cannot agree on the amount of review fees which are reasonable and necessary, then the applicant and the County shall follow the procedure for dispute resolution set forth in Section 510 of the Pennsylvania Municipalities Planning Code, as amended, provided that the arbitrator resolving such dispute shall be of the same profession or discipline as the professional consultant whose fees are being disputed.

- 311.7** Subsequent to a decision on an application, the Butler County Planning Commission shall submit to the applicant an itemized bill for review fees, specifically designated as a final bill. The final bill shall include all review fees incurred at least through the date of the decision on the application. If for any reason additional review is required subsequent to the decision, including inspections and other work to satisfy the conditions of the approval, the review fees shall be charged to the applicant as a supplement to the final bill.

Section 312. Reconsideration

Any person aggrieved by a finding or decision or recommendation of the Butler County Planning Commission may present additional relevant information and request reconsideration of the original findings or decision, upon written request, within thirty (30) calendar days of notification of the Planning Commission's decision.

Section 313. Approval Refused

- 313.1** In a case where the Butler County Planning Commission shall refuse to approve any plans submitted to them, in accordance with this Subdivision and Land Development Ordinance, any person aggrieved by the action of the Butler County Planning Commission may, within thirty (30) calendar days after such action, appeal therefrom by petition to the Butler County Court of Common Pleas.
- 313.2** The action of the Butler County Planning Commission or of the Butler County Court of Common Pleas in approving any such plans, and an approved duplicate copy of such plans, shall be recorded by the person applying for such approval in the Office of the Butler County Recorder of Deeds.

Section 314. Mediation Option

The County may offer a mediation option as an aid in completing proceedings authorized by this Ordinance for approval of subdivision or land development plans. The County and all mediating parties shall follow the procedures outlined in Section 908.1 of the Pennsylvania Municipalities Planning Code, as amended.

ARTICLE IV**MINOR SUBDIVISION PLANS OF THREE (3) LOTS OR LESS****Section 401. Procedures**

The Butler County Planning Commission may waive the requirements of Article IV for subdivisions of three (3) lots or less requiring no additional streets or street openings.

In the case where a waiver is secured, an application for final plan approval shall be filed with the Butler County Planning Commission along with the plans and data required in this Article, and shall be processed according to the provisions of Article V, Section 504 for final plans, which shall be reviewed as per the provisions of this Article.

Section 402. Plans and Data

Plans reviewed as waived under Section 401 of this Article shall include, but not be limited to the following information:

402.1 The proposed plan shall be drawn at a scale of one inch equals one hundred feet (1" = 100') or greater.

402.2 The proposed plan shall be legibly drawn on mylar, linen or comparable permanent material of at least twenty-four inches by thirty inches (24" x 30"), including a border of one-half inch (1/2") on all sides, except the binding edge which shall be one inch (1").

402.3 Location map.

402.4 The plan shall show or be accompanied by the following:

402.4.1 Description of covenants;

402.4.2 Title to include:

- i. Location by municipality, county and state.
- ii. Names and addresses of the owner or owners.

- iii. Name and seal of Registered Professional Engineer or Registered Surveyor who surveyed the property and/or prepared the plan.
- iv. North point, date and graphic scale.

402.4.3 Proposed use of the land;

402.4.4 Lot lines, dimensions and land area of proposed lots;

402.4.5 Existing and proposed streets, alleys and/or easements adjacent to the tract;

402.4.6 Available utilities (if public sewer and water, source and sewage disposal system should be indicated);

402.4.7 Names of abutting property owners and county tax parcel ID numbers;

402.4.8 PennDOT Highway Occupancy Permit referenced on the plan, including date of issuance, or a copy of municipal driveway permit, where required, shall be submitted with the local building permit application;

402.4.9 Statement by the owner dedicating streets, rights-of-way, and sites for public use, where applicable; and

402.4.10 Copy of the Department of Environmental Protection planning module, approved and signed.

402.4.11 Such other certificates, affidavits, endorsements or dedications as may be required in the enforcement of this Ordinance.

402.4.12 Topo at 5' contour intervals shown on the subject lots;

402.4.13 The following additional data shall be submitted upon request by the Butler County Planning Commission:

- i. Subsurface and drainage conditions of the tract including, but not limited to, the identification of areas previously mined, and soil classifications of the area proposed to be disturbed or developed
- ii. Any other data pertinent to the plan.

Section 403. Resubdividing or Replatting

In the combination, recombination or consolidation of lots or portions of previously platted lots, when the resultant lots are increased in street frontage and total area size so that they reach or exceed the standards of this Ordinance, and the street pattern is in conformity to the Municipal or County Comprehensive Plan, the procedures and regulations in this Article shall apply where three (3) lots or less are involved.

Section 404. Review Procedures

- 404.1** The Planning Commission shall review plans in accordance with generally accepted planning practice and shall provide a written report to the host municipality within thirty (30) days of the date the plan was received by the County. This report shall include comments and/or suggestions to the municipality pertaining to perceived deficiencies or irregularities in the submitted materials, and a note shall be placed on the mylar state that a copy of the correspondence to the municipality is on file at the Butler County Planning Commission office. Whether or not to act upon these comments or suggestions shall be the responsibility of the municipality having jurisdiction.
- 404.2** The Pennsylvania Municipalities Planning Code allows for a public hearing to be held for an application or subdivision review. If the Planning Commission decides that a public hearing is necessary, it may arrange for same. If a hearing is scheduled, public notice shall be given consistent with the provisions of the Pennsylvania Municipalities Planning Code, Article I, Section 1067, Definitions.
- 404.3** The Butler County Planning Commission staff shall have the authority to review lot line revisions, and minor subdivisions of three (3) lots or less including the remnant. Planning Commission members shall have thirty (30) days from the date a Plan has been received by the Planning Commission office to review said plan and make comments. Once review has been completed by staff and a copy of the review letter has been forwarded to the host municipality, the staff shall have the authority to sign the mylar of said Plan when in compliance with the Butler County Subdivision and Land Development Ordinance. The staff person signing the name of the Chairman or Secretary shall subscript their initials following the signature. Plans reviewed in this

fashion shall appear on the regularly monthly Planning Commission meeting agenda immediately following the date the Plan was received. Plans that propose new rights-of-way or are considered Major Subdivisions or Land Developments must be reviewed by the Butler County Planning Commission Members at their regularly scheduled monthly meetings.

Section 405. Recording

- 405.1** The affixing of the signatures of Butler County Planning Commission and others as required by Article IV shall render the subdivision plan and plat application ready for recording.
- 405.2** Upon the approval of a subdivision plan and plat, the developer shall within ninety (90) calendar days of such final approval, or ninety days (90) calendar after the date of delivery of an approved subdivision plan and plat signed by the Butler County Planning Commission, following completion of conditions imposed for such approval, whichever is later, record such subdivision plan and plat in the Office of the Recorder of Deeds of Butler County. Whenever such subdivision plan and plat approval is required by the municipality, the Recorder of Deeds of Butler County shall not accept any subdivision plan and plat for recording, unless such subdivision plan and plat officially notes the approval of the Butler County Planning Commission. (See also Section 506)

ARTICLE V**MAJOR SUBDIVISION PLANS OF FOUR (4) LOTS OR MORE****Section 501. Pre-Application Procedures / Sketch Plan**

- 501.1** Applicants are encouraged to discuss proposed subdivisions lot consolidations and lot line revisions, with the Butler County Planning Commission prior to the submittal of a Preliminary or Final Plan. The purpose of this meeting is for the Planning Commission to clarify the process and provide assistance to the applicant. This discussion may eliminate future practical or legal problems and may assure that the proposed Plan is developed in accordance with this Ordinance. To discuss the proposed Plan with the Planning Commission, applicants must contact the Butler County Planning Commission Subdivision Manager and request to be placed on the agenda for a regularly scheduled meeting of the Planning Commission, where on which date and time the proposed Plan will be reviewed with the applicant, and comments offered.
- 501.2** Applicants are encouraged to discuss proposed subdivisions with PennDOT, local municipal officials, the Butler County Conservation District and utility companies, as applicable.
- 501.3** Discussion of, and the preparation of Plans and information for a Pre-Application Sketch Plan does NOT constitute a filing of either a Preliminary or Final Plan. The Sketch Plan discussions are intended to be advisory only and shall not bind Butler County to commence a formal review or to approve any proposed plan.
- 501.4** Applicants shall present all information and data, as required by this Ordinance, for review and discussion with the Butler County Planning Commission. The Planning Commission shall indicate the general suitability of the proposed plan and shall consider the following: the local municipality's future land use projections, transportation and circulation plan, community facilities plan, public utilities plan, and any other adopted plans, proposed streets, recreation areas, stormwater management, and zoning district designations, where applicable.
- 501.5** Consideration shall also be given to possible hazards to health, safety

and welfare. Land shall not be approved for subdivision until such hazards are addressed. Land subject to flooding, slides due to soil type, steep slopes or excavation, excessive erosion, improper drainage, mine subsidence problems, or land unsuited for on-site sewage disposal shall be deemed hazardous to an extent which requires a specific demonstration of measures to remove the identified hazard producing condition.

501.6 Submission of the following information is recommended:

- 501.6.1** General Information: The location, access and zoning designation (where applicable) of the subject parcel, a general description of existing covenants, land characteristics, the availability of community facilities and public utilities. Also, information relating to the proposed subdivision, such as the number of lots, typical lot width, depth, and area, commercial areas, playgrounds, park areas, other public areas, proposed protective covenants, proposed utility line extensions, and road and street improvements needed or proposed.
- 501.6.2** Topographic Map: Existing U.S.G.S. Quadrangle Sheet or other acceptable map in sufficient detail to show topographic features and contours of the site at a minimum of twenty foot (20') contour intervals or as otherwise specified.
- 501.6.3** Sketch Plan: A simple sketch of the tract boundaries, proposed layout of streets, lots, easements, significant topographic modifications contemplated, and other features in relation to existing conditions.
- 501.6.4** Timing: A projected timetable for development of the project, including the anticipated schedule of project phasing, where applicable.

Section 502. Preliminary Plans

- 502.1** Application: The applicant shall prepare and submit to the Butler County Planning Commission, by delivery to the Subdivision Manager at least seven (7) calendar days prior to the regular monthly meeting of the Planning Commission, one (1) copy of the preliminary plans of the total land to be ultimately subdivided and recorded, accompanied by the required application fee. Upon receipt of the plan, the Subdivision Manager shall review the application for

completeness. All required actions on an application for preliminary approval shall be completed within ninety (90) calendar days of the date of the first Butler County Planning Commission meeting the application was reviewed unless an extension of time has been agreed to by the Planning Commission, at the request of the applicant.

502.2 Butler County Planning Commission Review: In order to expedite the review and approval process, the Planning Commission may, at its discretion, combine the preliminary and final plan application requirements where the subdivision plan involves no required public improvements. The Planning Commission shall review the plan submitted using the applicable provisions of this Ordinance point by point, and shall rely on the County Engineer's comments and other professional consultants as deemed necessary. The applicant shall be responsible for all costs for the County Engineer's review and for other professional consultant's fees as deemed necessary by the County.

502.3 Butler County Planning Commission Action: The Planning Commission shall act on the preliminary plan within ninety (90) calendar days of the date of the first Planning Commission review stating its approval, denial or approval with conditions, giving reasons for each, and shall notify the applicant in writing within fifteen (15) calendar days of their decision. If approved or conditionally approved, the applicant shall address any comments provided.

502.4 Nature of Approval: Approval of a preliminary/final plan shall constitute approval of a final plan, and an expression of approval of the layout submitted on the preliminary/final plan as a template for recording of the final plan and construction of required improvements.

Section 503. Plans and Data - Preliminary

All applications for preliminary plan approval submitted to the Butler County Planning Commission shall include, but not be limited to the following information.

503.1 The preliminary plan shall be drawn at a scale of one inch equals one hundred feet (1" = 100') or greater detail.

503.2 Adjacent land uses shall be shown for the subject property and adjacent land areas.

503.3 A location map shall be included which relates the development site to contiguous communities, highway systems and other significant developments.

503.4 The plan shall show or be accompanied by the following:

503.4.1 Draft of protective covenants or deed restrictions, if any.

503.4.2 Title to include:

- i. Name by which the subdivision will be recorded.
- ii. Location by municipality, county and state.
- iii. Names and addresses of the owner or owners, and county parcel ID number.
- iv. Name and seal of the Registered Professional Engineer who prepared the plan and the Registered Professional Surveyor who surveyed the property.
- v. North point, date and graphic scale.

503.5 Tract boundaries with bearings, distances, dimensions and area in acres.

503.6 Existing or recorded easements, with their Butler County recorded instrument number, their location, width and distance.

503.7 Tract closures with an accuracy of 1:10,000.

503.8 Contours at vertical intervals of two feet (2') for land areas with slope of ten percent (10%) or less, and at five foot (5') intervals for land areas with a slope of greater than ten percent (10%). Contour lines must extend one hundred feet (100') on all sides of the tract boundaries.

503.9 Datum to which contour elevations refer.

503.10 Bench marks.

503.11 Existing physical features to include:

503.11.1 Watercourses, culverts, bridges and drainage courses.

503.11.2 Buildings, sanitary sewers, stormwater management facilities,

water mains and fire hydrants, water wells and on-lot septic systems.

503.11.3 Streets and alleys on or adjacent to the tract, including name, right-of-way widths and cartway widths.

503.11.4 Telephone conduit line, electric power transmission lines, petroleum product lines and other significant manmade features.

503.12 Proposed improvement information shall include (in scale dimensions):

503.12.1 Location, name and width of all proposed streets and alleys and paved cartways.

503.12.2 All public or private rights-of-way and easement dimensions and the purposes for which they are to be established including maintenance responsibilities and rights of ingress and egress, where applicable.

503.12.3 Lot lines of all parcels.

503.12.4 Building setback lines and required yards.

503.12.5 Reservations of ground for public or common use.

503.12.6 General drainage plan for stormwater and stormwater retention to include proposed flow of stormwater in relation to natural channels and erosion and sedimentation controls. A copy of the stormwater management plan shall be submitted to the local municipality as per Act 167.

503.12.7 A plan of the proposed public water distribution system or a plan showing the locations of individual wells.

503.12.8 A plan of the proposed sanitary sewerage system or a plan, where required, showing the proposed location and type of on-lot sewage disposal facilities. This plan shall be in accordance with the "Pennsylvania Sewage Facilities Act" (Act 537), as amended.

503.12.9 Proposed land use of the improvements.

- 503.12.10** Names, addresses and county parcel ID number of abutting property owners.
- 503.12.11** Where the preliminary/final plan covers only a part of the applicant's entire holding, a sketch shall be submitted of the prospective street layout of the remainder of the land if not included on the initial submittal drawings.
- 503.12.12** Certification and signature blocks shall be provided for property owners, governing and planning bodies.
- 503.13** The applicant shall provide such additional information as may be required by the Butler County Planning Commission, County Engineer, or other County agency or organization in order to more fully evaluate the proposed subdivision and its effect on adjacent property in the municipality as a whole. Such information may include:
- 503.13.1** Street profiles showing existing ground elevations and proposed centerline street grades.
- 503.13.2** Boundaries of jurisdictional wetlands and subsurface condition of the tract.
- 503.13.3** Typical cross-sections of driveways, roadways and sidewalks.
- 503.13.4** Sizes of water pipes and location of valves and fire hydrants.
- 503.13.5** Location of manholes, invert elevations, grades and sizes of sanitary sewers.
- 503.13.6** If the proposed subdivision, or part thereof, is located in a designated floodplain, base flood elevation data shall be contained in the plan.
- 503.13.7** Information requested to be submitted by the host municipality and conveyed to the Butler County Planning Commission, in writing.

Section 504. Final Plans

- 504.1** An application for approval of a final plan may be filed with the Butler County Planning coincidentally with the filing of a preliminary plan where no required public improvements are proposed. Otherwise separate preliminary and final applications shall be filed. In addition,

the Planning Commission may exempt the requirement for a preliminary submittal provided that the subdivision contains three (3) lots or less, involves no new street construction or changes in existing streets, complies with all the requirements for final plans and includes information required by this Ordinance. (See also Article IX)

504.2 Application: When filing an application for approval of a final plan, the applicant shall submit to the Subdivision Manager, at the Butler County Planning Commission offices in the Butler County Government Center, Butler, Pennsylvania, at least seven (7) calendar days prior to the regular meeting of the Planning Commission, one copy of all required plans and information.

504.3 Butler County Planning Commission Review and Action: The Planning Commission shall review the final plan and take action to approve, deny or approve with conditions, with specific reasons for the action. Consideration of the final plan shall be conducted at a regularly scheduled meeting of the Butler County Planning Commission. In order for a Complete Plan to be reviewed at the next, regularly scheduled meeting of the Butler County Planning Commission, the Plan must be received no later than 4:30 pm on the date seven (7) days prior to the date of the Planning Commission meeting. If this day should fall on a County observed holiday, then the deadline for Plan submittal shall then be 4:30 pm on the preceding County work day, eight (8) or more days before the regularly scheduled meeting.

504.3.1 The Butler County Planning Commission staff shall conduct an application review prior to the regularly scheduled Planning Commission meeting of each month. This review shall be for completeness of plan submittals. Any Plan falling under the jurisdiction of the Butler County Subdivision and Land Development Ordinance which is found to be lacking information as required for preliminary as well as final approval shall be considered as NOT filed until all required information is received.

504.3.2 Planning Commission staff will attempt to contact the Applicant to communicate deficiencies in the Plan submittal which could be corrected or supplemented prior to the next regularly scheduled meeting of the Planning Commission. Failure to

correct the noted deficiencies prior to the next regularly scheduled meeting will result in the Plan being considered as NOT filed and the formal ninety (90) day review period shall not commence.

- 504.4** The Butler County Planning Commission shall render its decision on the final plan and communicate its decision to the applicant not later than ninety (90) calendar days following the date of the regular meeting of the Planning Commission next following the date the application is filed.
- 504.4.1** The decision of the Planning Commission shall be in writing and shall be communicated to the applicant personally or mailed to him, at his last known address not later than fifteen (15) calendar days following the decision.
- 504.4.2** When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements that have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon.
- 504.4.3** Failure of Butler County Planning Commission to render a decision and communicate it to the applicant within the time and in the manner specified shall be deemed an approval of the application, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.
- 504.4.4** From the time an application for approval of a final plan is duly filed as provided in this Ordinance, and while such application is pending approval or denial, no change or amendment of municipal or County governing ordinances or standards shall affect the decision on such application adversely to the applicant, and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or standards as they stood at the time the application was duly filed. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in government regulations.

- 504.4.5** When an application for approval of a final plan, has been approved without conditions or approved by the applicant's acceptance of conditions, no subsequent change or amendment in the municipal or County governing ordinances or standards shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five years from the date of such approval. The five-year period shall be extended for the duration of any litigation, including appeals, which prevent the commencement or completion of the development, and for the duration of any sewer or utility moratorium or prohibition which was imposed subsequent to the filing of an application for final approval of a plan. In the event of an appeal filed by any party from the approval or denial of a plan, the five-year period shall be extended by the total time from the date the appeal was filed until a final order in such matter has been entered and all appeals have been concluded and any period for filing appeals or requests for reconsideration have expired. Provided, however, no extension shall be based upon any water or sewer moratorium which was in effect as of the date of the filing of a preliminary/final application.
- 504.4.6** When final approval is preceded by preliminary approval, the five (5) year period shall be counted from the date of the preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of the governing ordinances or plans as they stood at the time when the application for such approval was duly filed.
- 504.4.7** Before acting on any subdivision plan, Butler County Planning Commission may hold a public hearing thereon, after public notice, and shall notify adjacent property owners of such public hearing, if scheduled.
- 504.4.8** The Butler County Planning Commission may condition their final approval on a final plan upon approval of the required planning modules as specified by the Pennsylvania Department of Environmental Protection.

- 504.5** Nature of Approval: Approval of a final plan shall not constitute authorization to commence construction. Prior to construction start, all necessary municipal permits, approvals, agreements and sureties must be secured by the developer.
- 504.6** Title Certificate: No final plan shall be approved by the Butler County Planning Commission unless a certificate of title or other proof of a proprietary interest in the land on the part of the applicant is furnished, and required signatures, acknowledgements and certifications are provided.

Section 505. Plans and Data

All applications for final plan approval shall include, but not be limited to, the following information:

- 505.1** Shall be drawn on mylar or other comparable permanent and reproducible material, and shall be on sheets of at least twenty-four inches by thirty-six inches (24" x 36"), including a border of one-half inch (1/2") on all sides, except the binding edge which shall be one inch (1"). More than one (1) sheet may be used for larger tracts and must be of the same scale and indexed, and provide space for required signatures, acknowledgements, and certifications.
- 505.2** Shall be drawn with waterproof black ink, and all records, data, entries and statements thereon shall also be made with the same type of ink or reproducible typing, except that contour lines, when shown, shall be drawn with waterproof brown ink or with diluted waterproof black ink, so that the said contour lines will be shown faintly on a print made from the said plan.
- 505.3** Shall be drawn to a scale of one inch equals one hundred feet (1" = 100') or greater and shall be of sufficient size to clearly show all notations, dimensions and entries. All dimensions shall be shown in feet and decimals of a foot.
- 505.4** Shall contain a title block in the lower right corner with the following:
- 505.4.1** Name under which the subdivision is to be recorded;
 - 505.4.2** Date of plan, graphic scale and location of subdivision;
 - 505.4.3** Name of subdivision owner; and

- 505.4.4** Name, seal and address of the Registered Professional Engineer or Registered Professional Land Surveyor preparing the plan.
- 505.5** All final plans submitted shall be drawn according the following:
- 505.5.1** Streets and other ways by heavy solid lines;
 - 505.5.2** Perimeter property lines of subdivision by heavy dashed and two (2) dotted lines;
 - 505.5.3** Lot lines by medium solid lines;
 - 505.5.4** Restriction of building lines by medium dashed lines; and
 - 505.5.5** Easements or other reserved areas by light dotted lines.
- 505.6** The final plan shall show:
- 505.6.1** Primary control points or benchmarks approved by the Municipal or County Engineer, or description and ties to which all dimension, angles, bearings, and similar data shall be referred, including tract closure computations with an accuracy of 1:10,000 for each lot proposed, plus any residual tract parcel or lot, sealed by a Professional Land Surveyor;
 - 505.6.2** Acreage of each lot or parcel;
 - 505.6.3** Tract boundary lines, right-of-way lines of streets, easements and their purpose, and other rights-of-way and property lines of lots and other sites with accurate dimensions, bearing or deflection angles, radii, arcs and central angles of all curves;
 - 505.6.4** Name and right-of-way width of each street or road right-of-way;
 - 505.6.5** Location, dimensions and purpose of all easements;
 - 505.6.6** Number to identify each lot or site;
 - 505.6.7** Purpose for which sites other than residential are to be used;
 - 505.6.8** Building setback line on all lots and sites (where applicable);

- 505.6.9** Location and description of survey monuments;
 - 505.6.10** Names of recorded owners of adjoining land and land use;
 - 505.6.11** Certification of Registered Professional Surveyor or Registered Professional Engineer showing name, address, registration number and seal;
 - 505.6.12** Statement by the owner dedicating streets, rights-of-way, and sites for public use and a signature block for the local municipality's acceptance or denial of such dedication;
 - 505.6.13** Protective covenants or deed restrictions, if any, in form for recording;
 - 505.6.14** Such other certificates, affidavits, endorsements or dedications as may be required in the enforcement of this Ordinance;
 - 505.6.15** Certification, acknowledgements and signatures blocks for the appropriate elected officials and planning agencies; and,
 - 505.6.16** Clear sight triangles and sight distance in both directions at all street intersections.
- 505.7** Submitted with the final plan shall be the following additional information:
- 505.7.1** Plan and profile sheets for all streets with horizontal and vertical alignments and existing centerline profiles along with the location and size of storm sewers inlets, and invert elevations;
 - 505.7.2** Typical cross-sections of roadways and sidewalks;
 - 505.7.3** A plan showing the size and material of water pipes and location of valves and fire hydrants;
 - 505.7.4** A plan showing the location of manholes, invert elevations, grades and sizes of sanitary sewers;
 - 505.7.5** A final grading plan;
 - 505.7.6** A sedimentation and erosion control plan approved by the Butler County Conservation District under authority of the Pennsylvania Department of Environmental Protection rules and regulations, Title 25, Chapter 102, Erosion Control, if needed;

- 505.7.7** A sewage disposal plan approved by the Pennsylvania Department of Environmental Protection pursuant to the "Pennsylvania Sewage Facilities Act," (Act 537), as amended, and all supplemental documentation which may be required to update the municipality's sewage facilities plan required under said Act;
- 505.7.8** A plan for placement of gas, electric, telephone, and cable television service lines, as applicable, pursuant to the rules and regulations of the Pennsylvania Public Utilities Commission;
- 505.7.9** If the proposed subdivision is located in a designated floodplain, base flood elevation data shall be contained on the plan; and
- 505.7.10** A complete drainage and stormwater drainage plan for the subdivision, which includes all storm sewers and appurtenances, along with the method of disposal of all stormwater collected and the method of drainage for adjacent lands in compliance with the Butler County Act 167 County-Wide Stormwater Management Plan of August 18, 2010, and all applicable municipal stormwater management criteria.

Section 506. Recording

- 506.1** The affixing of the signature of the Chairman of the Butler County Planning Commission and others as required by the provisions of this Ordinance shall render the subdivision plan and plat application ready for recording. Upon the approval of a subdivision plan and plat, the developer shall within ninety (90) calendar days of such final approval, or ninety days (90) calendar after the date of delivery of an approved subdivision plan and plat signed by the Butler County Planning Commission, following completion of conditions imposed for such approval, whichever is later, record such subdivision plan and plat in the Office of the Recorder of Deeds of Butler County. Whenever such subdivision plan and plat approval is required by the local municipality, the Recorder of Deeds of Butler County shall not accept any subdivision plan and plat for recording, unless such subdivision plan and plat officially notes the signatures of the

governing body of the local municipality and review or approval by the Butler County Planning Commission.

ARTICLE VI

MOBILE OR MODULAR HOME PARKS AND RV CAMPGROUNDS OR PARKS

Section 601. Mobile Home Parks

601.1 The standards and procedures as prescribed herein shall be applicable to those mobile home parks which are constructed, remodeled, altered or expanded after the effective date of this Ordinance and to any new (as of the adoption date of this Ordinance) construction, remodeling, altering or expansion of those mobile home parks which currently hold Mobile Home Park permits which were issued under the previous Butler County Subdivision and Land Development Ordinance.

601.2 Review and Approval Procedure:

601.2.1 Site Plan: No approval to construct or expand a mobile home park, as required by this Ordinance, shall be granted until such time as a site plan shall be first submitted to the Butler County Planning Commission for review. Such site plan shall indicate existing topographical features of the tract of land proposed for use as a mobile home park or park expansion, its general surroundings, and proximity to both public and private roads, streets and alleys, if any, and a general layout of the proposed mobile home lot sites.

601.2.2 Permits Required: It shall be unlawful for anyone to construct, remodel, alter, operate or extend any mobile home park within the limits of Butler County in a municipality under the jurisdiction of this Butler County Subdivision and Land Development Ordinance unless the owner/operator holds a current Pennsylvania Department of Environmental Protection permit to operate facilities serving parking residents..

- i. Any person expanding a mobile home park by one (1) or more spaces shall make re-application for approval to expand such park in the manner as prescribed in this Ordinance.
- ii. Exempt Mobile Home Parks: A mobile home park involving no more than two (2) mobile homes shall be exempt from the provisions of this Section of the Butler

County Subdivision and Land Development Ordinance provided that:

- A total of no more than three (3) dwelling units (including one standard housing unit and two mobile homes) occupy the lot.
- All lot and yard standards of this Ordinance for standard residential subdivisions can be met.
- Each mobile home shall have appropriate tie down and anchoring systems against overturning and sliding forces that result from winds, as shown on the Wind Pressure Map in American Standards Association, Standards A8.1 - 1995, or any revisions thereof.
- All applicable sewage and building permits have been secured from the appropriate municipality and/or officials. Each unit must have a separate on-lot sewage disposal system or connection to a public sewer if the unit will remain in place for more than one year.

601.2.3 Application to Pennsylvania Department of Environmental Protection: All applicants for approval to layout, construct and operate utility services within a mobile home park in a municipality under the jurisdiction of the Butler County Subdivision and Land Development Ordinance shall in addition to the requirements of this Ordinance, apply for and obtain any and all permits that may be required by the Pennsylvania Department of Environmental Protection in connection with the establishment of utility service facilities. A duplicate copy of the application submitted to the Pennsylvania Department of Environmental Protection shall be concurrently filed with the Butler County Planning Commission for a permit to layout and construct or expand a mobile home park in a municipality under the jurisdiction of the Butler County Subdivision and Land Development Ordinance.

601.2.4 Pennsylvania Department of Environmental Protection Permit:

- It shall be unlawful for any person to maintain and operate any mobile home park within the limits of Butler County unless he holds a permit issued annually by the

Pennsylvania Department of Environmental Protection for the specific mobile home park.

- Every person holding a valid Pennsylvania Department of Environmental Protection Permit shall file notice in writing to the Pennsylvania Department of Environmental Protection and the Planning Commission, within ten (10) calendar days after having sold, transferred, given away, or otherwise disposed of, interest in or control of any mobile home park. If the Department of Environmental Protection permit is transferred to the owner by the Pennsylvania Department of Environmental Protection, proof of such transfer shall be furnished to the Butler County Planning Commission.

601.2.5 Inspection of Mobile Home Park

- A representative of Butler County or the host municipality may inspect a mobile home park at reasonable intervals, and at reasonable times, to determine compliance with this Ordinance. The County's representative for determining compliance with the provisions of this Ordinance may be the County Engineer or other person designated by the County Commissioners upon recommendation of the Butler County Planning Commission. The Municipal Engineer may inspect the premises on behalf of the host municipality or in conjunction with the County's representative.
- The person designated by the County Commissioners or the Municipal Engineer shall have the authority to inspect the operations and occupancy records of the mobile home park, upon request of the mobile home park operator or a resident of said mobile home park.

Section 602. Design Standards

- 602.1** Minimum Park Area: A mobile home park shall have a gross area of at least five (5) contiguous acres of land.
- 602.2** Twenty-five percent (25%) of the gross area shall be preserved as passive or active open space and identified on the site plan, unless otherwise specified.
- 602.3** Site Location: The location of all mobile home parks shall comply with

the following minimum requirements:

- 602.3.1** The site boundary line shall be a minimum of two hundred (200) linear feet from wetlands, marshes, garbage or rubbish disposal areas, landfills, or other potential breeding places for insects or rodents.
 - 602.3.2** Not in a designated FEMA flood zone.
 - 602.3.3** Not subject to any hazard or nuisance conditions adjacent to the mobile home park, such as excessive noise, vibration, smoke, the storage of toxic material, radiation, heat, odor, or glare.
 - 602.3.4** Any lot developed as a site for a mobile home within any mobile home park which has a grade in excess of ten percent (10%) shall have the mobile home unit set parallel to the contour and on a level, graded area no smaller in size than the overall dimensions of the trailer.
- 602.4** Site Drainage Requirements:
- 602.4.1** The ground surface in all parts of every park shall be graded and equipped to drain all surface water in a safe, efficient manner, in compliance with the Butler County Act 167 countywide stormwater management plan (8-18-10).
 - 602.4.2** Surface water collectors and other bodies of standing water capable of breeding mosquitoes and other insects shall be eliminated or controlled in a manner approved by the Pennsylvania Department of Environmental Protection.
 - 602.4.3** Waste water from any plumbing fixture or sanitary sewer line shall not be deposited upon the ground surface in any part of a mobile home park.
- 602.5** Soil and Groundcover Requirements:
- 602.5.1** Exposed ground surfaces in all parts of every park shall be paved, or covered with a compacted, dustless surface, or other solid material, or protected with a vegetative groundcover that is capable of preventing soil erosion.
 - 602.5.2** Park grounds shall be maintained free of vegetative growth which is poisonous or which may harbor rodents, insects, or

other pests harmful to the occupants.

602.6 Park Areas for Nonresidential Uses:

602.6.1 No part of any park shall be used for nonresidential purposes, except such uses that are required for the direct servicing and safety and welfare of park residents and for the management and maintenance of the park.

602.6.2 Nothing contained in this Section shall be deemed as prohibiting the sale of a mobile home located on a mobile home lot and connected to public or private utilities.

602.7 Required Setbacks, Buffer Strips and Screening:

602.7.1 All mobile homes shall be located not less than fifty feet (50') from the right-of-way line of any public street or highway within the municipality and not less than fifty feet (50') from any other mobile home park property boundary line.

602.7.2 There shall be a minimum distance of forty feet (40') between an individual mobile home and any other mobile home or common building.

602.7.3 There shall be a minimum of twenty-five feet (25') between the front wall of an individual mobile home or any attachment thereto, and the right-of-way line of an interior street or common parking area.

602.7.4 All mobile home parks located adjacent to industrial or commercial land uses shall be required to provide screening such as fences, or landscape material including existing vegetation along the property boundary line separating the park and such adjacent nonresidential uses. Planted screening shall be a minimum of a fifty/fifty mix of deciduous and evergreen trees a minimum of two and a half inch (2.5") DBH planted in staggered rows on fifty foot (50') centers.

602.8 Lot Requirements:

602.8.1 Each mobile home lot shall have direct access to an approved and recorded internal mobile home park street right-of-way whether privately maintained or offered for public dedication when designed and constructed to County specifications. (See Appendix A, Standard Details).

602.8.2 Minimum mobile home lot standards shall be as follows:

- Lot width – 70 feet
- Lot depth – 100 feet
- Lot area – 10,000 square feet

602.9 Erection and Placement of Mobile Homes:

602.9.1 Mobile homes shall be placed on a recorded lot with a minimum of ten feet (10') on all sides measured to the mobile home lot lines from the closest point of the mobile home, including attachments.

602.9.2 An enclosure of compatible design and material shall be erected around the entire base of each mobile home from grade to floor elevation. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure. Skirting shall apply to all mobile homes, whether individual on-lot units or situate within a mobile home park site, without regard to whether said park was in existence and in operation prior to the effective date of this standard.

602.9.3 An accessory structure including, but not limited to, an awning, attached storage shed, cabinet, bump-out, carport, windbreak, or porch which has a floor area exceeding twenty-five (25) square feet, shall, for purposes of all separation requirements, be considered to be part of the mobile home.

602.9.4 A minimum separation of ten feet (10') shall be maintained between any attached accessory structure and the side or rear mobile home lot lines.

602.9.5 All unattached accessory structures including, but not limited to, storage sheds, satellite dishes, swimming pools or garages shall be located a minimum of five feet (5') from the side or rear mobile home lot lines.

602.9.6 All Pennsylvania Uniform Construction Code provisions applicable to the erection and placement of manufactured housing shall be complied with.

602.10 Park Street System:

- 602.10.1** Minimum Requirements: A safe, convenient, mud-free and dustless vehicular access shall be provided from abutting public street or road rights-of-way to a minimum prepared surface width of twenty-eight feet (28').
- 602.10.2** Park Entrance: Entrances to mobile home parks shall be designed and constructed to minimize congestion and hazards and allow free movement of traffic on adjacent streets. No parking shall be permitted on the park entrance street for a distance of one hundred and twenty feet (120') from the intersecting centerline of the abutting street or road right-of-way.
- 602.11** Internal Streets: Surfaced roadways shall be minimum widths, as specified in this Subsection, to accommodate anticipated traffic, and shall meet the following minimum requirements:
- 602.11.1** Parking shall be prohibited within any internal street right-of-way.
- 602.11.2** A minimum cartway width of twenty-four feet (24') shall be required on all mobile home park streets.
- 602.11.3** Dead end streets shall be limited to a maximum length of six hundred feet (600'), and shall be provided at the closed end with a turn-around having an outside pavement radius of not less than fifty feet (50'). Where the street is proposed for municipal acceptance, a minimum right-of-way radius of not less sixty feet (60') shall also be provided, unless otherwise specified by the municipality.
- 602.11.4** Required Illumination of Park Street Systems: All parks shall be furnished with shielded lighting so spaced and placed at such heights as will provide sufficient levels of illumination for the safe movement of pedestrians and vehicles at night. Any exterior lighting system shall require the erection of an outside safety light in front of each mobile home unit.
- 602.11.5** Street Construction and Design Standards:
- Streets: All streets shall be provided with a smooth, hard and dust-free surface which shall be durable and well-drained under normal use and weather conditions. Street surfaces shall be maintained free of cracks, holes and other hazards. All park streets, where proposed for public

dedication, shall be constructed as per the specifications of Appendix A, Standard Details.

- Grades: Grades of all streets shall be sufficient to insure adequate surface drainage, but shall be not more than eight percent (8%). Short runs with a maximum grade of ten percent (10%) may be permitted, provided traffic safety is assured by appropriate surfacing and adequate leveling areas.
- Intersections: Within one hundred feet (100') of the centerline of intersecting streets, the cartway shall be constructed at approximately right angles. A distance of at least one hundred and fifty feet (150') shall be maintained between center lines of offset intersecting streets. Intersections of more than two (2) streets at one point shall be prohibited.

602.12 Off-Street Parking Areas:

602.12.1 Off-street parking areas shall be furnished at a rate of at least two (2) car spaces for each mobile home lot.

602.12.2 Visitor parking at a ratio of .5 spaces per mobile home shall be located within a distance of two hundred feet (200') from the mobile homes to be served, unless other vehicular access is provided.

602.13 Mobile Home Stands:

602.13.1 The location of each mobile home stand shall be at such elevation, distance and angle in relation to the access street so that the placement and removal of a mobile home is practical, easy and safe.

602.13.2 The stand where the mobile home is placed shall be a minimum of fourteen feet (14') by sixty-five feet (65'), or nine hundred and ten (910) square feet in area.

602.13.3 A one percent (1%) to five percent (5%) gradient longitudinal crown or cross gradient for surface drainage shall be provided. Water shall be directed away from the mobile home stand. In no event shall the stand be designed to allow the pooling of water under a mobile home.

602.13.4 All mobile homes shall be set on a suitable foundation extending below the frost line to provide a stable foundation to withstand both the dead and live loads from the mobile home.

602.13.5 Each mobile home stand shall include anchors to provide anchorage against overturning and sliding forces that result from winds as shown on the Wind Pressure Map in American Standards Association, Standards A58.1-1995 or any amendments thereto.

602.13.6 There shall be a concrete patio area provided for each stand, not less than ten (10) feet wide and twenty (20) feet long located convenient to the main entry door of the mobile home.

602.14 Sidewalks

602.14.1 All mobile home parks must provide safe, sturdy and convenient, all season pedestrian walkways of adequate width for intended use, durable and convenient to maintain, between individual mobile homes, the mobile home park streets and all community facilities provided to park residents, which must meet the requirements of this Ordinance. Walkways shall meet all specifications and requirements of the Americans With Disabilities Act and any amendments thereto.

602.14.2 All mobile home lots shall be connected by walks to common walks, or to streets or to driveways or parking spaces connecting to a paved street. Such individual walks shall have a minimum width of two (2) feet.

602.15 Recreation and Open Space

602.15.1 For a proposed mobile home park of fifteen (15) acres or more, not less than ten percent (10%) of the gross site area shall be devoted to recreational facilities or open space for active recreation. Recreation areas may include, but are not limited to the following: space for community buildings and community use facilities; multi-purpose fields, indoor recreation areas, swimming areas, hobby and repair shops and service buildings.

602.15.2 Sites selected or reserved for such uses shall be of appropriate topography, location and dimensions which, in the determination of the Butler County Planning Commission, are usable for the purpose intended.

602.15.3 The construction, modification, maintenance and operation of any public access facility in a mobile home park shall be subject to the provisions the Pennsylvania Uniform Construction Code or the regulations of the Pennsylvania Department of Environmental Protection.

Section 603. Water Supply

603.1 General Requirements: An adequate supply of water shall be provided for mobile homes, service buildings and other accessory facilities as required by this Article. Where a public water supply system of satisfactory quantity, quality and pressure is available, connection shall be made thereto and it shall be used exclusively. Where a satisfactory public water supply system is not available, the development of a private water supply system shall be approved by the Pennsylvania Department of Environmental Protection or other authorities having jurisdiction. An emergency or auxiliary water supply of five thousand (5,000) gallons for each fifteen (15) mobile homes or less, provided the park has at least two (2) water wells producing a minimum of one hundred and fifty (150) gallons (certified) per day per mobile home unit. For each additional fifteen (15) mobile homes or fraction thereof said park shall provide an additional five thousand (5,000) gallons auxiliary water supply. A mobile home park having only one (1) producing water well shall provide an auxiliary or emergency water supply of five thousand (5,000) gallons for each fifteen (15) mobile homes or less. Such auxiliary or emergency water supply, if in tank or container form, shall have a twelve inch (12") opening on the top thereof with a sealed cover on it.

603.2 Source of Supply:

603.2.1 The water supply shall be capable of supplying a minimum of one hundred and fifty (150) gallons per day per mobile home.

603.2.2 The well or suction line of the water supply system shall be located and constructed in such a manner that neither underground nor surface contamination will reach the water supply from any source.

603.2.3 No well-casings, pumps, pumping machinery or suction pipes shall be placed in any pit, room or space extending below ground level, nor in any room or space above ground which is walled in or otherwise enclosed, unless such rooms, whether above or below ground, have free drainage by gravity to the

surface of the ground.

- 603.2.4** Water supply treatment, if necessary, shall be in accordance with the requirements of the Pennsylvania Department of Environmental Protection.
- 603.3** Water Storage Facilities: All water storage reservoirs shall be covered, watertight and constructed of impervious material. Overflows and vents of such reservoirs shall be effectively screened. Manholes shall be constructed with overlapping covers, so as to prevent the entrance of contaminated material. Reservoir overflow pipes shall discharge through an acceptable air gap.
- 603.4** Water Distribution System:
- 603.4.1** All water piping, fixtures and other equipment shall be constructed and maintained in accordance with state and local regulations.
- 603.4.2** The water piping system shall not be connected with non-potable or questionable water supplies and shall be protected against the hazards of back-flow or back-siphonage.
- 603.4.3** The system shall be so designed and maintained as to provide a pressure of not less than twenty (20) pounds per square inch, under normal operating conditions, at service buildings and other locations requiring potable water supply.
- 603.5** Individual Water-Riser Pipes and Connections:
- 603.5.1** Individual water-riser pipes shall be located within the confined area of the mobile home stand at a point where the water connection will approximate a vertical position, thereby insuring the shortest water connection possible and decreasing susceptibility to water pipe freezing.
- 603.5.2** The water-riser pipe shall have a minimum inside diameter of one-half inch (1/2") and terminate at least four inches (4") above the ground surface. The water outlet shall be provided with a cap when a mobile home does not occupy the lot.
- 603.5.3** Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipe and to protect risers from heaving and thawing actions of ground during freezing weather. Surface drainage shall be diverted from the location

of the riser pipe.

- 603.5.4** A shut-off valve below the frost line shall be provided near the water-riser pipe on each mobile home lot. Underground stop-and-water valves are prohibited unless their type of manufacture and their method of installation are approved.

Section 604. Sewage Disposal

- 604.1** General Requirements: An adequate and safe sewage system shall be provided in all parks for conveying and disposing of sewage from mobile homes, service buildings and other accessory facilities. Such system shall be designed, constructed and maintained in accordance with the Pennsylvania Department of Environmental Protection or local health and safety regulations. Each applicant for a mobile home park construction permit, as contemplated by this Article, shall construct, install or cause to be constructed and installed a sewage treatment plant of adequate size and capacity and approved by the Pennsylvania Department of Environmental Protection or a connection to a public sanitary sewerage system designed and built to the specifications of the municipal authority or agency with jurisdiction.

604.2 Individual Sewer Connections:

- 604.2.1** Each mobile home lot shall be provided with at least a three inch (3") diameter sewer riser pipe. The sewer riser pipe shall be so located on each stand that the sewer connection to the mobile home drain outlet will approximate a vertical position.
- 604.2.2** The sewer connection shall have a nominal inside diameter of not less than three inches (3"), and the slope of any portion thereof shall be at least one-fourth inch (1/4") per foot. All joints shall be water tight.
- 604.2.3** All materials used for sewer connections shall be semi-rigid, corrosive resistant, nonabsorbent and durable. The inner surface shall be smooth.
- 604.2.4** Provision shall be made for plugging the sewer riser pipe when a mobile home does not occupy the lot. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least four inches (4") above finished ground elevation.

- 604.3** Sewer Lines: All sewer lines shall be located in trenches of sufficient depth to be free of breakage from traffic or other movements and shall be separated from the park water supply system. All sewer lines shall be constructed of approved materials by the Pennsylvania Department of Environmental Protection, and shall have watertight joints.
- 604.4** Sewage Treatment and/or Discharge: Where the sewer lines of the mobile home park are not connected to a public sewer, all proposed sewage disposal facilities shall be approved by the Pennsylvania Department of Environmental Protection prior to construction and a Pennsylvania Department of Environmental Protection license to operate such facility shall be kept current.

Section 605. Electrical Distribution System

- 605.1** General Requirements: Every park shall contain an electrical wiring system consisting of wiring, fixtures, equipment and appurtenances which shall be installed and maintained in accordance with local electric power company's specifications the most recent national electric code and all other local, Commonwealth or Federal codes which regulate such systems.
- 605.2** Power Distribution Lines:
- 605.2.1** Main power lines shall be located underground in accordance with Pennsylvania Utilities Commission order docket #99, as amended. All conductors and cables shall be insulated and designed for direct burial.
- 605.2.2** Main power lines not located underground, shall be suspended at least eighteen feet (18') above the ground. There shall be a minimum horizontal clearance of three feet (3') between overhead wiring, and any mobile home, service building or other structure.
- 605.2.3** All direct burial conductors or cable shall be buried at least eighteen inches (18") below the ground surface and shall be insulated and specially designed for the purpose. Such conductors shall be located not less than one foot (1') radial distance from water, sewer, gas or communication lines.
- 605.3** Individual Electrical Connections:
- 605.3.1** Each mobile home lot shall be provided with an approved

disconnecting device and overcurrent protective equipment. The minimum service per outlet shall be 120/240 volts, AC, 200 amperes.

- 605.3.2** Outlets (receptacles or pressure connectors) shall be housed in a weatherproof outlet box, and shall be located not more than twenty-five feet (25') from the over-current protective device in the mobile home. A three-pole, four-wire grounding type shall be used.
 - 605.3.3** Receptacles, if provided, shall be in accordance with American Standard Outlet Receptacle C-73.1.
 - 605.3.4** Connectors, if not substituted by more than one receptacle, shall be provided where the calculated load of the mobile home is more than fifty (50) amperes.
 - 605.3.5** The mobile home shall be connected to the outlet box by an approved type flexible supply cord with a male attachment plug or with pressure connectors.
- 605.4** Required Grounding: All exposed non-current-carrying metal parts of mobile homes and all other equipment shall be grounded by means of an approved grounding conductor run with branch circuit conductors or other approved method of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for mobile homes or other equipment.

Section 606. Service Buildings and Other Community Service Facilities

- 606.1** The requirements of this Article shall apply to service buildings, recreation buildings and other community service facilities when constructed, including, but not limited to:
- 606.1.1** Management offices, repair shops for mobile home repairs, and interior public storage area;
 - 606.1.2** Laundry facilities;
 - 606.1.3** Indoor and outdoor recreation areas;
 - 606.1.4** Nonresidential uses supplying essential services for the exclusive use of park occupants.
 - 606.1.5** Maintenance equipment buildings.

606.2 Structural Requirements for Buildings:

606.2.1 All portions of the structure shall be properly protected from damage by ordinary uses and by decay, corrosion, termites and other destructive elements. Exterior portions shall be of such materials and be so constructed and protected as to prevent entrance or penetration of moisture and weather.

606.2.2 All rooms containing laundry facilities shall:

- i. Have sound resistant walls extending to the ceiling from the finished floor sanitary facilities. Walls and partitions in lavatories and other plumbing fixtures shall be constructed of dense, nonabsorbent, waterproof material or covered with moisture-resistant material.
- ii. Have at least one window or skylight facing directly to the outdoors. The minimum aggregate gross area of windows for each room or partitioned space shall be not less than ten percent (10%) of the floor area served by them.

606.2.3 Toilets shall be located in separate compartments equipped with self-closing doors.

606.3 Barbeque Pits, Fireplaces, Stoves and Incinerators: Cooking shelters, barbeque pits, fireplaces, wood-burning stoves and incinerators shall be so located, constructed, maintained and used as to minimize fire hazards and smoke nuisance both on the property on which used and on adjacent neighboring property. No open fire shall be permitted except in facilities provided. No open fire shall be left unattended. No fuel shall be used and no material burned which emits dense smoke or detectable odors.

Section 607. Refuse Handling:

The storage, collection and disposal of refuse in the mobile home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution and shall comply with the Pennsylvania Department of Environmental Protection regulations governing mobile home parks.

Section 608. Insect and Rodent Control:

Grounds, buildings and structures shall be maintained free of insects and rodent

harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform with the requirements of the Pennsylvania Department of Environmental Protection regulations governing mobile home parks, where applicable.

Section 609. Fuel Supply and Storage:

609.1 Natural Gas System:

609.1.1 Natural gas piping systems when installed in mobile home parks shall be maintained in conformity with accepted engineering practices and designed and installed in conformance with the standards of the utility providing such service.

609.1.2 Each mobile home lot provided with piped gas shall have an approved shutoff valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.

609.1.3 Above ground propane tanks shall be enclosed with a diking system and connected only via a noncombustible service line.

609.2 Liquefied Petroleum Gas System: Liquefied petroleum gas systems provided for mobile homes, service buildings or other structures when installed shall be maintained in conformity with the rules and regulations of the utility or authority having jurisdiction and shall include the following:

609.2.1 Systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location.

609.2.2 Systems shall have at least one accessible means for shutting off gas. Such means shall be located outside the mobile home and shall be maintained in effective operating condition.

609.2.3 All LPG piping outside of the mobile homes shall be well supported and protected against mechanical injury. Undiluted liquefied petroleum gas in liquid form shall not be conveyed through piping equipment and systems in mobile homes.

609.2.4 Vessels of more than twelve (12) and less than sixty (60) U.S. gallons gross capacity may be installed on a mobile home lot and shall be securely but not permanently fastened to prevent accidental overturning.

609.2.5 No LPG vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile home or any other structure unless such installations are specially approved by the authority having jurisdiction.

609.3 Fuel Oil Supply Systems:

609.3.1 All fuel oil supply systems provided for mobile homes, service buildings and other structures shall be installed and maintained in conformity with the rules and regulations published in the National Board of Fire Underwriters Code.

609.3.2 All piping from outside fuel storage tanks or cylinders to mobile homes shall be securely, but not permanently, fastened in place.

609.3.3 All fuel oil supply systems provided for mobile homes, service buildings and other structures shall have shut-off valves located within five inches (5") of storage tanks.

609.3.4 All fuel storage tanks or cylinders shall be securely placed and shall not be less than five feet (5') from any mobile home exit.

609.3.5 Storage tanks located adjacent to or within fifty feet (50') of a collector street or roadway right-of-way shall be protected against physical damage.

Section 610. Fire Protection

610.1 The mobile home park area shall be subject to the rules and regulations of the Municipal Volunteer Fire Company or fire prevention authority with jurisdiction, and the National Board of Fire Underwriters Code.

610.2 Mobile home park areas shall be kept free of litter, rubbish and other flammable materials.

610.3 Fire Extinguishers: Class A, B, and C fire extinguishers, 5 lb. size, for every five (5) mobile homes, approved by the National Board of Fire Underwriters, shall be kept available in all public service or maintenance buildings under park control.

610.4 Fire Hydrants:

610.4.1 Fire hydrants shall be installed if the mobile home park's water

supply source can provide adequate residual pressure, in accordance with the following provisions:

- i. The water supply source shall permit the operation of a minimum of two (2) one and one-half inch (1 ½") hose streams.
- ii. Each of two (2) nozzles, held four feet (4') above the ground, shall deliver at least seventy-five (75) gallons of water per minute at a flowing pressure of at least thirty (30) pounds per square inch at the highest point of the park.

610.4.2 Fire hydrants, if provided, shall be located within six hundred feet (600') of any mobile home, service building or other structure in the park.

Section 611. Miscellaneous Requirements

611.1 Responsibilities of the Park Management:

611.1.1 The person to whom an operating license issued by the Pennsylvania Department of Environmental Protection for a mobile home park shall operate the park in compliance with this Article and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.

611.1.2 The park management shall supervise the placement of each mobile home on its mobile home lot which includes securing its stability and installing all utility connections.

611.1.3 The park management shall provide the host municipality access to all mobile home lots, service buildings and other community service facilities for the purpose of inspection by the person designated by the elected officials to conduct such inspection.

611.2 Responsibilities of Park Occupants:

611.2.1 The park occupant shall comply with all applicable requirements of this Article and shall maintain the mobile home lot, its facilities and equipment in good repair and in a clean and sanitary condition.

- 611.2.2** The park occupant shall be responsible for proper placement of the mobile home on its mobile home stand and proper installation of all utility connections in accordance with the instructions of the park management.
- 611.2.3** Pets, if permitted in the park, shall be prohibited to run at large or to commit any nuisance within the limits of any mobile home park.
- 611.2.4** Skirtings, porches, awnings, and other additions shall be installed as per the applicable provisions of this Article. When installed, they shall be maintained in good repair. The space immediately underneath a mobile home shall be used for storage only if permitted by the park management. If permitted, the following conditions shall be satisfied:
- i. The storage area shall be provided with a base of impervious material.
 - ii. Stored items shall be located so as not to interfere with the underneath inspection of the mobile home.
 - iii. The storage area shall be enclosed by skirting.
- 611.2.5** The park occupant shall store and dispose of all his rubbish and garbage in a clean, sanitary and safe manner. The garbage container shall be rodent proof, insect proof and watertight.
- 611.2.6** First aid fire extinguishers for Class B and C fires shall be kept at the premises and maintained in working condition.
- 611.3** Notices, Orders and Hearings
- 611.3.1** Whenever the Butler County Planning Commission determines that there are reasonable grounds to believe that there has been a violation of any applicable provision of this Article, or of any regulation adopted pursuant thereto, the Planning Commission shall give notice of such alleged violation to the host municipality for enforcement on the person to whom the Department of Environmental Protection permit was issued, as hereinafter provided. Such notice shall:
- i. Be in writing.
 - ii. Include a statement of the reasons for its issuance citing

sections or provisions of this Article being violated.

- iii. Allow a reasonable time for the correction of the violation or abatement of the nuisance.
- iv. Be served upon the owner or his agent as the case may require, by certified mail, provided, however, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been served by any other method authorized or required by the laws of the Commonwealth.
- v. Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Article, or any part thereof, and with the regulations adopted pursuant thereto.
- vi. Be forwarded to the Pennsylvania Department of Environmental Protection

611.3.2 Whenever the host municipality and/or Butler County Planning Commission finds that an emergency exists which requires immediate action to protect the public health, they may without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as they may deem necessary to meet the emergency. Notwithstanding any other provisions of this Ordinance, such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately, but upon petition to the Pennsylvania Department of Environmental Protection shall be afforded a hearing as soon as possible.

Section 612. Single Mobile Home Placement

612.1 Any single on-lot mobile home shall meet the specifications for manufacture of mobile homes as set forth in United States Standards Institute Standards for Mobile Homes, USA Standard A 119.1-1969, NFPA No. 501B-1968, and subsequent modification and amendment to such standards.

612.2 Any single on-lot mobile home shall be installed as to conform with all front yard, side yard and rear yard setback lines applicable to single-family housing in the district or zone, if any, where installed.

612.3 The building permit and Pennsylvania Uniform Construction Code

standards and requirements, if any, shall apply for any single on-lot mobile home in accordance with this Section.

- 612.4** No single on-lot mobile home shall be installed for occupancy and sleeping purposes or attached to any private water sewer or water system except in compliance with this Ordinance.
- 612.5** No mobile home, whether single on-lot installation or mobile home park installation shall be removed from the local municipality without first obtaining a permit from the local tax collector charged with the collection of Municipal Real Estate taxes.

Section 613. Recreational Vehicle Parks and Campgrounds

For the purpose of this Section, recreation vehicles and recreational vehicle parks shall be defined as follows:

- 613.1** Recreation Vehicle: A vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel uses, which either has its own mode of power or is mounted or drawn by another vehicle. The basic versions are: travel trailer, camping trailer, truck camper and motor home.
- 613.2** Recreational Vehicle Park: A plot of land, a minimum of five (5) acres, upon which four (4) or more recreational vehicle sites are located, established or maintained for occupancy by the general public for recreational vehicles as temporary living quarters for recreation or vacation purposes.
- 613.3** The standards set forth under this Subsection are intended for those recreational vehicle parks where lots within the park are for rental, or lease and are to serve the short term placement of recreational vehicles as outlined.
- 613.3.1** Review and Approval Procedures: In conjunction with the rules and regulations as herein specified, the recreational vehicle park developer shall submit site plans and specifications to the Pennsylvania Department of Environmental Protection, where required. Such submission shall be in accordance with Title 25, Rules and Regulations Part I; Department of Environmental Protection - Subpart D Environmental Health and Safety, as amended. Prior to final approval of development plans by the Butler County Planning Commission, the developer shall forward a copy of any permits or required licenses or evidence of the same to the Planning Commission.

613.3.2 Land Development Plan Requirements:

- i. Persons, firms, or corporations proposing to open a recreational vehicle park in a municipality which falls under the jurisdiction of the Butler County Subdivision and Land Development Ordinance shall not proceed with any construction work on the proposed park unless and until they have obtained from the Butler County Planning Commission written approval of the land development plan of the proposed park, according to review and approval procedures outlined in Article VI, and has received the necessary approval of the plans from the Pennsylvania Department of Environmental Protection as indicated in this Section.
- ii. Preapplication Procedure: The recreational vehicle park developer shall meet with the Butler County Planning Commission, prior to formal application, to discuss his plans and shall prepare suitable concept plans sufficient to give a general understanding of the proposal. The Planning Commission shall inform the developer as to the general suitability of the plans and of any modifications required by this Section, if deemed necessary.

613.3.3 Design Requirements

- i. Lot Area Requirements: The planning and location of individual recreational vehicle lots shall be governed by the following minimum requirements:
 - Lot Area: Recreational vehicle lots shall be a minimum width of thirty feet (30') and shall not be less than one thousand five hundred (1,500) square feet in total area, excluding rights-of-way. Such size is considered to accommodate parking for one (1) recreation vehicle, one (1) automobile parking space, an accessory structure and related outdoor facilities including, but not limited to grill, picnic tables, and benches.
 - Setback Requirements: Front setback for recreational vehicle units shall be fifteen feet (15') measured from the right-of-way line of an interior road or street. Structures, such as bathhouses, administration offices, recreation centers and other

ancillary facilities of a permanent nature shall be setback from adjacent or access streets a minimum of thirty feet (30) as measured from the roadway right-of-way line.

- Additional Setbacks for Recreational Vehicles:

Side Setback	5' minimum to closest point of the perimeter of the leased lot area
Rear Setback	5' minimum to closest point of the perimeter of the leased lot area

ii. Perimeter Requirements:

- When abutting residentially developed properties, a buffer strip shall be provided, a minimum of thirty feet (30') in width, parallel to the park property line. When abutting nonresidential properties, the buffer strip shall be twenty feet (20') from the park property line. Existing vegetation or new planting with a 50% to 50% mix of deciduous to evergreen trees on twenty foot (20') centers shall be provided within the buffer strip.
- When abutting an existing dedicated right-of-way, the setback for any recreational vehicles, shall be seventy-five feet (75') as measured from the street or roadway centerline, or twenty-five feet (25') from the existing right-of-way line whichever results in the greater setback distance.

iii. Roadway Design Standards: Recreational vehicle park roads shall be designed for the safe and convenient movement of recreational vehicles minimizing disturbance of the natural environment. The internal street system, although privately owned and maintained shall be designed and constructed as follows:

- Collector Street: Twenty-two feet (22') minimum width, two-way travel, including a fifty foot (50') right-of-way. Such street shall serve as a collector internal to the development and provide access to park lots, administration and ancillary facilities.

- Such collector streets shall be provided with a smooth, hard and dust-free surface which shall be durable and well-drained under normal use and weather conditions.
 - No recreational vehicle lot shall be accessed from a roadway other than an interior collector street.
- iv. Local streets shall be constructed of select material surfacing as per current PennDOT Highway Specifications (Form 408), as amended, or approved by the County Engineer as equivalent. Materials used shall be No. 2 R.C. aggregate. The street shall be made from stone, gravel, or bituminous paving material.
- Construction Requirements:
 - The aggregate shall be uniformly spread upon the graded areas, without segregation of coarse and fine material, in loose layers a minimum of five inches (5") in depth, and compacted with a 10-ton roller meeting the requirements and specifications of the Commonwealth of Pennsylvania Department of Transportation, Form 408.
 - The surfacing shall be crowned or sloped as specified, and the final compacted depth shall comply with the depth shown on the approved land development plans.
 - Satisfactory compaction and stability of the material under the specified compaction equipment, in accordance with Form 408 of the Department of Transportation, shall be determined by the County or Municipal Engineer. The County or Municipal Engineer shall specify in writing to the developer any additional needs for satisfactory compaction.
 - Cul-de-Sac Streets: Shall be provided with a turnaround having an outside pavement radius of not less than forty feet (40').
 - Parking Spaces: Car parking spaces, at a minimum size of nine feet by eighteen feet (9' x 18'), shall be

provided in sufficient number to meet the needs of the occupants of the property and their guests. Such facilities shall be provided at the rate of at least one and one half (1 1/2) parking spaces for each recreational vehicle lot, and shall be on the recreational vehicle lot or in designated parking areas - no on-street parking shall be permitted for safety reasons.

- Recreation (not mandatory): At least five percent (5%) of the total park land area should be reserved for active and passive recreation with appropriate location, dimensions and topographic characteristics which lend themselves to recreational use. Such area shall exclude required buffer areas and setbacks.
- Ancillary Services: The developer may provide certain ancillary services including, but not limited to, a laundromat, camp store, grocery store, office, bathhouse, caretakers' residence, or maintenance building, provided that such services shall be strictly for the use and convenience of those persons utilizing the recreational vehicle park.
- Plans and Compliance:
 - No persons shall construct, open or dedicate any road, or drainage facilities in connection therewith, for public use or travel within a recreational vehicle park in a municipality under the jurisdiction of the Butler County Subdivision and Land Development Ordinance without submitting plans thereof to the Butler County Planning Commission for review and approval. Such plan shall be prepared in accordance with the provisions of Article VI. Plans for review and approval shall be accompanied by information as prescribed in this Article or Article VI.
 - Said plans shall show the profiles, course, and structure of such roads, the capacity of any drainage facilities and the method of drainage of the adjacent or contiguous

- property. Construction shall be in accordance with street specifications as designed and the land development plan as approved.
- Subsequent to land development plan approval where new streets are to be constructed and offered for dedication to public use, the streets shall be designed and constructed in compliance with plans prepared as outlined in this section and Article VII. Such street shall be inspected by the County Engineer or designated inspector during construction and be in compliance with the Standard Details attached as Appendix A to this Ordinance.
 - No roadway, street or other facility or improvement within a recreational vehicle park shall be approved for adoption by the host municipality unless it is designed and constructed to serve two (2) or more permanent structures and functions as the primary access.
 - Excavation and Grading:
 - Streets shall be excavated and graded as indicated on the approved land development plans to the lines, grades and limits indicated on the drawings or as may be revised by the County or Municipal Engineer to meet conditions encountered during construction. Excavation for intersecting roadways, stream channels and culverts within the approved right-of-way limit; and the widening of cuts, grading of slopes outside the right-of-way as called for on approved plans. Inspections shall be performed as directed by the Butler County Planning Commission as work progresses and financial security is requested to be released.
 - All drainage structures shown on the

approved plans shall be designed and constructed as per the provisions of Article VIII and installed to current Commonwealth standards. Culverts may be corrugated metal pipe, concrete, or reinforced concrete according to Pennsylvania Department of Transportation Form 408 specifications.

- Fire Protection:
 - General - For the safety and welfare of the occupants of the recreational vehicle park, the following fire prevention regulations shall be complied with. All fire safety plans shall be approved by the volunteer fire company chief which company provides fire protection in the host municipality, according to nationally accepted standards (NFPA).
 - Fire hydrants shall hereafter be required in any new recreational vehicle park, where the extension of a central distribution system of water lines, whether public or private, are proposed for the recreational vehicle park development.
 - Hydrant size and type: All hydrants installed shall be of a standard size and type as specified by the volunteer fire company chief and the municipal authority with jurisdiction, where applicable.
 - Spacing: Hydrant spacing shall be adequate to serve all lots within the recreational vehicle park. Hydrants shall be located not more than one thousand feet (1,000') linear feet from each other. Where an existing hydrant is less than one thousand feet (1,000') from the park, the existing hydrant shall be deemed satisfactory and spacing can be determined, taking the existing location of the hydrant into consideration.

- Location: Hydrants shall be located as required by the municipal authority with jurisdiction.
- Design: The proposed locations of fire hydrants shall be identified on the submitted plans. Any existing fire hydrants less than one thousand feet (1,000') from the proposed park, shall be shown in the vicinity sketch with an exact distance in feet from the hydrant to the nearest lot line of the recreational vehicle park.
- In areas where there are no central water line extensions proposed, the following standards for fire prevention shall be incorporated into the park. The developer retains the option of installing either the tank or pond system.
 - The tank system: Approved underground, static water tanks of not less than three thousand (3,000) gallons suitably arranged for fire department drafting at a spacing of five hundred feet (500'):
 - o The tank shall be designed to permit a discharge of no less than five hundred (500) gallons per minute.
 - o Each tank shall have two (2) combination vent pipe and dump valve openings above ground. The openings shall be twenty-four inches (24") square covered by either a removable type lid or a hinged type lid.
 - o Each tank shall have an approved outlet above ground, no less than four and one half inches (4 1/2") in diameter. This outlet shall be encased in a hydrant for drafting, with at least two (2) two and one half inch (2 1/2") outlets.
 - The Pond System: A water pond shall be located in such a way as to service all park

lots. The pond shall be utilized by a "dry hydrant" type of outlet. The volume of water within the pond shall be of sufficient size and depth, as determined by the volunteer fire company chief and County Engineer, according to nationally accepted standards (NFPA), to adequately serve all park lots.

- In addition, a cyclone or steel mesh fence with a lockable gate, at a minimum height of six feet (6') with a single strand of barbed wire on top shall enclose the area of the pond.

ARTICLE VII

LAND DEVELOPMENT STANDARDS

Section 701. Jurisdiction

The Pennsylvania Municipalities Planning Code, Article V, provides that certain physical developments are classified as land developments, although there may not necessarily be a subdivision of land and that building(s) and/or use areas may be sold at the time of the development or at some future time; and further that those developments are subject to regulation under the Butler County Subdivision and Land Development Ordinance. It, therefor, shall be unlawful for a developer or landowner to construct land developments as defined herein without complying with these additional requirements.

Section 702. Application of Standards

Any proposal to develop land or to prepare land for development other than the act of subdivision shall be subject to the requirements of this Article with the following exceptions:

- 702.1** Erection of a single or two-family detached dwelling, including mobile and modular homes, on its own lot or accessory structures thereon;
- 702.2** Improvements to any building that do not increase the area it occupies on the ground or the need for additional parking spaces;
- 702.3** Expansion of a building to cover additional ground area provided the expansion is not more than five hundred (500) square feet and is not closer than one hundred feet (100') to any property line abutting an occupied or developed residential property or fifty feet (50') to any other property line;
- 702.4** Expansion of existing buildings or construction of new buildings for agricultural use (housing of livestock, shelter for farm equipment, storage of silage, etc.) on a family-run farm or agricultural operation.
- 702.5** Proposals to develop land in municipalities with locally adopted Subdivision and Land Development Ordinances.

Section 703. Procedures

- 703.1** A two (2) stage procedure has been established by Butler County for
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the review and approval of Land Developments. They are:

703.1.1 Sketch Plan or advisory meeting (This is not mandatory except as indicated, but is highly recommended)

703.1.2 Final Land Development Plan

703.2 The land development plan shall be processed and all submittal requirements met to be considered a complete application. When approved, signed and sealed by all parties involved, the Final Land Development Plan shall be recorded at the office of the Butler County Recorder of Deeds.

Section 704. Land Development Plan Submittal and Review Standards

General Design Standards: Developers shall comply with all design and construction standards as per the provisions of Article VIII in addition to the following general design standards:

704.1 The Plan shall provide to adjacent landowners, adequate privacy, light, air and protection from noise through building design, street layout, buffering through screening or plantings and of building orientation and location.

704.2 Streets or roadways may be planned for dedication to the public or may be planned as private streets to be maintained by the developer or association of property owners or other responsible parties. Off-street parking areas may be integrated with public street design and construction provided that maintenance responsibilities are mutually agreed upon between the developer and the host municipality.

704.3 Service, waste storage and disposal areas for the land development shall be constructed and screened with a fence or plantings, so that they are not visible from occupied structures on adjacent properties.

704.4 Parking and loading areas, roadways and driveways shall be sufficient for anticipated vehicular traffic volumes, use and circulation and designed and constructed in compliance with the standards in Articles VII and VIII.

704.5 The Parking and Access Plan shall demonstrate that the layout of parking and site access is adequate for the proposed development, based upon standard parking capacity measurements including number of spaces per anticipated development type and the

following table:

General Land Use	Required Number of Spaces
Residential	
Single-family dwelling	Two spaces per dwelling unit
Multi-family dwelling	Two spaces per dwelling unit
Commercial	
Retail	One space per 250 sf of GFA*
Office	One space per 300 sf of GFA
Institutional	One space per 250 sf of GFA
Industrial	One space per 350 sf of GFA

* Gross Floor Area

704.6 For multi-building and multi-use land developments, a complete Landscaping Plan shall be submitted that includes interior site plantings in addition to a landscaped transition or buffer area to adjoining properties. Existing vegetation shall be considered to meet this standard, if identified. Landscape planning shall be provided to enhance architectural features, manage storm water runoff through best management practices, enhance view-sheds and to provide shade, noise-suppression and energy efficiency.

704.7 For multi-building and multi-use land developments, a complete Pedestrian Circulation Plan shall be submitted by the developer, indicating the safe and efficient movement of people within and through the site. All Pedestrian Circulation Plans shall be completed using such standard resources as those provided by the American Planning Association or the Institute of Traffic Engineers (ITE).

704.8 Exterior parking areas, access driveways, vehicular access aisles, pedestrian walkways and loading spaces shall be sufficiently illuminated so as to provide safe movement on Site.

704.8.1 Exterior lighting shall be designed and installed as follows:

- a. All lighting shall be directed directly downward and against an opaque surface on site. Sharp cut-off luminaires are required in parking areas. At no time shall illumination from site lighting be allowed to "spill over" onto adjacent properties or create glare above the site. Directional lighting shall not be dispersed over more than three-quarters (3/4) of the distance from the light source to any lot line abutting the Site.

- b. The illumination level on a commercial or industrial property shall not exceed two (2) foot candles at any lot line which abuts a residential lot.
- c. Lighting shall not produce a glare which may hinder pedestrians or persons driving in an automobile either on or off site. Building mounted and ground mounted lighting shall be shielded or deflected at the source of illumination.

704.9 All land developments with public access structures shall be approved by the Pennsylvania Department of Labor and Industry. Documentation of such approval shall be provided.

Section 705. Plan Submittal and Review

705.1 The owner/applicant is recommended to request the Planning Commission to informally review a proposed land development plan relative to the requirements of this Article at a regular Planning Commission meeting. The owner/applicant shall provide a sketch plan showing in preliminary form, the information required for the formal submission. Any statements made by the Commission members during this advisory meeting shall not be deemed to be indicative of approval or disapproval of the plan as it will be later presented. The owner/applicant shall inform the Butler County Planning Commission Subdivision Manager at least seven (7) days prior to the meeting, or as otherwise specified, of his intent to present a sketch plan.

705.2 For a formal application, the owner/applicant shall provide at least one (1) copy of the following drawings and data, along with the accompanying application fee, to the Planning Commission, informing the Butler County Planning Commission Subdivision Manager at least seven (7) days prior to a regular meeting date. The owner/applicant or his authorized representative shall be in attendance to present the application. The following information shall be included in a formal application:

705.2.1 Name, address and telephone number of property owner, and owner/applicant if different from owner; name, address, and seal of the Registered Land Surveyor who has prepared the property survey and seal of the Registered Land Surveyor or Professional Engineer who prepared the plan; scale of the drawing, north arrow,

- date of drawing and location map relating the site to nearby major roads and landmarks;
- 705.2.2** Boundaries of property, described by bearings and distances;
- 705.2.3** Contours at a vertical interval a minimum of ten feet (10') for all areas of the site;
- 705.2.4** Existing physical features on or adjacent to the site including, but not limited to, access or utility easements, watercourses, drainage swales, culverts, storm drains, buildings, sewer and water lines, manholes and fire hydrants, street rights-of-way lines, edges of pavement and pavement widths, location of vehicular entrances across the street or road from the site frontage, all public utilities proposed, steep slopes, wooded and floodprone areas of the site, any other significant man-made or natural features, and use of abutting properties within five hundred feet (500') of the site;
- 705.2.5** Proposed improvements to be installed on the site or connecting to off-site services, including, but not limited to, buildings with number of floors, dwelling units indicating number of bedrooms in each, rentable commercial floor area (GLA), points of access from adjacent streets or roads, internal vehicular driveways and circulation pattern, parking areas with each parking space shown, walkways, if any, grading and drainage revisions needed to accommodate the project, landscaping plan, and connection of structures to off-site public utility lines or means to provide sanitary sewer and/or water service on the property;
- 705.2.6** Proposed total development of the property in terms of structure locations, and gross floor areas, showing phasing of development if the plan presented is for only a part of the total land holding;
- 705.2.7** Design and location of facilities to collect, store, and release stormwater in accordance with the Act 167 Countywide Watershed Storm Water Management Plan for Butler County and applicable regulations adopted by

the host municipality;

- 705.2.8** Facilities to control erosion and collect sediment during construction in accordance with Butler County Conservation District specifications and this Ordinance;
- 705.2.9** A report, if required by the Butler County Planning Commission, prepared by a Traffic Engineer or Transportation Planner demonstrating the traffic impact of the proposed development on all intersections within 2,640 linear feet (.5 miles) of the development site, and a traffic impact mitigation plan, to address anticipated decreases in the levels of service where such decreases are identified.
- 705.2.10** A Highway Occupancy Permit Application from PaDOT if the site is to have access to a State Highway;
- 705.2.11** Ability to serve letters from the municipal authority with jurisdiction or Pennsylvania Department of Environmental Protection approved modules, verifying capacity and access to public sewer and/or water systems, or certificate of approval from the municipal Sewage Enforcement Officer if the development is to be served by on-lot sewage disposal;
- 705.2.12** Typical cross-sections through proposed access drives and parking areas showing slopes and materials to be used and their thicknesses; and through areas of significant grading or fill, identifying the means of draining the sloped surfaces as part of a storm water management plan;
- 705.2.13** Profiles along centerlines of sanitary and storm sewers or drainage swales, showing connection to off-site systems and profile along the centerline of access drives showing elevation of surfaces before and after installations of improvements;
- 705.2.14** When deemed necessary by the Butler County Planning Commission a narrative indicating that toxic or hazardous chemicals or other substances regulated by the Pennsylvania Department of Environmental Protection (PaDEP) will be used in connection with the operation of

the development, and if so how such use will be controlled and waste materials disposed of. Such information shall be noted on the plan;

705.2.15 The County Engineer shall review all applicable data for compliance with the standards of this Article and shall report his findings and recommendations to the Butler County Planning Commission within thirty (30) days of receipt of the material requested to be reviewed. The owner/applicant shall provide the Engineer with all the required or supplemental information not later than ten (10) days following the date of the first review of the application by the Butler County Planning Commission.

705.2.16 The Butler County Planning Commission recognizes that certain types of service, energy extraction, and energy conservation development will continue to occur within Butler County, including but not limited to cellular transmission facilities, natural gas extraction and processing facilities, wind-energy conversion facilities for private or public use, and solar-energy conversion facilities for private or public use. These types of land developments are required to comply with all applicable local, Commonwealth and Federal regulations adopted to protect the health, safety and welfare of current and future Butler County residents.

705.3 The Butler County Planning Commission shall approve, deny or approve with conditions after reviewing the submitted drawings and data. The Butler County Planning Commission shall vote to approve or deny the plan and may modify or accept any alternative construction standard, which shall be noted on the final approved plans. The Planning Commission shall make its decision not more than ninety (90) days after the regular meeting date of the Planning Commission at which the application was first formally reviewed. If the owner/applicant chooses not to accept all the conditions attached to the approval he shall so inform the Butler County Planning Commission Secretary and the application shall be considered as denied, otherwise a final plan of proposed improvements, including additions, corrections or alternative designs to address conditions imposed by the Planning Commission shall be submitted

705.4 If the owner/applicant withdraws his plan after having submitted it

and prior to any action from the Planning Commission, the review period shall cease and shall start from day one when the plan is resubmitted. If the Planning Commission requests additional information from the owner/applicant at the initial review meeting that is not provided with the complete application, the owner/applicant may request an extension of time from the Butler County Planning Commission when additional information is requested to provide Planning Commission members with a better understanding of certain aspects of the land development plan after the commencement of the ninety (90) day review period. The extension shall commence on the date of acceptance of the request for such extension.

- 705.5** Approval of a plan shall constitute an agreement between the owner/applicant and the County that the site will be developed in accordance with the plan. Any subsequent deviations in the plan shall require review and action by the Planning Commission. The owner/applicant shall apply for a building permit within twelve months (365 days) after the date of final plan approval from the host municipality.

Section 706. Assurance of Completion and Maintenance of Improvements

- 706.1** Dedication and municipal acceptance of required site improvements are not mandatory since land development involves the building, purchase, lease or rental of buildings and/or space on the site and site improvements (such as streets and roadways, parking areas and storm water drainage facilities and other amenities), which are to be privately maintained or maintained by a private (non-public) organization or entity created by the developer. However, streets and roads, and storm water management systems shall be designed and built to the standards established in this Ordinance and the Municipal Engineer, County Engineer or designated representative shall verify that the improvements shown on the approved major land development plan are built to such standards. Costs for such verification shall be borne by the developer.

- 706.2** Where the developer does not intend to maintain the required public improvements and where a homeowner's association or similar organization will not be created to handle these responsibilities, the developer shall submit a plan for the maintenance of such facilities. This document shall be reviewed by the host municipality's Solicitor,

legally enforceable, and shall clearly establish maintenance responsibility. This Maintenance Plan shall be submitted to, and approved by, the Butler County Planning Commission following input from the County Solicitor. If deemed necessary, costs for such review shall be borne by the developer.

706.3 Any proposed improvement to be offered for public dedication must conform with the design and construction requirements as specified by this Ordinance and Appendix A, Standard Details.

706.4 Any financial security guaranteeing the completion of required public improvements in any land development shall be deposited in a financial institution as directed by the elected officials of the host municipality, in a form acceptable to the municipal solicitor.

ARTICLE VIII**DESIGN AND CONSTRUCTION STANDARDS****Section 801. General**

801.1 The design and construction standards as set forth in this Article are intended to provide for a minimum standard of development in Butler County and shall be considered sustainable, although where indicated, alternative or higher standards are included in order to protect the health, safety, and welfare of County residents. These land development principles, standards and requirements shall be applied by the Butler County Planning Commission in evaluating all subdivision and land development plans submitted.

801.2 Land which is unsuitable for development because of hazard(s) to life, health, safety and/or property shall not be subdivided and/or developed until such hazard(s) have been eliminated or unless adequate safeguards against such hazards are provided for in the Development Plan. Specific hazards unique to municipalities utilizing this Ordinance may be, but are not limited to:

801.2.1 land which is subject to flooding or which has a high ground water table

801.2.2 land which, if developed, will create or aggravate a flooding condition

801.2.3 land which is subject to subsidence or other unstable subsurface conditions

801.2.4 lands with slope greater than sixteen percent (16%)

801.2.5 lands which are subject to landslide

801.2.6 land which, because of topography or difficulty of access, is considered to be hazardous by the Butler County Planning Commission

801.2.7 land which is known to be polluted or contaminated with human health - threatening substances as determined by the U.S. Environmental Protection Agency

801.2.8 land proposed for infill development which, if developed, will negatively impact on the operation of existing uses or the ability of abutting land to be fully developed.

801.2.9 other conditions which preclude the creation of buildable lots

801.3 Proposed Plans shall be coordinated with existing nearby neighborhoods so that the community, as a whole, may develop harmoniously.

801.4 Where any requirement in this Section conflicts with any Federal, State or local law or regulation, or any deed restrictions, or private covenants recognized by the Butler County Planning Commission, the higher or stricter standard or requirement shall apply.

Section 802. Application of Standards

The following minimum subdivision and design principles, standards, and requirements shall be applied by the Butler County Planning Commission in evaluating the plans for a proposed subdivision or land development.

Section 803. Land Requirements

803.1 Land shall be suited for the purpose for which it is to be subdivided or developed.

803.2 Land subject to hazards of life, health and safety, such as strip mine land, quarry land, open ditches and land subject to flooding or subsidence, shall not be subdivided for residential purposes until all such hazards have been eliminated, or unless guarantees are given that adequate safeguards against such hazards are provided by the subdivision or land development plan.

Section 804. Street Requirements

804.1 Proposed streets shall be properly related to the Butler County and host municipality's adopted comprehensive plan, county and state road and highway plans that have been prepared and officially adopted and/or filed as prescribed by law.

804.2 Streets shall be logically related to the topography to achieve usable lots and reasonable grades.

- 804.3** Internal subdivision streets shall be laid out to discourage unnecessary through traffic, but provisions to coordinate adjacent area streets shall be generally required.
- 804.4** Where a subdivision plan abuts or contains an existing or proposed arterial street or roadway, the Planning Commission 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.
- 804.5** New half or partial streets shall 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 assurance for dedication of the remaining part of the street or roadway is secured.
- 804.6** 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.
- 804.7** 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 area, or to the development of adjacent properties in the area.
- 804.7.1** Such streets, where permitted, shall not exceed six hundred linear feet (600') to the center of the turn-around at the closed end. The Planning Commission may approve a cul-de-sac longer than six hundred feet (600') if it is determined by the Planning Commission that such additional length improves the subdivision design, results in a better relationship of the proposed development to the existing topography, and does not create any hardships for the subdivision's residents or the municipality.
- 804.7.2** The turn-around shall have an outside pavement radius of not less than forty feet (40') and a right-of-way radius of not less than fifty feet (50').
- 804.7.3** The minimum grade of the turn-around portion of the cul-de-sac shall be one percent (1%).
- 804.7.4** The maximum grade of the turn-around portion of the cul-de-

sac shall be four percent (4%).

- 804.8** 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 rights-of-way, consistent with the Table of Street Specifications in this Article, shall be provided as necessary to allow for future development activity.
- 804.9** Reserve strips, restricting or controlling access to adjacent streets or properties shall be prohibited.
- 804.10** The maximum allowable centerline grades are shown in the Table of Street Specifications in this Article. Short sections of roadway in excess of those shown in the Table may be approved by the Planning Commission where it is clear that no traffic hazards or maintenance problem will be created.
- 804.11** Minimum grades on all streets shall not be less than one percent (1%).
- 804.12** Vertical Alignment: Vertical curves shall be installed on all street grade changes to provide for the minimum sight distances shown in the Table of Street Specifications.
- 804.13** Horizontal Alignment: All tangent sections shall be connected by horizontal curves to provide for the minimum sight distances shown in the Table of Street Specifications.
- 804.14** Widths: Minimum cartway paving and right-of-way widths are shown in the Table of Street Specifications.
- 804.14.1** Additional right-of-way and cartway widths may be required by the Planning Commission for the following purposes:
- i To promote public safety and convenience where anticipated traffic flows warrant, or where drainage easements should reasonably parallel thoroughfares.
 - ii Where a subdivision or land development abuts or contains an existing street of inadequate right-of-way.
- 804.14.2** Where a subdivision abuts a Commonwealth right-of-way less than the standard in the Table of Street Specifications for a particular roadway classification, the building setback shall be

increased by an amount equal to one-half (1/2) the difference between the existing right-of-way width and the standard right-of-way width in the Table of Street Specifications. (Table 7-14)

804.15 Street Intersections:

804.15.1 All curbs at intersections shall be rounded by a minimum radius shown in the Table of Street Specifications.

804.15.2 Grades approaching intersections shall not exceed three percent (3%) for a distance of not less than fifty feet (50') from the nearest right-of-way line of the intersection.

804.15.3 Multiple intersections of more than four (4) streets shall be prohibited.

804.15.4 Minimum street intersection angles shall be in accordance with the Table of Street Specifications.

804.15.5 A clear sight triangle shall be maintained at all intersections in accordance with the Table of Street Specifications. No fences, hedges, shrubbery, walls or trees that restrict visibility shall be permitted in the area defined by the clear sight triangle.

804.15.6 Intersections of local streets with collector and arterial streets shall be kept to a minimum, consistent with topography and other local conditions. Intersections of less than two hundred feet (200') shall be avoided.

804.16 Alleys shall not be permitted in any subdivision or land development.

804.17 Private streets or lanes (vehicular rights-of-way not dedicated for public use) shall not be approved nor shall layout or improvements for lots abutting private streets be approved except under the following specific conditions:

804.17.1 Subdivisions or land developments approved with private streets shall be limited to access by a maximum of four (4) lots.

804.17.2 All lots abutting private streets shall contain a minimum of one (1) acre in area (43,560 square feet) exclusive of land in any recorded right-of-way.

804.17.3 Private streets or lanes shall be laid out to meet all dimensional

requirements of this Subdivision and Land Development Ordinance or as otherwise specified.

804.17.4 All grading, drainage, base course and other improvements on the right-of-way of any private street or lane authorized under this Ordinance provision shall be carried out in a manner that will accommodate future updating to municipal or County standards with a minimum of cost and modification. All original improvements and subsequent major maintenance involving grading, drainage, base course, or other improvements shall be approved by the County Engineer when deemed necessary by the Planning Commission prior to installation, and subject to inspection, the costs of which shall be borne by the developer, during and after completion. All private streets or lanes shall have a minimum dust-free, compacted and mud-free surface.

804.17.5 No additional lots to a recorded subdivision or land development shall be approved until the private street or lane providing access is paved and brought into compliance for dedication for public use. Lots for such additions may then be developed consistent with applicable dimensional requirements outlined in this Ordinance or an adopted municipal zoning ordinance.

804.17.6 Maintenance and liability associated with all private streets or lanes approved under this provision shall be, and remain, the responsibility of abutting property owners until such time as the private street or lane is dedicated for public use. Plats and land development plans submitted for final approval shall contain language guaranteeing such maintenance by abutting property owners and holding Butler County harmless. The following provisions shall be included in all maintenance agreements:

- i. Access to and from the private street to abutting recorded lots shall be perpetual;
- ii. Such ingress and egress to and from the private street shall be considered a private covenant attached to each abutting property;
- iii. Shared maintenance responsibilities of each property owner shall be clearly defined and pro-rated costs

identified;

- iv. Reference to the recorded maintenance agreement shall be noted on the subdivision or land development plan and included in the property deed; and
- v. A copy of the maintenance agreement shall be submitted with the initial subdivision or land development plan where a private street is proposed.

804.17.7 Private access streets may be approved in conjunction with the transfer of existing internal lots provided that:

- i. Deed provisions are made for a fifty foot (50') right-of-way.
- ii. Not more than one (1) principal structure is permitted on the lot.

804.18 Streets proposed for commercial or industrial land development purposes shall be laid out to intersect directly with arterial and collector streets. Insofar as possible, traffic circulation patterns for commercial and industrial subdivisions shall be designed in a manner to eliminate or discourage traffic flow through residential areas.

804.19 Private Access Driveways: Shall be approved as follows:

804.19.1 Any person desiring to construct or lay out such driveway shall make application to the municipality for approval of the location, design and mode of construction of such driveway, and for permission to proceed. Application forms shall be provided by the municipality.

804.19.2 The construction or layout of a proposed driveway shall not be started prior to receipt of a written permit approving the location, design and mode of construction thereof, signed by the issuing municipality and containing such reasonable terms and conditions as the municipality may deem necessary to impose. The fee for said permit and inspection shall be set from time to time by resolution of the elected officials of the municipality.

804.20 Location, Design and Construction:

- 804.20.1** All private access driveways shall be located, designed, constructed and maintained in such a manner as not to interfere or be inconsistent with the design, maintenance and drainage of the municipal roadways.
- 804.20.2** Access driveways should be located and installed in such manner that they will not cause the following:
- i. Interference with the traveling public;
 - ii. A hazard to the free movement of normal roadway traffic;
 - iii. Areas of undue traffic congestion on the roadway;
 - iv. Accumulation, concentration, or discharge of surface waters on to the municipal roadways.
- 804.20.3** Access driveways shall not be designed and constructed at locations that would interfere with the placement and proper functioning of roadway signs, signals, detectors, lighting or other devices that affect traffic control.
- 804.20.4** Where roadway curbs exist, driveway approaches shall be installed one and one-half inches (1-1/2") above the adjacent roadway or gutter grade to maintain the property drainage.
- 804.20.5** Sight Distance: Access driveways shall be located at a point of optimum sight distance along the roadway within the property frontage limits. The profile of the driveway and the grading of the right-of-way area shall provide a maximum sight distance so that the operator of a vehicle departing from such a driveway will have optimum visibility in either direction along the roadway.
- 804.20.6** Shared access drives shall be encouraged in order to limit individual points of access along road segments. Where a property boundary line is centered in the access driveway, a minimum twenty foot (20') width shall be required.
- 804.20.7** Slope of Access Driveway:
- i. All driveways shall be constructed and maintained in such a manner as not to impair drainage within the

roadway right-of-way, alter the stability of the roadway subgrade or materially change the drainage of adjacent areas. Where open shoulders or berms exist, the grade of a paved access driveway(s) shall slope away from the roadway pavement at the same rate as the existing shoulder (unless advised to the contrary by the authorized municipal representative) for the prevailing width of the shoulder. The gradient of a driveway beyond this point (within the roadway right-of-way) shall be not less than one half inch (1/2") per foot.

- ii. Driveway ramps may extend from the face of the curb up to the outer edge of the sidewalk area in those cases where a planted area occurs between multiple driveways. The rate of slope for such driveway ramps should not exceed one inch (1") per foot. Where conditions are such that the one inch (1") per foot slope is not obtainable, the sidewalk area of the driveway may be lowered sufficiently to obtain the allowable ramp slope and the sidewalk may be ramped up to meet the normal sidewalk grade, at a rate of slope not to exceed three-eighths inch (3/8") per foot.
- iii. Where a drainage ditch or swallow exists, adequate pipe shall be installed under the driveway (by the permittee) in accordance with municipal or Butler County Planning Commission specifications. Minimum diameter of such drainage pipe shall be twelve inches (12") unless otherwise specified by the authorized municipal or County Representative. Under no circumstances shall the diameter of such drainage pipe be less than twelve inches (12").

804.20.8 Maintenance: All driveways, adjacent areas and areas between such driveways including channelization, paving, and drainage, installed by the property owners or his predecessor in title, shall be maintained by the property owner in such a manner as not to interfere or be inconsistent with the design, maintenance and drainage of the municipal roadway or the safe and convenient passage of traffic upon the municipal roadway. The term "adjacent area" shall apply only to that area within the property owners property or that area of the municipal right-of-way contiguous to the property owner's

property.

804.20.9 Inspection:

- i. Work authorized by a municipal Road Occupancy Permit for construction of an access driveway shall be performed at such time and in such a manner as to conform to all requirements and standards specified therein. Such work shall be inspected by a municipal representative or a representative of the County of Butler upon receipt of the completion notice from the permittee or at the date of the expiration of the permit, which shall be one (1) year from the date of issue.
- ii. If an inspection of a driveway discloses that it is not being or has not been properly maintained in accordance with the standards set forth in this Article, the property owner shall be notified, in writing, by the municipality or the County of Butler to take immediate steps, at his own expense, toward placing the driveway in such condition as to conform to said requirements and standards.

804.20.10 Enforcement: Upon determining that a driveway has not been installed or maintained in accordance with the provisions of this Article and/or is unsafe, the authorized municipal or County representative shall serve or cause to be served on the owner a written notice containing a description of the portion of the driveway deemed unsafe or in violation of this Article. A statement of the particulars in which the driveway is unsafe or in violation of this Article, and an order requiring the same to be made safe and brought into conformity with this Subdivision and Land Development Ordinance, or removed, as may be deemed necessary, shall be included in the written notice. The provisions of Article XI, Violations and Enforcement Remedies, shall dictate the procedure for compliance.

804.21 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:

804.21.1 In addition to the information and data required by Articles IV and VI of this Ordinance, where applicable, all applications for

preliminary and final plan approvals of subdivisions or land developments for commercial and industrial land development shall contain an interior traffic circulation plan showing locations and dimensions of vehicular ingress and egress for each development parcel, in addition to:

- i. Location and access provisions for parking and loading for each development parcel.
- ii. Available sight distances at all intersections with driveways.

804.21.2 Defined and dimensioned ingress and egress points shall be required for all commercial and industrial development parcels.

804.21.3 Driveway widths shall meet the minimum standards as shown in the Table of Driveway Specifications.

804.22 All driveways shall be constructed so as provide for surface drainage. Cross drains shall be constructed beneath the driveways where required to provide adequate drainage.

804.23 See the Table of Driveway Specifications (Section 815) for additional driveway requirements.

Section 805. General Design Requirements

805.1 The following general provisions shall apply to all subdivisions of land and land developments:

805.1.1 All lot area requirements and specific minimum yard and setback designations shall be dimensioned from public rights-of-way where applicable. No lot area requirement or setback shall be computed which includes land located within a public right-of-way.

805.1.2 The frontage width of lots abutting a cul-de-sac shall be determined as the width at the building line. The minimum side yard and building setback requirements shall be calculated from the midpoint of the structure along the average length of both sides of the structure for each side yard.

805.1.3 All lot lines shall be set perpendicular or radial to the centerline of the street whenever possible.

- 805.1.4** Lots abutting local streets shall front upon the streets that parallel the long dimension of the block, whenever possible.
- 805.1.5** All lots shall abut by their full frontage on a publicly dedicated street or on a street that has received the legal status of such. Lots abutting on a private street or easement shall not be approved, excepted as provided for in Section 804.17. Lots developed on private streets in existence prior to the enactment of this Ordinance and recorded may be developed. Private streets shall not be extended to permit additional lot development.
- 805.1.6** No land shall be graded, cut or filled so as to create a slope exceeding a vertical rise of one foot (1') for each two feet (2') of horizontal distance between abutting lots, unless a retaining structure is installed in accordance with specifications approved by the County Engineer or Municipal Engineer.
- 805.1.7** A modification of front yard setback requirements for single family dwellings, as set forth in Section 304 where infill development is proposed, may be granted by the Butler County Planning Commission in predominantly developed areas, provided that:
- i. A request for such modification is submitted with the initial application for subdivision or land development approval, and the Planning Commission determines that such modification does not negatively affect the character of the area where proposed.
 - ii. Seventy-five percent (75%) or more of the established structures on the same side of the street have front yard setbacks less than required by the Municipal Zoning Ordinance (where applicable) or by the standards provided for in Section 806 of this Butler County Subdivision and Land Development Ordinance;
 - iii. For purposes of this setback modification, established structures on existing lots shall be interpreted as a block area not exceeding five hundred (500) linear feet which is situated between either two (2) intersecting streets, or an intersecting street and a cul-de-sac;

- iv. In the absence of typical block development in open or rural areas, the established structures on existing lots shall be determined as developed parcels within eight hundred (800) linear feet of the subject property boundary line in either direction;
- v. Where setback modifications are granted, the front yard setback requirements shall be established as the average setback of all established structures within the areas defined in this Section;
- vi. The modification of setback requirements authorized by this Section shall be considered only to achieve orderly development in an existing neighborhood or developed area and not to circumvent the purpose and intent of this Subdivision and Land Development Ordinance or an adopted municipal Zoning Ordinance.

805.2 Lots laid out for residential purposes shall be subdivided in accordance with the provisions of the Municipal Zoning Ordinance (where applicable) or Section 806 of this Ordinance with respect to lot area, lot width, setbacks, yard requirements and other applicable requisites and requirements.

805.3 Lots and tracts of land laid out for nonresidential purposes shall be subdivided in accordance with the provisions of the Municipal Zoning Ordinance (where applicable) or Section 806 of this Ordinance with respect to lot area, lot width, setbacks, yard requirements and other applicable requisites and requirements.

805.4 The location of areas designated for structures or the building envelope, internal site circulation patterns, off-street parking and loading areas, proposed easements, and generalized land use proposals shall be included as a part of all Final Plan applications for nonresidential purposes.

805.5 The Planning Commission 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 this Ordinance or an adopted Municipal Zoning Ordinance.

- 805.6** The developer shall demonstrate every effort to protect adjacent and existing or potential residential development sites through the provision of guaranteed landscaping or screening or other appropriate design standards or amenities established for the purpose of mitigating adverse influences resulting from the land use characteristics on nonresidentially developed lots.

Section 806. Lot, Yard and Height Requirements

- 806.1** In order to provide sufficient light, air, access and an orderly design, all lots proposed in municipalities classified as Townships of the Second Class shall meet the criteria outlined in the following Table:

	Minimum Lot Area*	Minimum Yard Width at Building Line*	Minimum Front Yard Setback*	Minimum Side Yard Setback*	Minimum Rear Yard Setback*
Single Family Dwellings with On-Lot Sewage AND Water	43,560 sq. ft. (1 acre) per dwelling unit	100 ft.	50 ft.	20 ft.	50 ft.
Single Family Dwelling with Public Sewer Service OR Public Water Service Available (either at this time or officially approved for installation)	21,780 sq. ft. (.5 acre) per dwelling unit	80 ft.	40 ft.	15 ft.	40 ft.
Single Family Dwelling with BOTH Public Sewer Service AND Public Water Service Available (either at this time or officially approved for installation)	10,890 sq. ft. (.25 acre) per dwelling unit	60 ft.	30 ft.	10 ft.	30 ft.
Multiple Family Dwellings with On-Lot Sewage AND Water	32,670 sq. ft. (.75 acre) + 3,630 sq. ft. per DU after the fourth dwelling unit	100 ft.	50 ft.	40 ft.	75 ft.
Multiple Family Dwellings with Public Sewage OR Water	21,780 sq. ft. (.5 acre) + 3,630 sq. ft. per DU after the fourth dwelling unit	100 ft.	50 ft.	40 ft.	50 ft.

	Minimum Lot Area*	Minimum Yard Width at Building Line*	Minimum Front Yard Setback*	Minimum Side Yard Setback*	Minimum Rear Yard Setback*
Multiple Family Dwellings with BOTH Public Sewer Service AND Public Water Service Available (either at this time or officially approved for installation)	10,890 sq. ft. (.25 acre) + 3,630 sq. ft. per DU after the fourth dwelling unit	100 ft.	50 ft.	40 ft.	50 ft.
Other Land Development Types	Not < 32,670 sq. ft. (.75 acre)	100 ft.	50 ft.	15 ft. + 5 ft. per 1,000 GLA**	15 ft. + 5 ft. per 1,000 GLA**
Telecommunications Towers	Dimensioned to incorporate the fall radius of the tower structure	n/a	n/a	n/a	n/a
Accessory structures		n/a	n/a	5'	5'
Mobile Home Parks (see Article V)	217,800 sq. ft.	As specified in Article V			
Recreational Vehicle Parks (See Article V)	217,800 sq. ft.	As specified in Article V			

Notes:

* The Butler County Planning Commission reserves the right to require a lot area or setback other than shown in this chart if local physical conditions so warrant in order to protect the health, safety and welfare of property owners. See Section 304, Modifications and Waivers to Ordinance.

** GLA = Gross Leasable Area

Please note that no building height shall exceed three (3) stories, with the exception of silos, grain elevators, steeples, antennas or similar structures not intended for human habitation.

Please note that impervious surface shall not exceed forty percent (40%) of any total lot area.

806.2 In order to provide sufficient light, air, access and an orderly design, all

lots proposed in municipalities classified as Boroughs, Incorporated Towns and Cities shall meet the criteria outlined in the Table herein.

	Minimum Lot Area*	Minimum Yard Width at Building Line*	Minimum Front Yard Setback*	Minimum Side Yard Setback*	Minimum Rear Yard Setback*
Single Family Dwellings with On-Lot Sewage AND Water	32,670 sq. ft. (.75 acre) per dwelling unit	90 ft.	25 ft.	10 ft.	30 ft.
Single Family Dwelling with Public Sewer Service OR Public Water Service Available (either at this time or officially approved for installation)	10,890 sq. ft. (.25 acre) per dwelling unit	75 ft.	25 ft.	10 ft.	30 ft.
Single Family Dwelling with BOTH Public Sewer Service AND Public Water Service Available (either at this time or officially approved for installation)	8,712 sq. ft. (.25 acre) per dwelling unit	60 ft.	25 ft.	10 ft.	25 ft.
Multiple Family Dwellings with On-Lot Sewage AND Water	21,780 sq. ft. (.5 acre) plus 3,630 sq. ft. per DU after the fourth dwelling unit	90 ft.	30 ft.	10 ft.	25 ft.
Multiple Family Dwellings with Public Sewage OR Water	14,520 sq. ft. (.33 acre) plus 3,630 sq. ft. per DU after the fourth dwelling unit	80 ft.	30 ft.	10 ft.	25 ft.
Multiple Family Dwellings with BOTH Public Sewer Service AND Public Water Service Available (either at this time or officially approved for installation)	10,890 sq. ft. (.25 acre) plus 3,630 sq. ft. per DU after the second dwelling unit	70 ft.	25 ft.	10 ft.	25 ft.
Other Land Development Types	21,780 sq. ft. (.5 acre)	90 ft.	30 ft.	15 ft.	25 ft.
Telecommunications Towers	Dimensioned to	n/a	n/a	n/a	n/a

	Minimum Lot Area*	Minimum Yard Width at Building Line*	Minimum Front Yard Setback*	Minimum Side Yard Setback*	Minimum Rear Yard Setback*
	incorporate the fall radius of the tower structure				
		n/a	n/a	n/a	5'
Mobile Home Parks (see Article V)	217,800 sq. ft.	As specified in Article V			
Recreational Vehicle Parks (See Article V)	217,800 sq. ft.	As specified in Article V			

Notes:

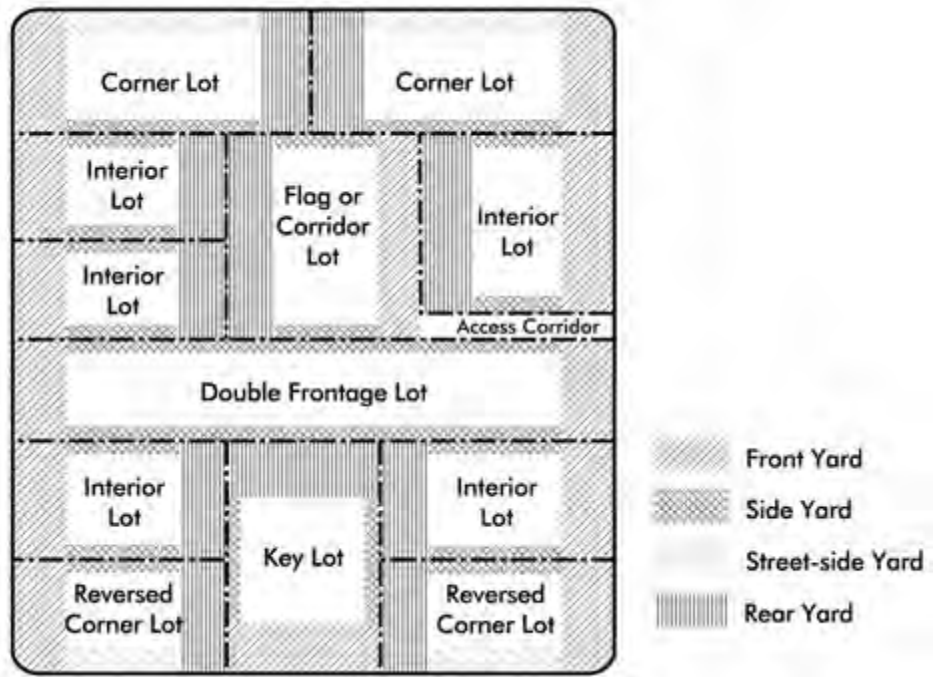
* The Butler County Planning Commission reserves the right to require a lot area or setback other than shown in this chart if local physical conditions so warrant in order to protect the health, safety and welfare of property owners. See Section 304, Modifications and Waivers to Ordinance.

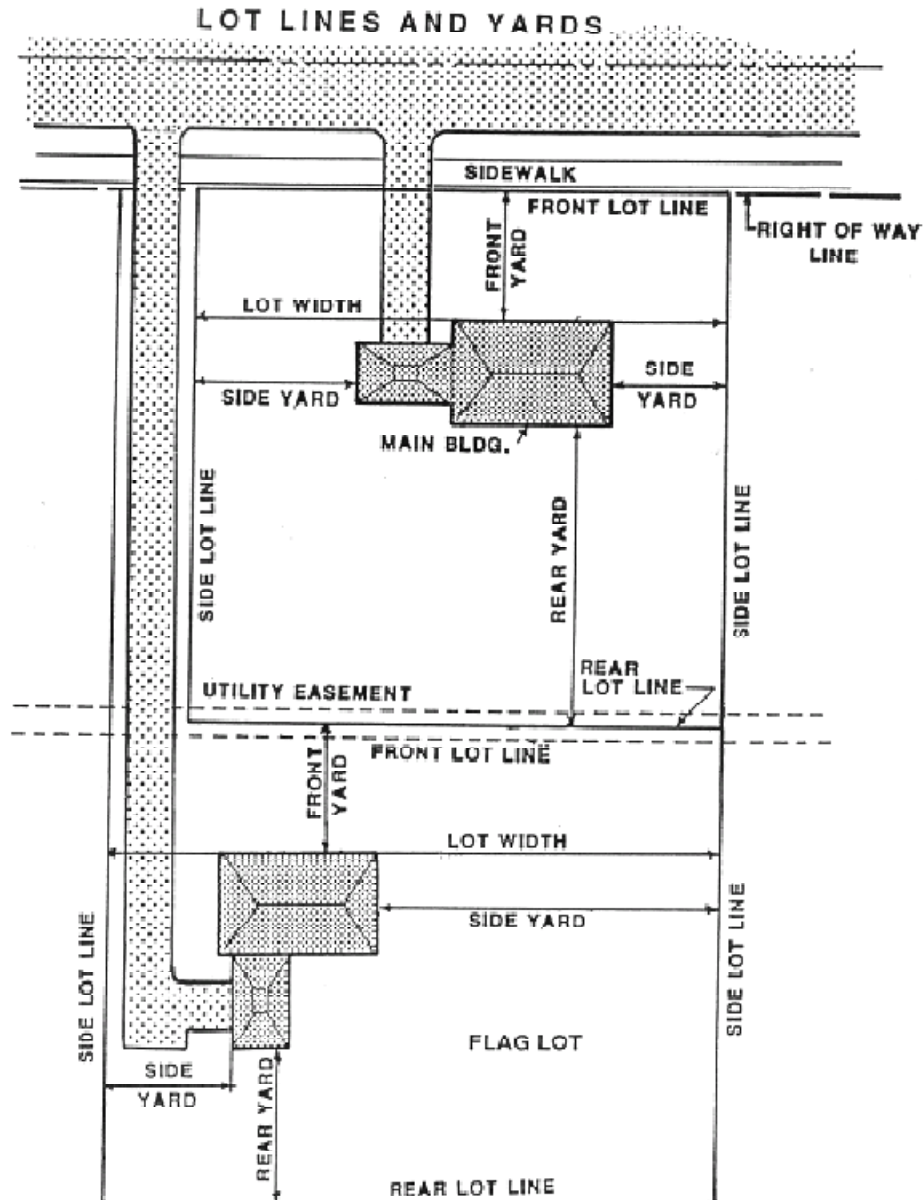
Please note that no building height shall exceed three (3) stories, with the exception of silos, grain elevators, steeples, antennas or similar structures not intended for human habitation.

Please note that impervious surface shall not exceed forty percent (40%) of any total lot area.

Section 807. Blocks

- 807.1** Block length shall not exceed eight hundred feet (800'), nor be less than five hundred feet (500').
- 807.2** Blocks shall be at least two (2) lots in depth except for reverse frontage lots.
- 807.3** The depth to width ratio of usable lot length shall be at a maximum of two and one-half (2 ½) to one (1).
- 807.4** The following diagrams identify reference points for lot design standards.





Section 808. Easements

808.1 Utility and public utility easements shall have a minimum width of twenty feet (20') and be placed at the side or rear of lots, and underground whenever possible. When the Butler County Planning Commission determines that conditions are suitable for utilities and/or public utilities, an easement reservation shall be required.

808.2 Anchor easements shall be approximately four feet by thirty feet (4' x

30') and placed on a lot line.

808.3 Aerial easements shall be in accordance with Commonwealth regulatory agencies having jurisdiction.

808.4 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 purposes, but not less than twenty feet (20'). Where available, the Federal Emergency Management Agency (FEMA), Commonwealth and local floodplain maps and data shall be employed to determine the location of easements or rights-of-way required by this Ordinance.

Section 809. Sidewalks

Sidewalks and crosswalks shall be installed by the applicant or developer along both sides of public streets or at other locations deemed necessary for public safety if determined necessary by the Butler County Planning Commission.

Section 810. 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 the Butler County Planning Commission.

Section 811. Street Names and Numbering

811.1 The applicant may choose his street names subject to the approval of the host municipality, Butler County Emergency Services, Butler County Mapping Department, and the Butler County Planning Commission. No street, other than an extension, may be given the name of an existing street in the municipality's postal service area. Documentation certifying that the street names used are not duplications of street names within the same post office service area shall be filed by the applicant.

811.2 All house numbering systems shall be coordinated with the number of existing development in the area and consistent with the Butler County Emergency Management system standards. Road name application and municipal street address guide update forms are in Appendix C of this Ordinance.

Section 812. Access

The subdivision of land shall be done in a manner that will not bar adjacent property owners from access to public streets and/or private rights-of-way or access easements or otherwise preclude the development of surrounding land areas.

Section 813. Public Use and Open Space Areas

- 813.1** When it is determined by the Butler County Planning Commission that adequate public open space and recreation area does not exist within one (1) mile of a proposed residential subdivision site of five (5) acres or more, the Butler County Planning Commission may request that the applicant provide such open space within the tract proposed for development. This request may also be applied in cases where approved subdivisions of less than five (5) acres are expanded to exceed a total combined subdivided area of five (5) acres or more or a total of ten (10) dwelling units.
- 813.1.1** Where requested, a minimum of five percent (5%) of the total subdivided area, exclusive of street rights-of-way, shall be set aside for passive recreational area.
- 813.1.2** Areas reserved for recreational and open space uses shall be suitable for such purposes with respect to topography, size, shape, drainage, location and accessibility.
- 813.2** Provisions for the development and maintenance of any open space and recreation areas set aside as public space shall be guaranteed by appropriate bonds or similar provisions satisfactory to the Butler County Planning Commission. (See Article X, Conditions of Acceptance).
- 813.3** The Butler County Planning Commission may, at its option, accept recreation and open spaces from the applicant through deeds of dedication conveying title to the municipality or County. If such arrangements are accepted by the municipality or County, guarantees of improvement and maintenance shall not be required from the applicant after the Maintenance Security period (See Article X, Conditions of Acceptance).

Section 814. Table of Street Specifications

<u>TABLE OF STREET SPECIFICATIONS</u>				
TYPE	ARTERIAL STREETS		COLLECTOR STREETS	LOCAL STREETS
Right-of-way width (feet)	60		50	50
Cartway paving width (feet) (not including curb width where applicable)	30*		24*	20*
Maximum centerline grade (minimum grade no less than 1% for all streets)	6%		8%	10%
Minimum angle for intersection	80		80	75
Minimum curb radius (feet)	45		40	20
Grades for 50 feet before intersection	3%		3%	3%
Sight triangles (distance along sides of through street/stop street) (feet)***	500 /30		400 /30	250 /25
Horizontal curvature (centerline radius)	11°-15' max (509'R) 4°-15' desired (1348'R)		21°-00' max (272'R) 11°-15' desired (509'R)	50°-00' max (118'R) 21°-00' desired (272'R)
<u>Vertical curvature</u>	150' min (plus **)		100' min (plus **)	50' min (plus **)
Sight distance (stopping)	<u>60</u> mph 625'	<u>50</u> mph 525'	<u>40 mph</u> 325'	<u>30 mph</u> 215'

* Add eight foot (8') for a parking lane where off-street parking is not provided

** Vertical curves shall be increased twenty feet (20') in length for each one percent (1%) of grade change exceeding three percent (3%).

*** Sight triangles for state highways shall comply with PaDOT Design Manual No. 2 and Pub. 282 (Highway Occupancy Permit Handbook).

Section 815. Table of Driveway Specifications

TABLE OF DRIVEWAY SPECIFICATIONS					
ITEM	EXPECTED # VEHICLES PER DAY	SINGLE UNIT TRUCKS & PASSENGER CARS		BUSES AND COMBINATION TRUCKS	
		ROADWAY SPEED		ROADWAY SPEED	
		<45 MPH	45 MPH>	<45 MPH	45 MPH>
Minimum Driveway Width	less than 25	10'	10'	12'	12'
	25-750 one way	10'	12'	12'	12'
	25-750 two way	20'	20'	22'	22'
	750-1,500	24'	24'	24'	24'
	>1,500	Design as PennDOT High Volume Driveway – Current Criteria			
Minimum Radius	less than 25	10'	10'	35'	40'
	25-750 one way	10'	15'	35'	45'
	25-750 two way	10'	15'	35'	45'
	750-1,500	15'	15'	45'	50'
	>1,500	Design as PennDOT High Volume Driveway – Current Criteria			

Additional General Driveway Requirements:

1. Driveways shall enter public or private streets at safe locations, not less than fifty linear feet (50') from the centerlines of any intersecting roadways, and in no case within the curb radius.
2. Driveways shall have a stopping distance, measured twenty feet (20') behind the right-of-way line, with a longitudinal grade not exceeding four percent (4%) wherever possible.
3. Driveway profiles shall be prepared by a Professional Land Surveyor or Registered Professional Engineer and extend from the centerline of the abutting road or street right-of-way to a point twenty-five feet (25') past the recorded right-of-way line toward the building setback line on the abutting lot, tract or parcel.

ARTICLE IX**REQUIRED IMPROVEMENTS FOR MUNICIPAL PUBLIC STREET
DEDICATION****Section 901 Grading**

- 901.1** Streets shall be constructed to grades and cross-sections as cited on, and presented with, the preliminary plans and street profiles, in conformance with Butler County Construction Standards. (See Appendix A)
- 901.2** Street shoulders shall be graded to the full width of the street or road right-of-way in accordance with Butler County construction standards (See Appendix A), and thoroughly compacted by rolling all shoulders.
- 901.3** 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 recompacted with a suitable firm material, approved by the Butler County or Municipal Engineer, before the placing of any base material.
- 901.4** No base course shall be placed until the subgrade has been proof-rolled, inspected and approved in writing by the Butler County or Municipal Engineer.
- 901.5** All inspections shall be coordinated with the Butler County or Municipal Engineer or their authorized representative.

Section 902 Underdrainage

- 902.1** In areas where springs, poor soil drainage conditions, wet weather springs or where conditions exist that underground drainage is necessary to properly protect the proposed street pavement, there shall be constructed pipe underdrain, stone underdrain or subgrade drains according to current Butler County Construction Standards, subject to approval of the Butler County or Municipal Engineer.
- 902.2** If, during construction, unknown poor drainage conditions are encountered by the applicant, he shall notify the Butler County or Municipal Engineer and correct such conditions encountered at the direction of the County or Municipal Engineer.

Section 903 Curbing

- 903.1** The type of curbs, when specified by the applicant or when required by the Butler County Planning Commission, are to be determined by the County or Municipal Engineer and subject to said Engineer's approval before installation.
- 903.2** The requirements of curbs or curbs and gutters will vary in accordance with the character of the area and density of development involved. The Butler County Planning Commission may require curbs and gutters to be installed on arterials, collector or local streets if such construction is deemed necessary for public safety, stabilizes the pavement edge, for the control of water runoff or clearly defined driving and parking areas. Curbs shall be required where:
- 903.2.1** Streets are designed to serve areas in which the net residential density of the area surrounding the proposed subdivision equals or exceeds three (3) families or six (6) persons per acre.
- 903.2.2** Lot frontage is less than seventy-five feet (75').
- 903.2.3** Commercial or industrial development exists.
- 903.2.4** Curbs exist on abutting property.

Section 904 General Street Design Standards

- 904.1** General Standards:
- 904.1.1** Circulation within a subdivision or land development plan shall logically relate to and be an extension of the municipal road system, or, if extending beyond the municipal boundary, to the road network in the adjacent municipality.
- 904.1.2** The layout of streets shall relate as closely as possible to existing topography in order to minimize earth moving, produce usable lots or development areas, create reasonable grades, and preserve the amenities and natural cover of the site.
- 904.1.3** The Butler County Planning Commission may impose higher standards where it is clear that a dangerous situation may be created by the location, grade or intersection of streets or by topographical conditions.

- 904.1.4** Local streets shall be designed to discourage use by traffic with no origin or destination within the subdivision plan or land development or extensions thereof.
- 904.1.5** Streets shall be extended to the boundaries of a subdivision or land development plan if connection can be made to an existing or recorded street in an adjacent subdivision or plan or if topography or shape of the adjacent unplanned property suggests a logical extension exists to that property.
- 904.1.6** The Planning Commission may require an owner/applicant whose land abuts an arterial street to orient his plan away from the street with no lots having access directly to it and to limit his points of access into the subdivision plan or land development to a minimum number with good sight distances.
- 904.1.7** Half-streets along the boundary of a proposed plan shall be prohibited except where the plan proposes to complete a half-street existing on an adjacent already subdivided property. In that case the half-street proposed in the plan shall be not less than specified in this Section.
- 904.1.8** Alleys shall be prohibited and all streets, roadways, and rights-of-way shall be designed and constructed based on the functional classification of such streets and roadways as per the current edition of the Institute of Transportation Engineers' Trip Generation and applicable provisions of this Ordinance.
- 904.1.9** Subject to the Butler County Planning Commission's approval of the plan construction schedule outlined in a Municipal or County Developer's Agreement, the owner/applicant may construct streets and install other improvements at the same time that buildings in the subdivision plan or land development are being built, but no building within the plan shall be occupied until the street is acceptable to the Municipality or County across the front of the lot containing the building to be occupied and extending to completed portions of the road system.
- 904.1.10** All road and street design and construction shall comply with standards and methods established in the latest editions of the following:

- i. PennDOT Design Manual II;
- ii. PennDOT Guidelines for Design of Local Roads and Streets;
- iii. PennDOT Specifications, Publication 408;
- iv. AASHTO, A Policy on Geometric Design of Highways and Streets; and
- v. Provisions of this Ordinance.

904.1.11 If conflicts or discrepancies exist among the respective standards or requirements, the standard or requirement providing the highest level of public safety shall apply.

904.2 Street Width:

904.2.1 Rights-of-way for all existing streets abutting a subdivision or land development plan, and rights-of-way within subdivision or land development plans shall be in accordance with Section 814 of this Ordinance.

904.2.2 Street Pavement Specifications:

- i. An eight inch (8") compacted thickness subbase shall be constructed in accordance with the Pennsylvania Department of Transportation, Form 408, latest edition, Section 350.
- ii. A four and one-half inch (4 ½") compacted thickness bituminous Superpave 25 mm HMA base course shall be constructed on the prepared subbase course in accordance with the Pennsylvania Department of Transportation, Form 408, latest edition, Section 409.
- iii. A one and one-half inch (1 ½") compacted thickness bituminous Superpave 9.5 mm HMA wearing course shall be constructed on the prepared base course in accordance with the Pennsylvania Department of Transportation, Form 408, latest edition, Section 409.
- iv. The final wearing course shall not be installed until seventy-five percent (75%) of the lots are developed

or within two (2) years of the date of issuance of the first plan building permit. The Superpave base course shall be sealed with a one-half inch (1/2") compacted thickness wearing course of FB-1 materials or approved equal by the County or Municipal Engineer if the final wearing course is not placed prior to the end of the first paving season, in accordance with Pennsylvania Department of Transportation (PaDOT) Form 408, latest edition, Section 439.

- v. Unsuitable material shall be removed and replaced with coarse aggregate material as approved by the Municipal or County Engineer.

904.3 Street Alignment:

- 904.3.1** The minimum centerline horizontal radius of a street curve shall be in accordance with Section 814 of this Ordinance.
- 904.3.2** Adjacent horizontal tangents shall be connected by an arc. A tangent shall be required between curves; however, a long radius curve shall be preferred in all cases to a series of curves and tangents. A minimum tangent of one hundred feet (100') shall be required between reverse curves.
- 904.3.3** For compound curves the radius of the curve with the greater radius shall be not more than fifty percent (50%) longer than the radius of the adjacent curve, or the transition between curves may be achieved by a three-centered compound curve.
- 904.3.4** Curves shall be superelevated on arterial and collector streets when the curve radii are less than six hundred feet (600') and shall be designed in accordance with PaDOT Design Criteria applicable to the class of roadway or street.
- 904.3.5** Where horizontal alignment curves around a topographical or other obstruction, there shall be maintained an unobstructed sight distance at all points along the curve of at least one hundred and fifty feet (150') measured three feet six inches (3' 6") above the finished road surface along the road centerline.
- 904.3.6** Vertical sag curves or crest curves shall be not less than the standards enumerated in the current edition of AASHTO and as

indicated in Section 814 of this Ordinance.

904.4 Street Grades:

904.4.1 Centerline grades shall comply with Section 814 of this Ordinance.

904.4.2 Minimum grades along centerlines shall be not less than one percent (1%).

904.4.3 Vertical curves shall be installed on all street grade changes and shall comply with the requirements of Section 814 of this Ordinance.

904.5 Street Intersections:

904.5.1 Streets shall be laid out to intersect as nearly as possible at right angles and not less than seventy-five degrees (75°) or more than one hundred fifty degrees (150°). (See Section 814 of this Ordinance)

904.5.2 Where two (2) streets intersect, a third street from opposite sides, the distance between the centerlines of the two (2) streets shall be not less than two hundred feet (200), or else they shall intersect the third street directly opposite. (See Section 804.15)

904.5.3 Unobstructed sight distances shall be maintained at intersections in accordance with Section 814 of this Ordinance. A triangular area whose sides are the centerlines of the intersecting streets and are not less than seventy-five feet (75') in length shall be maintained clear of any obstructions so that from any point along either side, objects are visible at three feet six inches (3' 6") above the street surface.

904.5.4 Grades approaching intersections shall comply with Section 804.15.2.

904.5.5 Intersections involving the crossing of more than two (2) streets shall not be permitted.

904.5.6 Intersecting pavements shall be designed with a radius of not less than twenty-five feet (25') at intersecting local streets, thirty feet (30) at intersecting local and collector streets and fifty feet (50) at intersecting arterial streets.

904.6 Cul-de-Sacs and Temporary Dead-End Streets:

- 904.6.1** Streets to be permanently closed at one end (cul-de-sacs) shall not be greater than six hundred feet (600') [See also Section 804.7] to the center of the turnaround nor less than two hundred fifty feet (250') in length measured between the center of the turnaround at the closed end and the centerline of the intersected street at the other end. The turnaround shall have a right-of-way diameter of at least one hundred feet (100') and a paved diameter of at least eighty feet (80') on the outer edge. The paved portion shall be at least twenty-four feet (24') in width and the center of the cul-de-sac need not be paved if it is planted and maintained. If the full width of the cul-de-sac is paved, a paved diameter of eighty feet (80') shall be provided. (See Section 804.7)
- 904.6.2** Where the six hundred (600') linear feet maximum cul-de-sac street length is exceeded by modification, a paved area meeting the requirements of this Section to allow for the turning and maneuvering of school busses, emergency vehicles, and maintenance equipment shall be provided within a dedicated right-of-way and placed in a location approximately two-thirds (2/3) of the street length as modified, from the centerline of the intersection of the open end of the street, to the terminus of the street right-of-way line.
- 904.6.3** Where a subdivision or land development consisting of twenty (20) lots or more is proposed with only one (1) point of public access to an abutting public right-of-way, a paved area meeting the requirements of this Section to allow for the turning and maneuvering of school busses, emergency vehicles, and maintenance equipment shall be provided within a dedicated right-of-way.
- 904.6.4** If a subdivision or land development plan is developed over several stages and streets are to be extended as development proceeds, temporary dead-end streets produced in one stage to be extended in a later stage shall be provided with an all-weather turnaround cul-de-sac meeting the requirements of this Section whose use and maintenance is guaranteed to the public by the owner/applicant.

904.7 Private Driveways: Driveways entering public streets shall be graded

to prevent stormwater flowing from the driveway onto the paved portion of the public street. The street's gutter line shall be maintained across the driveway or private street, or stormwater may pass under, provided the gutter alignment is not compromised and the pipe under the driveway or private street is of sufficient size to carry the stormwater flow from the one hundred (100) year storm without creating ponding on the upstream end.

904.8 Street Names and Signposts: Streets that are extensions of existing streets or are substantially in alignment with them shall bear the name of the existing street.

904.8.1 Street names shall be subject to the approval of the host municipality, Butler County Emergency Services, Butler County Mapping Department and the Butler County Planning Commission and shall not duplicate names already in use within the same postal zip code zone. Naming of streets shall comply with Section 811.

904.8.2 Approved street name signs shall be placed at all street intersections within the plan or at the intersection of existing streets and streets entering the plan.

904.8.3 Signs and supports may be provided by the host municipality at the developer's expense and installed by the owner/applicant, although the municipality and owner/applicant may mutually agree on an alternative sign type.

Section 905

Sidewalks

905.1 Sidewalks, when required by the Butler County Planning Commission, shall be constructed in conformity with specifications approved by the County or Municipal Engineer consistent with local standards.

905.2 The minimum width for sidewalks shall be four feet (4') but the Butler County Planning Commission may require a greater width in the vicinity of intensive urban use and activities.

905.3 Sidewalks shall be of Portland cement concrete Pennsylvania Department of Transportation Class A. Sidewalks shall be a minimum of four inches (4") thick except at driveways where they shall be six inches (6") thick. Sidewalks shall be placed on a compacted six inch (6") stone base. Scored construction joints are to be every five feet (5') with expansion joints every twenty feet (20').

- 905.4** All phases of construction shall be in accordance with this Ordinance and design standards established and approved by the Municipality or Butler County. The forms shall be inspected prior to pouring, and finished walks shall be inspected by the County or Municipal Engineer.

Section 906 **Storm Drainage and Facilities**

All storm drainage facilities shall be adequately designed for the anticipated runoff when the area is fully developed, using current criteria established in the Pennsylvania Department of Transportation Design Manual No. 2 or other method approved by the County or Municipal Engineer. Storm drainage facilities to be located in any municipality under the jurisdiction of this Ordinance shall also comply with the requirements of the Butler County Act 167 County-Wide Stormwater Management Plan. Storm drainage facilities shall comply with, but are not limited to, the following:

- 906.1** Storm sewers shall be located in the street right-of-way or in designated drainage easements. When placed in drainage easements, the easement width shall be a minimum of twenty feet (20') in width.
- 906.2** Storm sewers shall have a minimum diameter of fifteen inches (15") and a minimum gradient of one percent (1%).
- 906.3** Inlets shall be spaced in accordance with the Pennsylvania Department of Transportation Design Manual No. 2, but the spacing shall not exceed three hundred feet (300').
- 906.4** Manholes or inlets are required at all changes in horizontal alignment and vertical grade. Storm sewers shall maintain the same alignment and grade between manholes or inlets.
- 906.5** All storm sewer inlets, manholes, pipes, headwalls, endwalls shall be Pennsylvania Department of Transportation approved materials.
- 906.6** Unless otherwise specified in the Butler County Act 167 County-Wide Stormwater Management Plan, roof drains shall be extended to the paved gutter of streets and connected to the storm sewer system where accessible. At no time will roof drains or foundation drains be allowed to be connected to the sanitary sewer system.
- 906.7** Any springs encountered during construction shall be piped and connected to the storm sewer system or extended to a natural watercourse as may be approved by the County or Municipal

Engineer.

- 906.8** Concrete headwalls, endwalls and splash aprons shall be constructed at the outfall of all storm sewers. Where watercourses are piped and filled, concrete headwalls, endwalls and splash aprons shall be constructed at both ends of the pipe.
- 906.9** Whenever construction stops or concentrates the natural flow of surface drainage in such a way as to affect adjoining properties, written approval must be obtained from the adjoining property owners. Where storm drainage is piped onto adjoining properties other than natural watercourses, written permission, a release of damages, and right-of-way must be obtained from the adjoining property owners before the storm sewers will be permitted to be installed or are taken over by the municipality. Approval of plans by the municipality or County does not authorize or sanction drainage affecting adjoining properties.
- 906.10** All bridges and culverts shall be designed to support expected loads and to carry expected flows, and shall meet the current specifications and standards of the Commonwealth of Pennsylvania, Department of Transportation.
- 906.11** A complete drainage plan of the subdivision or land development shall be submitted, including all necessary storm sewers and appurtenances, the design of which is based on criteria specified in the Act 167 County-Wide Stormwater Management Plan, except in those areas where in the judgment of the County or Municipal Engineer, the likelihood of exceptional damage resulting from stormwater is such that additional design criteria is required. The drainage plan shall show the method of drainage of adjacent and contiguous territory and the method of disposal of all stormwater collected. The drainage plan shall be accompanied by design calculations as prepared, signed and sealed by a Pennsylvania licensed engineer.
- 906.12** The storm drainage system shall be provided as necessary to:
- 906.12.1** Discharge stormwater runoff into common natural watercourses.
 - 906.12.2** Adequately drain all low points along streets.
 - 906.12.3** Intercept street stormwater runoff at intervals related to

the extent and grade of the area drained.

- 906.12.4** Provide positive drainage away from sewerage facilities.
- 906.12.5** Handle existing off-site runoff through the subdivision.
- 906.12.6** Insure safe and proper disposal of stormwater where open watercourses are planned, through adequate safety, erosion and aesthetic measures.

Section 907 Monuments

Monuments shall be placed at all block corners, angle points, points or curves in streets and intermediate points as determined by the County or Municipal Engineer. Monuments shall be either:

- 907.1** Concrete with a minimum dimension of six inches by six inches by thirty inches (6" x 6" x 30"), marked on top with a brad or copper pin; or
- 907.2** Iron or steel bars at least thirty inches (30") long with a minimum diameter of five-eighths inch (5/8").

Section 908 Street Trees

Should the applicant plan to provide trees, their proposed location, spacing and species must be submitted for approval to the County or Municipal Engineer. For subdivision plans of ten (10) lots or greater, the applicant shall submit a landscaping plan as prepared by a Registered Landscape Architect. The landscape plan shall be approved by the Butler County Planning Commission, prior to planting.

Section 909 Natural Conditions and Erosion Control

- 909.1** In wooded areas or where other natural conditions exist in such a manner that their presence adds to the desirability of a subdivision or land development, the Butler County Planning Commission shall require that the applicant 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.
- 909.2** All development and earthmoving activities required by applicable law under the Pennsylvania Department of Environmental Protection,

Title 25, Chapter 103, Erosion Control, shall be complied with:

- 909.2.1** The applicant shall notify the Butler County Conservation District immediately upon receipt of an application for a building or grading or earth disturbance permit involving an earthmoving activity that affects the minimum area regulated by the Pennsylvania Department of Environmental Protection, as amended.
- 909.2.2** The municipality shall not issue a building or grading 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 Pennsylvania Department of Environmental Protection, pursuant to Section 102.41 and 102.42 relating to permit requirements of Title 25, Chapter 102, Erosion Control.

Section 910 Water Supply

- 910.1** Public water service is deemed to be available where the distance from the end of the existing main to the beginning point of a distribution system for the plan is eight hundred feet (800') or less.
- 910.2** If public water is available or definitely planned for the area by the Municipal Authority with jurisdiction, the applicant shall extend the main line to serve all lots in the subdivision or land development. This main line extension shall be designed and constructed according to the specifications of, and in consultation with, the utility company or municipal organization which provides public water.
- 910.3** In the absence of public water services, individual wells, community wells, or project wells for water supply shall be approved by the Pennsylvania Department of Environmental Protection and the Butler County Planning Commission.
- 910.4** Fire hydrants shall be installed within six hundred feet (600') of all lots in subdivisions or land developments consisting of five (5) lots or more, if public water service is available.
- 910.5** The applicant shall supply and install all materials associated with the fire hydrant(s) as well as the fire hydrants themselves.
- 910.6** The materials and installation thereof shall comply with the requirements set forth by the local water utility company or municipal

authority with jurisdiction.

Section 911 Sanitary Sewers

- 911.1** Sanitary sewer service is deemed to be available where the distance from the end of the main to the beginning point of a collection system for the proposed subdivision or land development plan is eight hundred feet (800') or less, unless the service is not topographically feasible without constructing a lift station.
- 911.2** If public sewers are available or definitely planned for the area by the Municipal Authority with jurisdiction, the applicant shall extend the main line to serve all lots in the subdivision or land development. This main line extension shall be designed and constructed according to the specifications of the utility or municipal authority which provides sanitary sewer services.
- 911.3** 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 the Butler County Planning Commission.
- 911.4** Private sewage disposal systems on individual lots shall be laid out and constructed in compliance with Pennsylvania Department of Environmental Protection regulations.
- 911.5** No building permit shall be issued for any construction in an approved subdivision or land development until either an individual sanitary sewage disposal system, a sanitary sewage treatment plant installation or connections to a municipal sewerage system has been approved by the municipality or County and the Pennsylvania Department of Environmental Protection, pursuant to the rules and regulations of the Pennsylvania Sewage Facilities Act (Act 537) as amended.
- 911.6** No subdivision or land development shall be approved for development by the Butler County Planning Commission until mutually acceptable agreements have been reached between the applicant and applicable utility companies or municipal authorities with jurisdiction relative to sanitary sewage system installations, maintenance, ownership of facilities, tap fees and other related considerations.

Section 912 **Other Utilities**

Gas, electric, cable, fiber optic and telephone, utilities shall be located underground in subdivisions and land developments where possible and in accordance with utility company standards and be approved by the municipality or Butler County Planning Commission.

Section 913 **General Regulations**

- 913.1** No applicant shall proceed with the construction of any utilities or improvements, or make any connection to any existing municipal facility or utility system, without proper inspection by the County or Municipal Engineer or authorized representative thereof, in accordance with the following procedures. General site grading may be initiated by special permission of the municipality or Butler County Planning Commission.
- 913.2** No person shall dig or make any cuts or changes whatsoever in the cartway, gutters or rights-of-way of any municipal, County or Commonwealth road without first the obtaining required permits from the agency with jurisdiction.
- 913.3** No person shall connect to any water line, storm or sanitary sewer without obtaining a permit and paying the processing fee and/or connection charges.
- 913.4** Grade stakes shall be set and cut sheets prepared and a copy furnished to the Municipal Secretary and County or Municipal Engineer before any work is started.
- 913.5** The applicant shall notify the Municipal Secretary at least forty-eight (48) 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.
- 913.6** Inspection reports shall be prepared by the municipal or County inspector. The reports shall show the type and quantity of materials installed, weather condition, unusual construction conditions encountered and other data pertaining to the construction.
- 913.7** Upon completion of the required improvements, a plan and profile of the improvements in the subdivision or land development as constructed shall be filed with the municipality or Butler County.

913.8 In all respects in which standards for required improvements are not set forth herein or specified by Butler County Planning Commission hereunder, the applicable Commonwealth and municipal standard requirements shall govern.

ARTICLE X**CONDITIONS OF ACCEPTANCE****Section 1001. Performance Requirements**

Before approving any subdivision or land development plan, the Butler County Planning Commission shall require a written and signed developer's agreement that necessary grading, paving and street improvements, sidewalks, street lights, fire hydrants, water mains, storm sewers and sanitary sewers, and other site improvements, as may be required by the Butler County Planning Commission, shall be installed by the applicant in strict accordance with the design standards and specifications of the municipality or the County, within a specified time period. Said agreement shall also provide for site maintenance during construction, and development related activities including, but not limited to maintenance of adjacent streets and roads, hours of operation, temporary signage and inspection schedules.

Section 1002. Performance Guarantee

The Butler County Planning Commission shall insure, through receipt of certificates of compliance submitted and attested by the County or Municipal Engineer, that the required improvements have been installed according to the final approved plan, or alternately require the posting of adequate surety to cover the cost for such improvements. The Butler County Planning Commission shall specify one of the following alternatives, or such other alternative as may be acceptable, for guaranteeing compliance with the requirements of this Article. Decision of which alternative shall be required is that of the Butler County Planning Commission. Final approval of a plan may not be granted until the surety required is fully provided. In any event, the required surety shall be secured along with the written and signed developer's agreement prior to any construction or related activity.

- 1002.1** Completion of Improvements Prior to Final Approval: Prior to final plan approval, the applicant shall complete, in a manner satisfactory to the Municipal Engineer or the County Engineer, all improvements required in this Ordinance as specified in the final subdivision or land development plan, and as approved by the Butler County Planning Commission, and shall dedicate the same to the host municipality in accordance with these regulations. Final plan approval shall not be granted until the dedication of improvements has been accepted by the host municipality.

1002.2 Guarantee of Future Performance: In lieu of requiring the completion of all improvements prior to final subdivision or land development plan approval, the municipality which falls under the jurisdiction of the Butler County Subdivision and Land Development Ordinance may, but is not required to, elect to enter into an agreement with the applicant whereby the applicant shall guaranty the completion of all required improvements, including but not limited to roads and streets, stormwater management facilities, related drainage facilities, recreational facilities, open space improvements, buffer and screen plantings, or other amenities specified by the municipality or the Butler County Planning Commission in a manner satisfactory to the municipality. When requested by the applicant in order to facilitate financing, the host municipality shall furnish the applicant with a signed copy of a resolution adopted by the elected officials of the host municipality, of the final plat or land development plan contingent upon the applicant obtaining satisfactory financial security. The final plat or record plan or land development plan shall not be signed nor recorded until the written financial improvements agreement is executed and financial security satisfactory to the elected officials, has been posted. 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) calendar days, unless a written extension is granted by the elected officials of the host municipality. Such extension shall not be unreasonably withheld and shall be placed in writing at the request of the applicant. To secure this contract, the applicant shall provide, subject to the approval of the municipality or Butler County Planning Commission, one of the following guarantees or other financial security acceptable to the municipality or Butler County Planning Commission:

1002.2.1 Surety Bond: The applicant 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 municipality. The amount of financial security shall be equal to one hundred and ten percent (110%) of the cost of the required improvements as estimated by the applicant's design professionals and approved by the Municipal Engineer. The duration of the bond shall be until such time as the improvements are accepted by the host municipality in accordance with the requirements of this Ordinance.

1002.2.2 Escrow Account: The applicant shall deposit cash, or other instrument readily convertible into cash at face value, either with an escrow agent or in escrow with a bank, pursuant to an escrow agreement satisfactory to the municipality. 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 the elected officials of the host municipality. The amount of financial security shall be equal to one hundred and ten percent (110%) of the cost of the required improvements as estimated by the applicant's design professionals and approved by the Municipal Engineer.

In case of an escrow account, the applicant shall file with the elected officials of the municipality an agreement between the financial bank and the applicant guaranteeing the following:

- i. That the funds of said escrow account shall be held in trust in an interest bearing account until released by the municipality and may not be used or pledged by the applicant as security in any other matter during the period; and
- ii. That in the case of a failure on the part of the applicant to complete said improvements, the bank shall immediately make the funds in said account available to the municipality for use in the completion of those improvements.

1002.2.3 Other Financial Security: The host municipality or Butler County Planning Commission shall also accept other forms of financial security acceptable to the municipality or Butler County.

1002.2.4 Extension of Guarantee: If the applicant 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 in accordance with the provisions of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.

Section 1003. Release From Improvement Bond

1003.1 Procedure:

- 1003.1.1** When the developer has completed all of the required improvements, the developer shall notify the elected officials of the municipality, in writing, by certified or registered mail, of the completion of the required improvements and shall send a copy thereof to the Municipal Engineer.
- 1003.1.2** The elected officials of the municipality shall, within ten (10) calendar days after receipt of such notice, direct and authorize the Municipal Engineer to inspect all of the aforesaid improvements. The cost of said inspection shall be borne by the developer. The Municipal Engineer shall, thereupon, file a report in writing, with the elected officials, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty (30) calendar days after receipt by the Municipal Engineer of the aforesaid authorization from the elected officials. Said report shall be detailed and shall indicate approval or rejection of said improvements. If any portion thereof shall not be approved or shall be rejected by the Municipal Engineer, said report shall contain a statement of reasons for such nonapproval or rejection.
- 1003.1.3** The elected officials shall notify the developer within fifteen (15) calendar days in writing by certified or registered mail, of the action of the municipality with relation thereto.
- 1003.1.4** If the elected officials or the Municipal Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.
- 1003.1.5** If any portion of the required improvements shall not be approved or shall be rejected by the elected officials, the developer shall proceed to complete the same and upon completion, the same procedure of notification as outlined herein shall be followed.
- 1003.1.6** Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the elected officials of the host municipality or the Municipal Engineer.

1003.2 Reimbursement Procedure: The municipality may prescribe that the applicant shall reimburse the municipality for the reasonable and necessary expense incurred in connection with the inspection of improvements. The applicant shall not be required to reimburse the elected officials for any inspection which is duplicative of inspections conducted by other governmental agencies or public utilities. The burden of proving that any inspection is duplicative shall be upon the objecting applicant. Such reimbursement shall be based upon a schedule established by ordinance or resolution. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Municipal Engineer or other professional consultants for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the professional consultant to the municipality for comparable services when fees are not reimbursed or otherwise imposed on applicants.

1003.2.1 The elected officials of the municipality shall submit to the applicant an itemized bill showing the work performed in connection with the inspection of improvements performed, identifying the person performing the services and the time and date spent for each task. In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, no later than thirty (30) calendar days after the date of transmittal of a bill for inspection services, notify the Municipality and the Municipality's professional consultant that such inspection expenses are disputed as unreasonable or unnecessary and shall explain the basis of their objections to the fees charged, in which case the host municipality shall not delay or disapprove a request for release of financial security, a subdivision or land development application or any approval or permit related to development due to the applicant's dispute of inspection expenses. Failure of the applicant to dispute a bill within thirty (30) calendar days shall be a waiver of the applicant's right to arbitration of that bill under this section.

1003.2.2 Subsequent to the final release of financial security for completion of improvements for a subdivision or land development, or any phase thereof, the professional consultant shall submit to the elected officials of the host municipality a bill for inspection services, specifically designated as a final bill. The final bill shall include inspection fees incurred through the

release of financial security.

- 1003.2.3** If, the professional consultant and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant shall have the right, within forty-five (45) calendar days of the transmittal of the final bill or supplement to the final bill to the applicant, to request the appointment of another professional consultant to serve as an arbitrator. The applicant and professional consultant whose fees are being challenged shall by mutual agreement, appoint another professional consultant to review any bills the applicant has disputed and which remain unresolved and make a determination as to the amount thereof which is reasonable and necessary. The arbitrator shall be of the same profession as the professional consultant whose fees are being challenged.
- 1003.2.4** The arbitrator so appointed shall hear such evidence and review such documentation as the arbitrator in his or her sole opinion deems necessary and shall render a decision no later than fifty (50) calendar days after the date of appointment. Based on the decision of the arbitrator, the applicant or the professional consultant whose fees were challenged shall be required to pay any amounts necessary to implement the decision within sixty (60) calendar days. In the event the municipality has paid the professional consultant an amount in excess of the amount determined to be reasonable and necessary, the professional consultant shall within 60 days reimburse the excess payment
- 1003.2.5** In the event that the Municipality's professional consultant and applicant cannot agree upon the arbitrator to be appointed within twenty (20) calendar days of the request for appointment of an arbitrator, then, upon application of either party, the President Judge of the Court of Common Pleas of the judicial district in which the host municipality is located (or if at the time there be no President Judge, then the senior active judge then sitting) shall appoint such arbitrator, who, in that case, shall be neither the Municipality's professional consultant nor any professional consultant who has been retained by, or performed services for, the Municipality or the applicant within the preceding five years.

1003.2.6 The fee of the arbitrator shall be paid by the applicant if the review fee charged is sustained by the arbitrator, otherwise it shall be divided equally between the parties. If the disputed fees are found to be excessive by more than five thousand dollars (\$5,000), the arbitrator shall have the discretion to assess the arbitration fee in whole or in part against either the applicant or the professional consultant. The elected officials and the consultant whose fees are the subject of the dispute shall be parties to the proceeding.

Section 1004. Remedies to Effect Completion of Improvements

- 1004.1** In the event that any improvements that may be required have not been constructed and installed as provided for in the written developer's agreement, or the provisions of this Ordinance, the requirements of the municipal elected officials or in accordance with the approved final subdivision or land development plan, the municipal elected officials shall enforce any corporate bond, or other security by appropriate legal and equitable remedies.
- 1004.2** 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 elected officials 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.
- 1004.3** All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the applicant, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.
- 1004.4** In addition to the required application fee, it is anticipated that additional expenses will be incurred by the host municipality in processing the preliminary and/or final subdivision plan or land development plan that are submitted or that may be required to be submitted under this Ordinance, for engineer, legal or other professional consultant expenses (professional consultant fees). The applicant is required to reimburse the municipality for all such professional consultant fees incurred by the municipality in processing the Preliminary and/or Final Plans and/or inspecting improvements in accordance with the provisions of this Ordinance or a duly adopted

municipal ordinance, at the actual cost of the services incurred by the municipality. These services shall be billed at the normal established rate for engineering, legal or other professional services provided to the municipality.

Section 1005. Maintenance Security

1005.1 When the elected officials of the host municipality accepts dedication of all or some of the required improvements following completion, and before the Municipal Engineer shall issue to the elected officials a written certification that all improvements specified and required have been satisfactorily completed in accordance with the agreement and requirements relative to the subdivision or land development, and in compliance with the specifications, standards, ordinances and requirements of the County and municipality, the applicant shall be required to deposit with the municipality, a Corporate Maintenance Bond, or other financial security, in such amount, to a maximum of fifteen percent (15%) of the actual cost of installation of said improvements, under such conditions, in such form and with approved surety as shall be required by the elected officials of the municipality. Said Maintenance Security is to guarantee the repairs and maintenance by the applicant of the streets, roads, pavements, sidewalks, curbs, gutters, storm drains and facilities, sanitary sewer and facilities, sewage treatment plant and facilities, potable water systems and facilities, and any other improvements constructed and installed in the subdivision or land development, for a period of eighteen (18) months from the date of final and official acceptance of the above said improvements and facilities by the elected officials of the municipality.

1005.2 The repairs and maintenance required to be performed by the applicant 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 applicant has no control.

Section 1006. Higher Standards

1006.1 No road, street, land, way or related improvement shall be accepted as a part of the transportation system of the host municipality or for maintenance unless opened, laid out, graded and improved in strict

accordance with the standards and regulations of the County and municipality. The requirements, specifications and standards of construction, material and appurtenances as designated herein are considered as minimum, and the elected officials may, as they deem advisable, revise said specifications and requirements to secure a higher standard of improvements and community development.

- 1006.2** No stormwater 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 municipality's facilities for operation and maintenance unless designed and constructed in strict compliance with all the current standards, specifications, rules, regulations, ordinances and requirements of Butler County and the host municipality and/or the Municipal Authority with jurisdiction.

Section 1007. Recording

- 1007.1** Within ninety (90) calendar days after the date of approval of the final plan, or ninety (90) calendar days after the date of delivery of an approved plan signed by the Butler County Planning Commission, following completion of conditions imposed for such approval, whichever is later, the applicant shall record an approved duplicate copy of the plat or land development plan in the office of the County Recorder of Deeds, and file with the Secretary of the host municipality, a Recorder's Certificate that the approved plat or land development plan has been recorded, with the Plan Book and page number indicated, and approval shall not become final and effective until such certificate has been filed.
- 1007.2** The applicant shall provide a duplicate tracing of the officially recorded plat or land development plan to the Municipal Secretary for municipal files. The duplicate tracing may be of mylar, linen or some other durable material.
- 1007.3** 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 host municipality.
- 1007.4** Streets, parks, and other public improvements shown on a subdivision or land development plan to be recorded shall be offered for dedication to the municipality by formal notation thereof on the plan,

or the applicant/owner shall note on such plan that any improvements have not been offered for dedication to the municipality.

1007.5 Every street, park or other improvement shown on a subdivision or land development 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 host municipality and accepted by ordinance or resolution, or until it shall have been condemned for use as a public street, public use area or other improvement.

1007.6 In the event that an approved subdivision or land development plan is not recorded within the required ninety (90) day period following the completion of conditions as specified, said approval shall be deemed voided and rescinded and the plan must be resubmitted if approval is sought by the applicant.

Section 1008. No Responsibility of Butler County Where Plans Not Approved

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 the elected officials of the host municipality 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 the elected officials nor any other public authority shall have responsibility of any kind with respect to any such facility, notwithstanding any use of the same by the public. Provided however, that nothing herein contained shall prevent the laying of trunk sewers, storm drains, water or gas mains, if required, by engineering necessity for the accommodating of adjacent lands for future development.

Section 1009. Standards for Location and Management of Open Space

1009.1 Common open space, when provided, shall be located so as to be consistent with accepted landscape architectural design principles. Where possible, it shall be designed as a contiguous area easily accessible to the residents and preserving natural features.

1009.2 There shall be provisions that insure that the common open space shall continue as such and be properly maintained. The applicant shall either:

1009.2.1 Dedicate such land to public use if the municipality, County, or another public or private agency has indicated it will accept

such dedications;

- 1009.2.2** Retain ownership and responsibility for maintenance of such open space; or
- 1009.2.3** Provide for and establish one or more organizations for the ownership and maintenance of all common open space.
- 1009.3** In the case of 1009.2 and 1009.3 herein, each organization shall be nonprofit homeowners' corporation, unless the applicant demonstrates that a community open space trust is a more appropriate form of organization.
- 1009.4** If a homeowners' association or open space trust is formed, it shall be governed according to the following regulations:
- 1009.4.1** The organization is organized by the applicant and operated with financial subsidization by the applicant (if necessary) before the sale of any lots within the development.
- 1009.4.2** Membership in the organization is mandatory for all purchasers of homes therein and their successors.
- 1009.4.3** The organization shall be responsible for maintenance, insurance and taxes on common open space.
- 1009.4.4** The members of the organization shall share equitably the costs of maintaining and developing common open space, in accordance with procedures established by them.
- 1009.4.5** The organization shall hire adequate staff to administer facilities and maintain the common open space.
- i. 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 municipality 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.

- ii. Said notice shall include a demand that such deficiencies of maintenance be corrected within thirty (30) calendar days thereof, and shall state the date and place of a hearing thereon, which shall be held within fourteen (14) calendar days of the notice. At such hearing, the host municipality may modify the terms of the original notice as to the deficiencies and may give an extension of time within which they shall be corrected.
- iii. If the deficiencies set forth in the original notice or in the modifications thereof shall not be corrected within said thirty (30) calendar days or any extension thereof, the municipality may enter upon said common space and maintain the same for a period of one (1) year.
- iv. Said maintenance by the municipality shall not constitute a taking, nor vest in the public any rights of use.
- v. Before the expiration of said year, the municipality shall, upon its initiative or upon the request of the organization theretofore responsible for maintenance, call a public hearing, upon notice to such organization or the residents of the development. At the hearing, such organization or the residents of the development shall show cause why such maintenance by the host municipality shall not, at the option of the municipality, continue for a succeeding year.
- vi. If the elected officials determine that such organization is ready and able to maintain said common space in reasonable condition, the municipality shall cease maintenance at the end of said year.
- vii. If the elected officials shall determine that such organization is not ready and able to maintain said common open space in a reasonable condition, the host municipality may, at its discretion, continue maintenance during the next succeeding year, and subject to a similar hearing and determination, in each year thereafter.
- viii. The cost of maintenance by the host municipality shall be assessed ratably 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. The municipality, at the time of entering upon said common open space for the purpose of maintenance, shall file a notice of such lien in the Office of the Prothonotary of Butler County, upon the properties affected by such lien within the development.

ARTICLE XI

Enforcement Remedies

Section 1101. Preventative Remedies

- 1101.1** Butler County may, in addition to other remedies, institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages, and to prevent illegal occupancy, structure or premises.
- 1101.2** Butler County may refuse to issue any permit or to grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision or land development in violation of this Ordinance. This authority to deny such a permit or approval shall apply to any of the following applicants:
- 1101.2.1** The owner of record at the time of the violation
- 1101.2.2** The vendee or lessee of the owner of record at the time of such violation without regard as to whether such current owner had actual or constructive knowledge of this violation.
- 1101.2.3** The current owner of record who acquired the property subsequent to the time of the violation without regard as to whether such current owner had actual or constructive knowledge of this violation.
- 1101.2.4** The vendee or lessee of the current owner of record who acquired the property subsequent to the time of the violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
- 1101.3** As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the County may require

compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

1101.4 In the case where a possible illegal or noncompliant subdivision or land development is proposed within a municipality with its own Subdivision and Land Development Ordinance, the Butler County Planning Commission shall notify the municipality, in writing, of the possible illegal or noncompliant subdivision or land development. The Planning Commission shall keep a record of such correspondence and response.

1101.5 Where a possible illegal or noncompliant subdivision or land development is proposed within a municipality that does not have its own municipal Subdivision and Land Development Ordinance, then the Butler County Planning Commission shall notify the owner of the property in question and the purchaser (if any or if known) of the alleged violation of this Ordinance. The letter shall state that the owner has ninety days from the date of receipt of the letter in which to submit a subdivision or land development plan, consistent with the provisions of this Butler County Subdivision and Land Development Ordinance, or to submit sufficient evidence to demonstrate that no violation exists. This subdivision or land development plan, or the said evidence shall be submitted to the Butler County Planning Commission for review.

Section 1102. Violations

1102.1 Any person, partnership or corporation who or which has violated the provisions of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by Butler County, pay a judgment of not more than five hundred dollars (\$500.00) plus all court costs, including reasonable attorney fees incurred by the County as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the County may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice, determining that there has been a violation, further determines that there was a good faith basis for the person, partnership or

corporation violating the Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice, and thereafter each day that a violation continues shall constitute a separate violation.

- 1102.2** The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than Butler County the right to commence any action for enforcement pursuant to this Section.

ARTICLE XII

Certificates, Acknowledgements and Approvals

The certificates acknowledgements and signature blocks that follow shall be inscribed on the subdivision or land development plan as quoted and shall be properly signed and attested when the plan is submitted to the Butler County Planning Commission. All certificates shall be placed on the final plan in an arrangement suitable for placement of all required seals.

OWNERS ADOPTION

Know All Men By these Presents, that (I or We) _____ of
 (Name of Owner or Owners)
 the _____, of _____, of the _____,
 (City, Borough, Township) (County) (Commonwealth of or State)
 for (myself, ourselves), (my, our) heirs, executors, administrators and assign, do hereby adopt this as (my, our) Plan of Subdivision of (my, our) property, situated in the _____, County of _____, Commonwealth of
 (City, Borough, Township) (County)
 Pennsylvania, and for diver advantages accruing to (me, us), do hereby dedicate forever, for public use for highway, drainage, sewage and utility purposes, all drives, roads, lands, rights-of-way, easements, ways and other public highways shown upon the plan, with the same force and effect as if the same had been opened through legal proceedings and in consideration of the approval of said plan and any future acceptance of said public highways, rights-of-way and easements by the _____, of _____, (I or We) _____
 (City, Borough, Township) (County)
 _____ hereby agree to an d by these presents do release
 (Name of Owner or Owners)
 and forever discharge the _____, of _____,
 (City, Borough, Township) (County)
 their successors or assigns from any liability for damages arising and to arise from the appropriation of said ground for public highways, and other public uses and the physical grading thereof to any grades that may be established. This dedication and release shall be binding upon _____ (my, our) heirs,
 (Name of Owner or Owners)
 executors, administrators and assigns and purchasers of lots in this plan.

IN WITNESS WHEREOF, (I or We) hereunto set (my, our) hand(s) and seal(s) this _____ day of _____, A.D. 20_____.

ATTEST:

_____	_____	(SEAL)
(Owner or Owners)	(Owner or Owners)	
_____	_____	(SEAL)
(Owner or Owners)	(Owner or Owners)	
_____		(SEAL)
(Notary Public)		

My commission expires the _____ day of _____ A.D., 20____

INDIVIDUAL ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA }

} SS:

COUNTY OF BUTLER }

Before me, the subscriber, a Notary Public in and for said County and Commonwealth, personally appeared the above named _____ who acknowledged the foregoing release
(Name of Owner or Owners)

and dedication and plan of subdivision to be (his, her, their) act and deed and desired the same to recorded as such:

WITNESS MY HAND AND NOTARIAL SEAL this _____ day of _____, 20____.

Notary Public SEAL

My Commission Expires the _____ day of _____, 20____.

PROOF OF RECORDING

COMMONWEALTH OF PENNSYLVANIA }

} SS:

COUNTY OF BUTLER }

Recorded in the office for the recording of deeds, plats and plans in said County, in Plan Book Volume _____ Page(s)_____.

Given under my hand and seal this _____ day of _____, 20_____.

(Recorder of Deeds)

PROFESSIONAL LAND SURVEYOR CERTIFICATE

I, _____, a Professional Land Surveyor of the Commonwealth of Pennsylvania, do hereby certify that this plan shown hereon is based upon actual field survey of the land described and that all angles, distances, and courses are correctly shown, that the monuments and markers as shown on the plat have been, or will be set, and to the best of my knowledge, that this plan correctly represents the lots, lands, streets, and highways as surveyed and plotted by me for the owners or agents.

(Surveyor's Name) SEAL

(Surveyor's Registration No.)

(Date)

BUTLER COUNTY PLANNING COMMISSION APPROVAL

Approved by the Butler County Planning Commission this _____ day of _____, 20__.

(Secretary)

(Chairman)

See Comments On File at the Butler County Planning Commission

Plan Number: _____

SEAL

MUNICIPAL APPROVAL

Reviewed and approved (or Reviewed with comments) by the _____ this _____ day of _____, 20__.

(City, Borough, Township)

(Secretary)

(Chairman)

SEAL

CORPORATION ADOPTION

KNOW ALL MEN BY THESE PRESENTS:

That _____ by virtue of a Resolution of its Board of
(Name of Corporation)

Directors, does hereby hereby adopt this Plan of Subdivision of its property, situated
in the _____, County of _____, Commonwealth of
(City, Borough, Township) (County)

Pennsylvania, and for diver advantages accruing to it, does hereby dedicate
forever, for public use for highway, drainage, sewage and utility purposes, all drives,
roads, lands, rights-of-way, easements, ways and other public highways shown
upon the plan, with the same force and effect as if the same had been opened
through legal proceedings and in consideration of the approval of said plan and
any future acceptance of said public highways, rights-of-way and easements by
the _____, of _____,
(City, Borough, Township) (County)

_____ hereby covenants and agrees to and by these
(Name of Corporation)

presents do release and forever discharge the _____, of
(City, Borough, Township)
_____, its successors or assigns from any liability for
(County)

damages arising and to arise from the appropriation of said ground for public
highways, and other public uses and the physical grading thereof to any grades
that may be established. This dedication and release shall be binding upon
_____ its successors and assigns and purchasers of lots
(Name of Corporation)

in this plan.

IN WITNESS WHEREOF, the said Corporation has caused its Corporate seal to be
affixed by the hand of its President and same to attested Secretary, this _____
day of _____, A.D. 20_____.

_____ (SEAL)
(Name of Corporation)

ATTEST:

Secretary (SEAL)

President (SEAL)

CORPORATION ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA }
 }
 } SS:
COUNTY OF BUTLER }

On this _____ day of _____, A.D. 20____ before me, a Notary Public and for said County and Commonwealth, personally appeared _____ of _____ who
(Name and Title of Officer) (Name of Corporation)
being duly sworn, deposes and says that he was personally present at the execution of the adoption, release and dedication and saw the common and corporate seal of the said Corporation duly sign and sealed by and as for the act and deed of the said _____ for
(Name of Corporation)
the uses and purposes therein mentioned, and that the name of this deponent subscribed to the said released and dedication
_____ of _____ in
(Name and Title of Officer) (Name of Corporation)
attestation of the due execution and delivery of said release and dedication of this deponent's own and proper and respective handwriting.

(Name of Officer) (SEAL)

(Title of Officer)

Sworn to and subscribed before me the day and date above written.
WITNESS MY HAND AND NOTARIAL SEAL this _____ day of _____, 20____.

Notary Public

My Commission Expires the _____ day of _____, 20____.

ARTICLE XII
Effective Date

Section 1301 Effective Date

1301.1 This Ordinance is necessary to promote, protect and facilitate the public health, safety, morals, general welfare, coordinate and practical community development, the provisions of adequate light and air, transportation, water, sewage, public grounds and other public requirements, to protect natural resources, as well as to prevent overcrowding of land, and shall be effective immediately upon its passage and publication.

1301.2 All Ordinances or parts of Ordinances or regulations in conflict with this Ordinance or inconsistent with the provisions hereof, are hereby repealed to the extent necessary to give this Ordinance full force and effect; and specifically, Ordinance No. 24 adopted by the Board of Commissioners on June 7, 1973 and any amendments to that Ordinance, including the restated and amended Ordinance of February 18, 2004, is hereby repealed.

1301.3 Duly presented and adopted at a regular meeting of the Board of County Commissioners, Butler County, Pennsylvania, held on the ____ day of _____, 2012.

Chairman

Commissioner

Commissioner

ATTEST:

Chief Clerk

BUTLER COUNTY, PENNSYLVANIA

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

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Minor Subdivision

Major Subdivision

Land Developments

Appendix E

Application Review Fees

Subdivision and Land Development Ordinance

Butler County, Pennsylvania

Appendix A

Standard Details



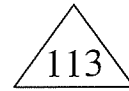
US HIGHWAY



INTERSTATE HIGHWAY



STATE ROUTES



TOWNSHIP ROADS



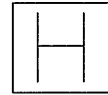
SITE DIRECTION



TOWNSHIP BUILDING



AIRPORT



HOSPITAL



STATE PARK



FORESTS



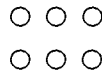
MOUNTAINS



RECYCLING CENTER



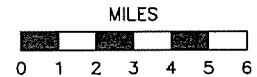
WATER WELL



SEPTIC DRAINFIELD/
SYSTEM



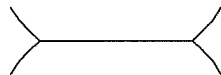
PERC TEST HOLE/
PIT



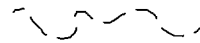
SCALE



OPEN GAS, OIL,
WATER WELL



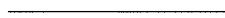
CULVERT



STREAM



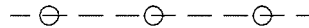
PROPERTY LINE
MONUMENT/PIN



SETBACK LINE



UTILITY LINES
ABOVE GROUND



UTILITY LINES
BURIED



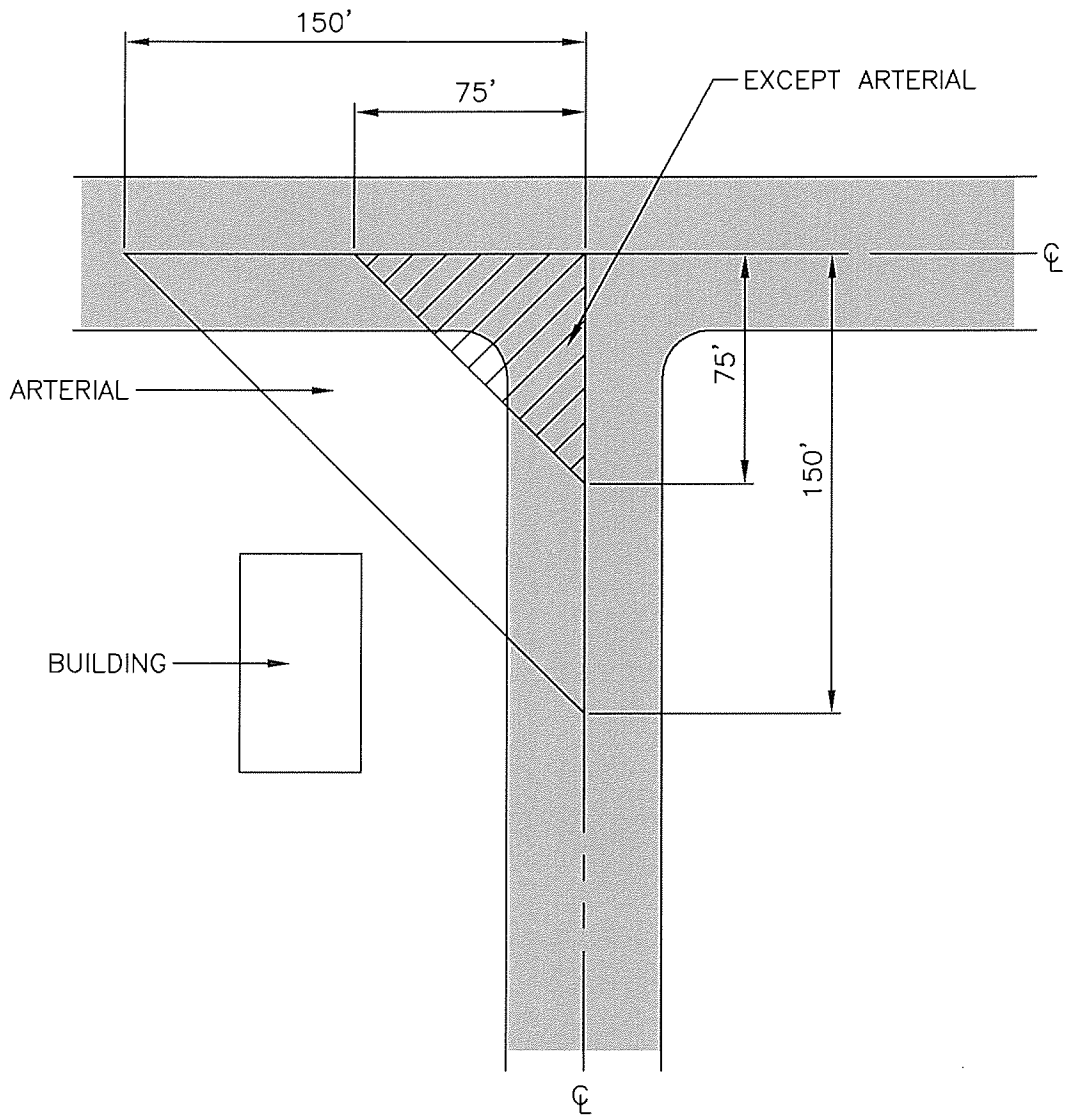
PROPERTY LINE

BUTLER COUNTY SITE SYMBOLS STANDARD DETAIL 1

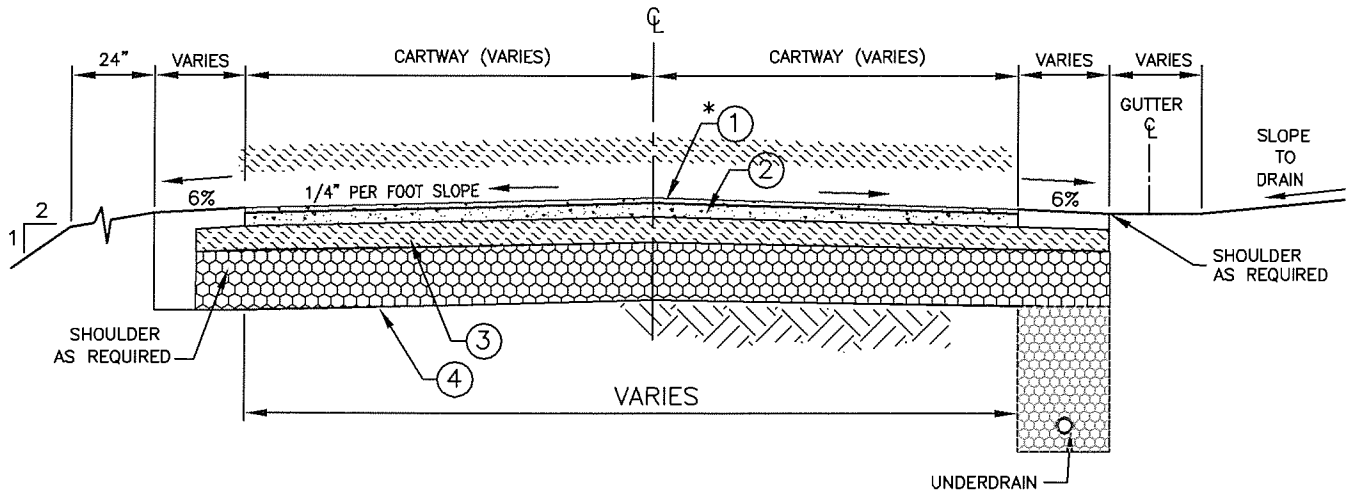


OLSEN & ASSOCIATES, LLC

PROJECT NO. 201120A



BUTLER COUNTY
 CLEAR SIGHT TRIANGLE
 STANDARD DETAIL 2



NO.	TYPE	COURSE	
* ①	FINAL WEARING	BITUMINOUS SUPERPAVE WEARING COURSE OF FB-1 MATERIALS IN ACCORDANCE WITH PADOT FORM 408, LATEST EDITION, SECTION 409	0.5"
②	WEARING	BITUMINOUS SUPERPAVE 9.5 MM HMA WEARING COURSE, IN ACCORDANCE WITH PADOT FORM 408, LATEST EDITION, SECTION 409	1.5"
** ③	BASE	BITUMINOUS SUPERPAVE 25 MM HMA BASE COURSE IN ACCORDANCE WITH PADOT FORM 408, LATEST EDITION, SECTION 409	4.5"
** ④	SUBBASE	COARSE AGGREGATE IN ACCORDANCE WITH PADOT FORM 408, LATEST EDITION, SECTION 409	8"

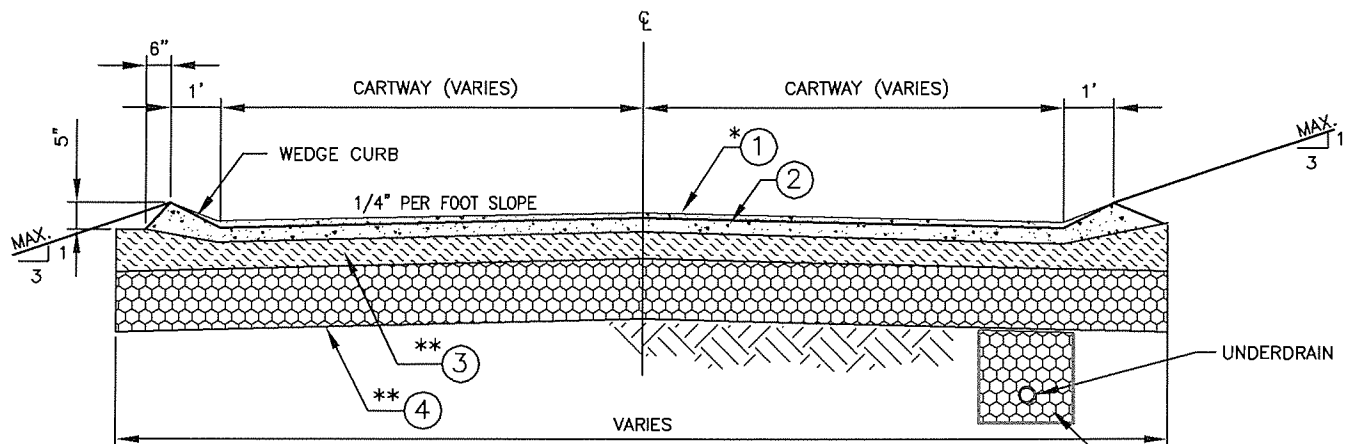
* FINAL WEARING COURSE SHALL NOT BE INSTALLED UNTIL 75% OF THE LOTS ARE DEVELOPED OR WITHIN 2 YEARS OF THE DATE OF ISSUANCE OF FIRST PLAN BUILDING PERMIT. WEARING COURSE SHALL BE APPROVED EQUAL BY THE TOWNSHIP ENGINEER IF FINAL WEARING COURSE IS NOT PLACED PRIOR TO END OF THE THE FIRST PAVING SEASON.

** THE SUBBASE AND THE BASE SHALL BE AT LEAST 12" WIDER THAN THE WEARING COURSES.

GENERAL NOTES:

1. MATERIALS AND CONSTRUCTION IN ACCORDANCE IN ACCORDANCE WITH PADOT FORM 408, LATEST EDITION, SECTION 409.
2. IF NECESSARY ALL UNEVEN AREAS, SETTLED AREAS, AREAS DAMAGED BY UTILITY COMPANIES AND OTHER BROKEN OR UNEVEN AREAS SHALL BE REPAIRED TO MATCH ORIGINAL ROAD CONSTRUCTION MATERIALS/THICKNESSES.
3. PAVEMENT WIDTH IN ACCORDANCE WITH THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.
4. DETAIL AND TABLE DOES NOT APPLY TO PRIVATE STREETS.
5. THE CONTRACTOR IS RESPONSIBLE TO ENSURE THAT THE PROPER MATERIAL IS PROVIDED BY SUPPLYING A COPY OF AN APPROVED PaDOT BITUMINOUS ASPHALT MIX DESIGN A MINIMUM OF 5 WORKING DAYS PRIOR TO THE START OF THE WORK OR AT THE PRE-CONSTRUCTION MEETING. THE CONTRACTOR WILL ALSO SUPPLY THE MUNICIPALITY WITH A DAILY BITUMINOUS MATERIAL CERTIFICATION ON A TR-465 OR CS-4171 WITHIN 24 HOURS OF PLACING THE BITUMINOUS MATERIAL FOR EACH DAY'S PLACEMENT.
6. UNSUITABLE MATERIALS SHALL BE REMOVED AND REPLACED WITH COARSE AGGREGATE MATERIAL AS APPROVED BY THE TOWNSHIP ENGINEER.
7. UNDERDRAINS SHALL BE INSTALLED, AS A MINIMUM, ON THE HIGH SIDE OF THE ROAD CROSS SECTION

BUTLER COUNTY ROAD SECTION WITHOUT CURBING STANDARD DETAIL 3



NO. 57 COARSE AGGREGATE, WASHED, WITH GEOTEXTILE FABRIC ABOUT THE AGGREGATE

NO.	TYPE	COURSE	
* ①	FINAL WEARING	BITUMINOUS SUPERPAVE WEARING COURSE OF FB-1 MATERIALS IN ACCORDANCE WITH PADOT FORM 408, LATEST EDITION, SECTION 409	0.5"
②	WEARING	BITUMINOUS SUPERPAVE 9.5 MM HMA WEARING COURSE, IN ACCORDANCE WITH PADOT FORM 408, LATEST EDITION, SECTION 409	1.5"
** ③	BASE	BITUMINOUS SUPERPAVE 25 MM HMA BASE COURSE IN ACCORDANCE WITH PADOT FORM 408, LATEST EDITION, SECTION 409	4.5"
** ④	SUBBASE	COARSE AGGREGATE IN ACCORDANCE WITH PADOT FORM 408, LATEST EDITION, SECTION 409	8"

* FINAL WEARING COURSE SHALL NOT BE INSTALLED UNTIL 75% OF THE LOTS ARE DEVELOPED OR WITHIN 2 YEARS OF THE DATE OF ISSUANCE OF FIRST PLAN BUILDING PERMIT. WEARING COURSE SHALL BE APPROVED EQUAL BY THE TOWNSHIP ENGINEER IF FINAL WEARING COURSE IS NOT PLACED PRIOR TO END OF THE THE FIRST PAVING SEASON.

** THE SUBBASE AND THE BASE SHALL BE AT LEAST 12" WIDER THAN THE WEARING COURSES.

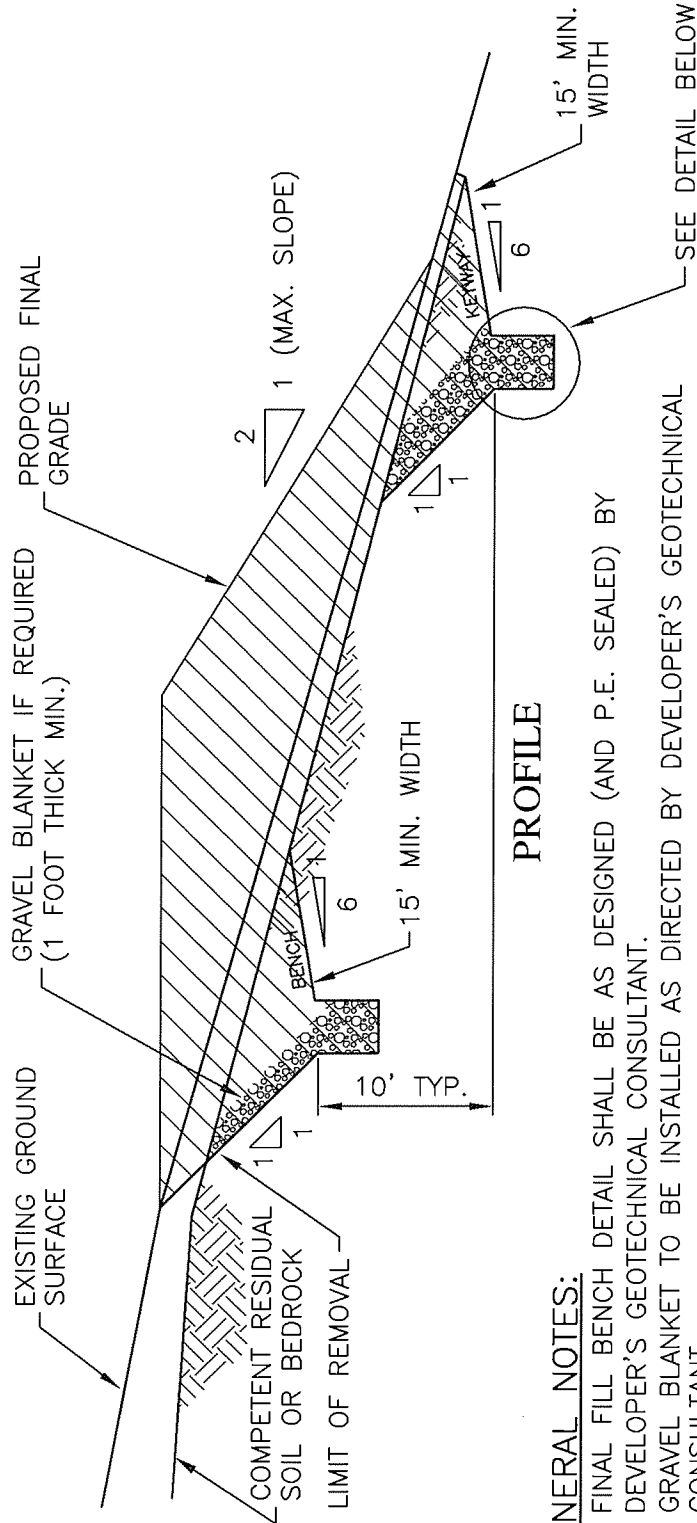
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3. PAVEMENT WIDTH IN ACCORDANCE WITH THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.
4. DETAIL AND TABLE DOES NOT APPLY TO PRIVATE STREETS.
5. THE CONTRACTOR IS RESPONSIBLE TO ENSURE THAT THE PROPER MATERIAL IS PROVIDED BY SUPPLYING A COPY OF AN APPROVED PADOT BITUMINOUS ASPHALT MIX DESIGN A MINIMUM OF 5 WORKING DAYS PRIOR TO THE START OF THE WORK OR AT THE PRE-CONSTRUCTION MEETING. THE CONTRACTOR WILL ALSO SUPPLY THE MUNICIPALITY WITH A DAILY BITUMINOUS MATERIAL CERTIFICATION ON A TR-465 OR CS-4171 WITHIN 24 HOURS OF PLACING THE BITUMINOUS MATERIAL FOR EACH DAY'S PLACEMENT.
6. UNSUITABLE MATERIALS SHALL BE REMOVED AND REPLACED WITH COARSE AGGREGATE MATERIAL AS APPROVED BY THE TOWNSHIP ENGINEER.
7. UNDERDRAINS SHALL BE INSTALLED, AS A MINIMUM, ON THE HIGH SIDE OF THE ROAD CROSS SECTION

BUTLER COUNTY ROAD SECTION WITH CURBING STANDARD DETAIL 4



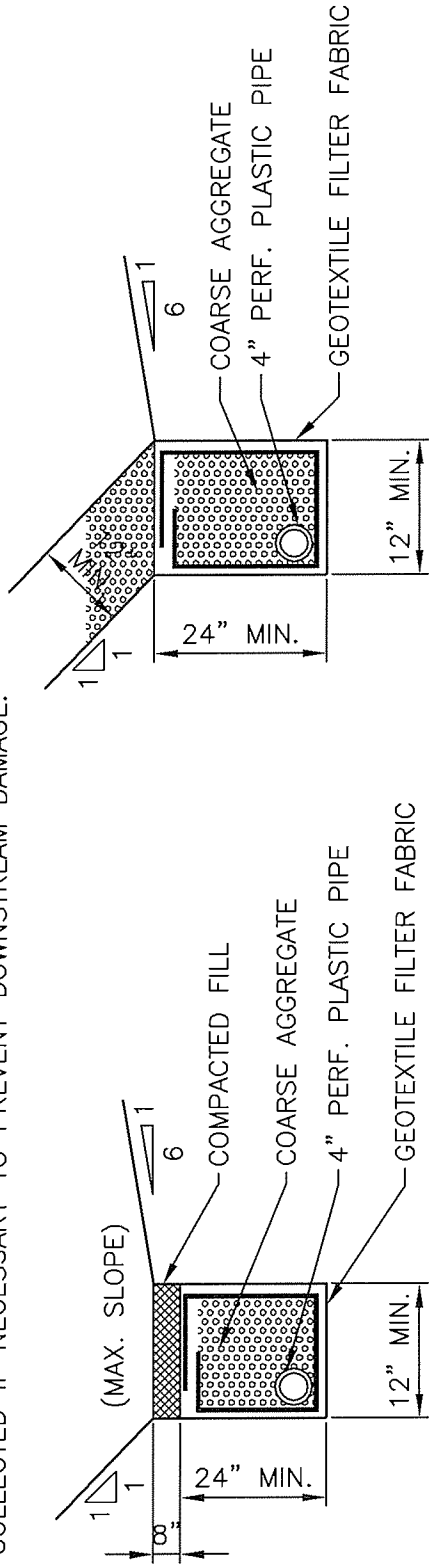
BUTLER COUNTY FILL BENCH DETAIL STANDARD DETAIL 5



PROFILE

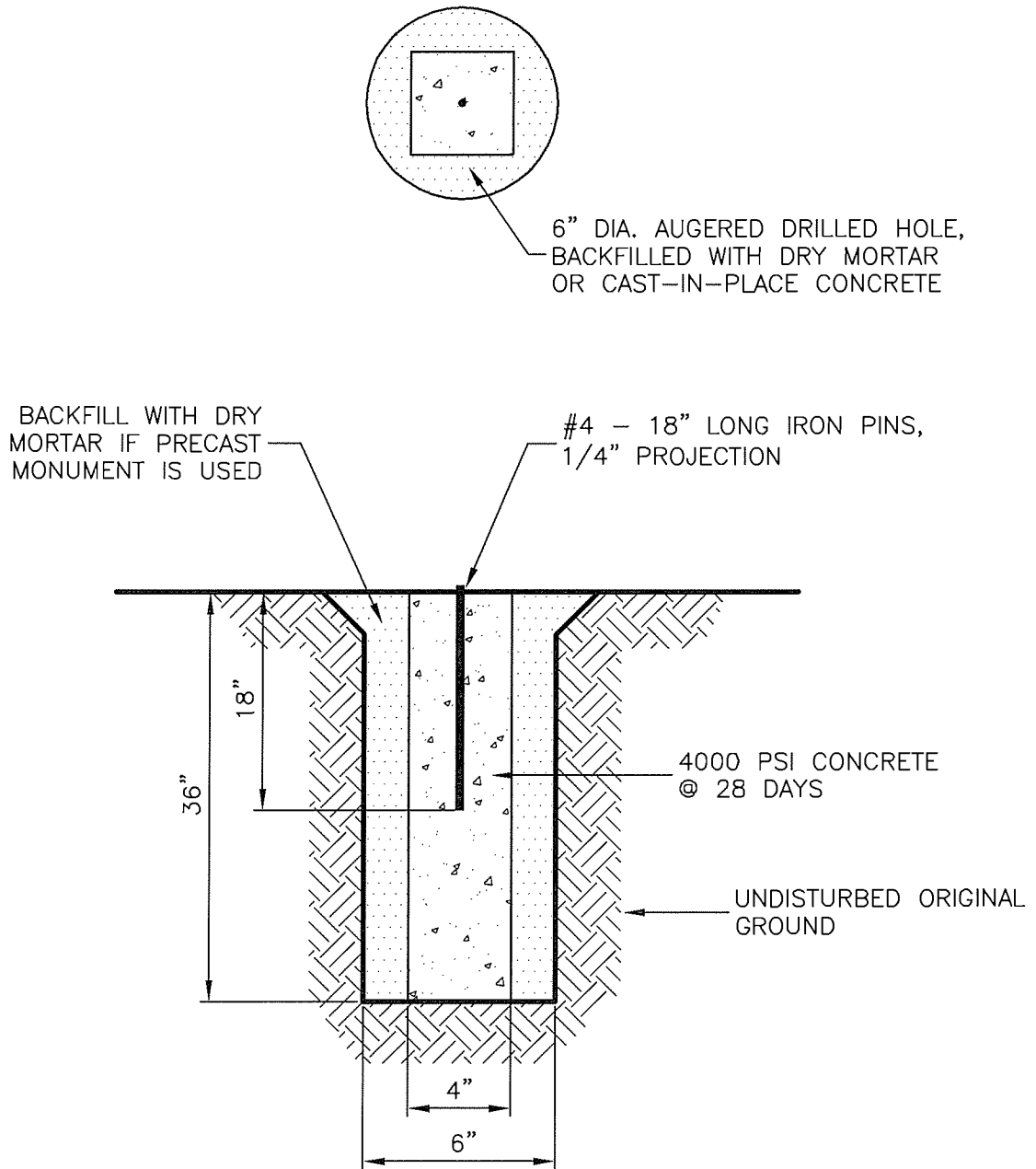
GENERAL NOTES:

1. FINAL FILL BENCH DETAIL SHALL BE AS DESIGNED (AND P.E. SEALED) BY DEVELOPER'S GEOTECHNICAL CONSULTANT.
2. GRAVEL BLANKET TO BE INSTALLED AS DIRECTED BY DEVELOPER'S GEOTECHNICAL CONSULTANT.
3. 4" PERF. PLASTIC PIPE TO DRAIN TO OUTSLOPE AND THE WATER DIVERTED OR COLLECTED IF NECESSARY TO PREVENT DOWNSTREAM DAMAGE.



(IF GRAVEL BLANKET IS NOT REQUIRED)

(IF GRAVEL BLANKET IS REQUIRED)



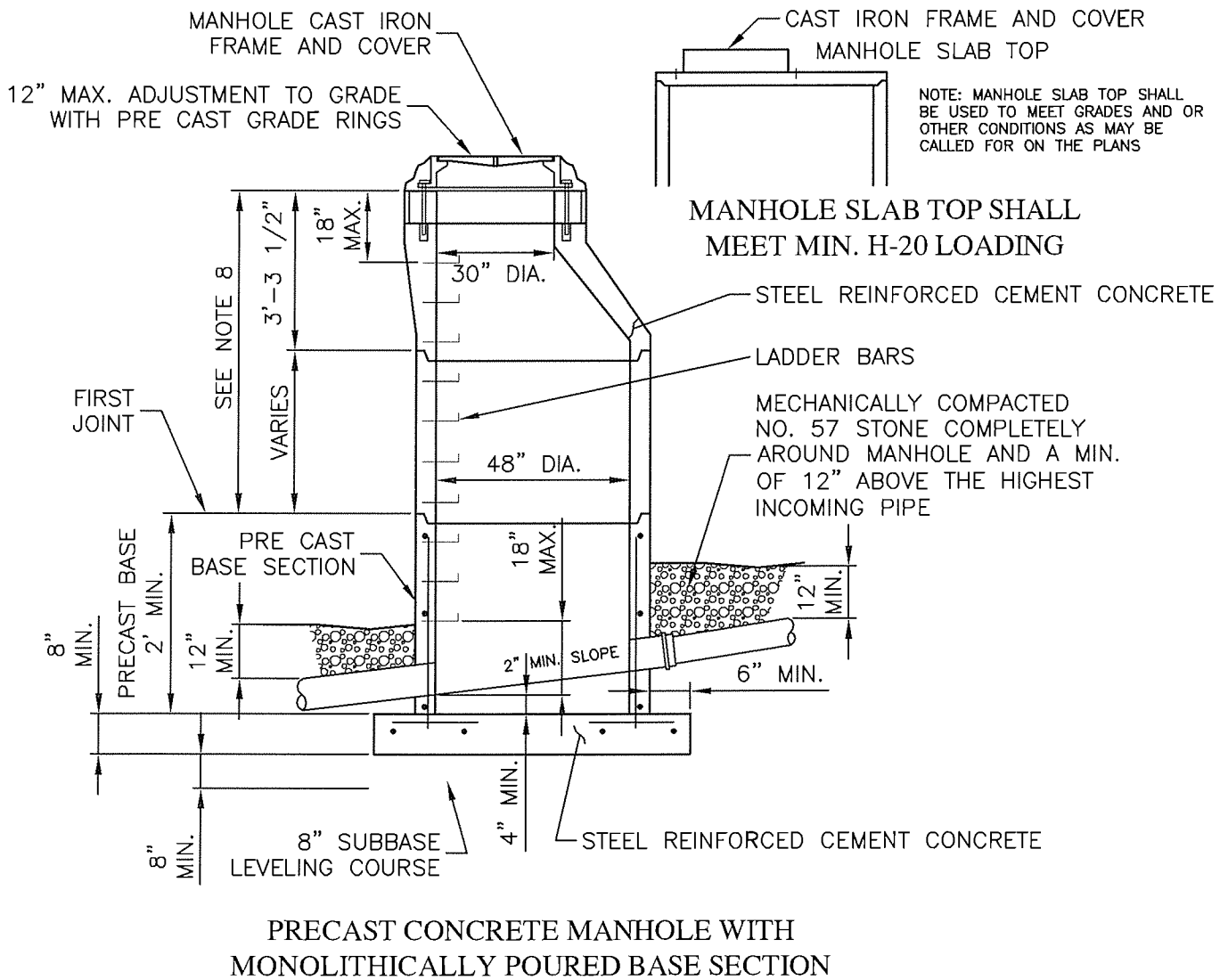
GENERAL NOTES:

LOCATE MONUMENT PER RECORDED PLAN (AS APPROVED BY TWP. ENGINEER). 5'-6" OFF P/L WITHIN PUBLIC DEDICATED R.O.W., INSTALL AFTER GRADING AND ROADWAY IS COMPLETE.

**BUTLER COUNTY
CONCRETE MONUMENT
STANDARD DETAIL 6**

GENERAL NOTES:

1. ALL CONCRETE SHALL BE CLASS AA CONCRETE, 4000 PSI MIN. 5% AIR ENTRAINED, MEETING PaDOT RC-39 AND PUBLICATION 408 SPECIFICATIONS.
2. MANHOLE BARREL JOINTS TO BE SEALED WITH NON-SHRINK GROUT OR WITH 1" DIA. FLEXIBLE BUTYL RUBBER JOINT SEALANT, USE 1/2" DIA. FOR FRAME AND COVER.
3. FRAME AND COVER TO BE ANCHORED WITH (2) 3/4" DIA. S.S. ANCHOR BOLTS SET 6 INCHES INTO CONCRETE.
4. LIFTING HOLES TO BE POINTED WITH NON-SHRINK GROUT, AND LEFT WATERTIGHT, NEAT AND SMOOTH.
5. MAXIMUM ADJUSTMENT TO FINISHED GRADE USING PRE CAST GRADE RINGS SHALL NOT EXCEED TWELVE INCHES (12").
6. PRE CAST SECTIONS SHALL CONFORM TO ASTM C-478 AS REVISED.
7. MANHOLE INVERT SHALL BE CONCRETE TO THE SPRING LINE OF PIPE WITH SIDES SLOPING 1" PER 1'-0" TO INSIDE FACE OF PRE CAST BASE SECTION.
8. IF THIS DIMENSION IS LESS THAN 3'-3" USE PRE CAST SLAB TOP DESIGNED TO MEET LOAD CONDITIONS.
9. FOR PIPES OF 30" I.D. OR GREATER, PROVIDE "MODIFIED" MANHOLE PER PaDOT RC-39.



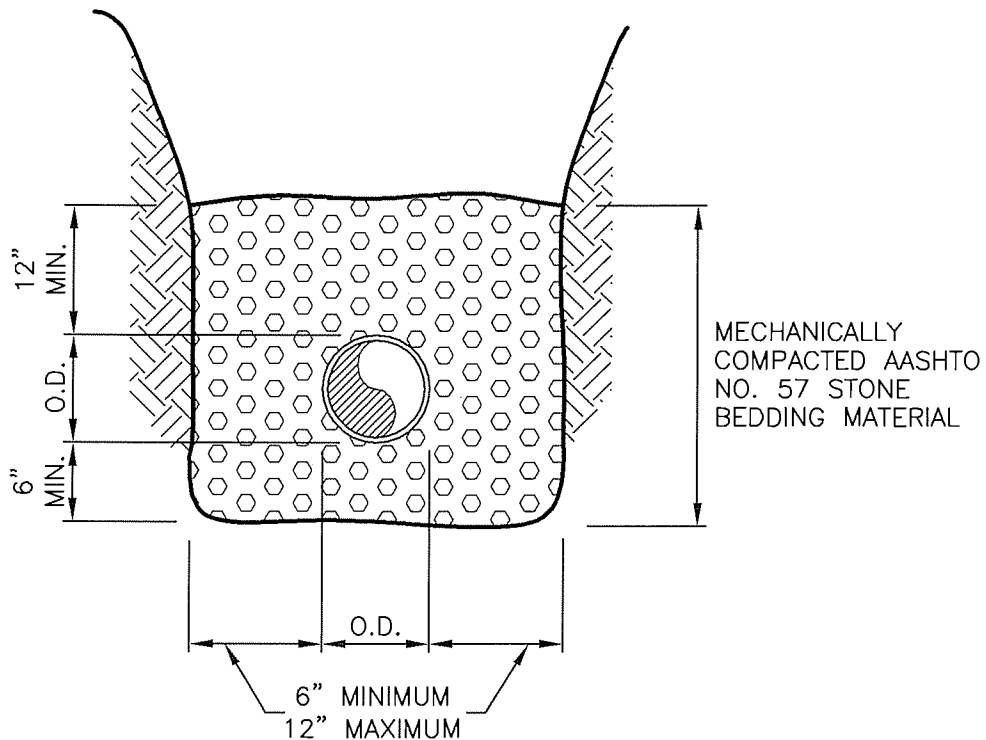
BUTLER COUNTY

**PRECAST CONCRETE STORM MANHOLE (UP TO 18')
STANDARD DETAIL 7**



OLSEN & ASSOCIATES, LLC

PROJECT NO. 20112DA



**TYPICAL BEDDING AND PIPE ZONE
POLYETHYLENE PIPE**

GENERAL NOTES:

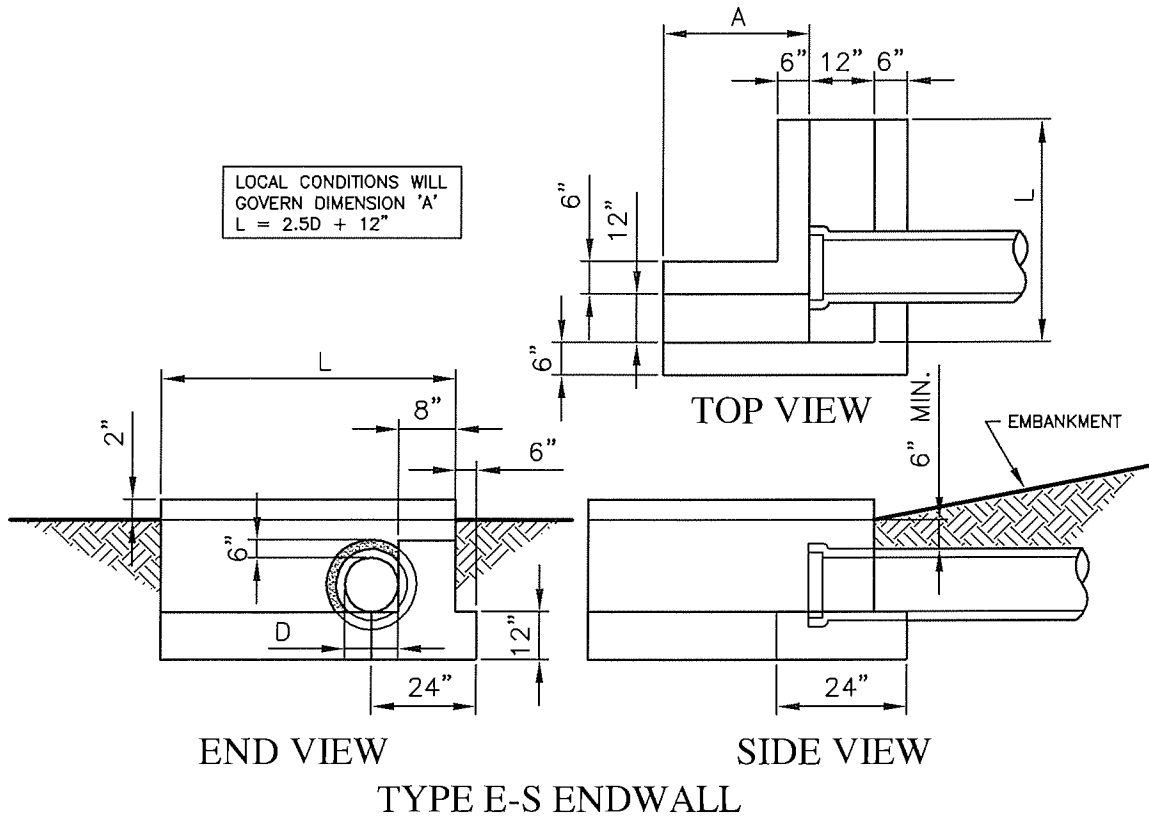
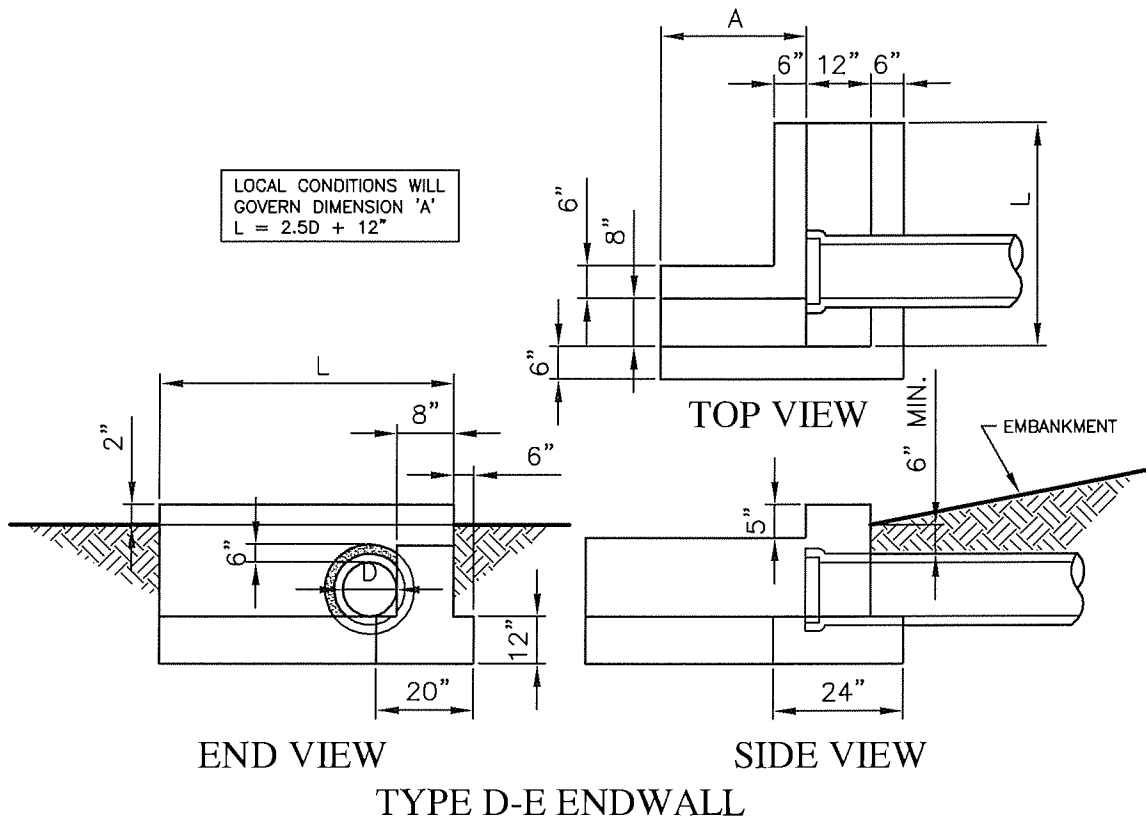
1. POLYETHYLENE PIPE SPECIFICATIONS.
2. PIPE AND FITTINGS SHALL BE MADE OF POLYETHYLENE COMPOUNDS WHICH MEET OR EXCEED THE REQUIREMENTS OF TYPE III, CATEGORY 4 OR 5, GRADE P33 OR P34, CLASS C PER ASTM D-1248 WITH THE APPLICABLE REQUIREMENTS DEFINED IN ASTM D-1248.
3. MIN. COVER IS TO BE 2 FT. WITH AASHTO NO. 57 STONE A MIN. OF 12" ABOVE THE TOP OF PIPE. IF THE PIPE IS TO BE LAID UNDER DRIVEWAYS OR PARKING AREAS WITH MINIMUM COVER, THE 2 FEET SHALL BE NO. 57 STONE. MAXIMUM COVER OVER THE PIPE IS NOT TO EXCEED 30 FEET.
4. MANNING'S 'N' FOR DESIGN SHALL BE 0.012 FOR SMOOTH INTERIOR, AND SHALL BE 0.018 FOR SIZES UP TO AND INCLUDING 15", AND 0.020 FOR SIZES FROM 18" UP TO AND INCLUDING 36" FOR CORRUGATED INTERIOR.
5. POLYETHYLENE PIPE SHALL BE IN ACCORDANCE WITH PaDOT FORM 408, SECTION 601.

**BUTLER COUNTY
POLYETHYLENE PIPE SPECIFICATIONS
STANDARD DETAIL 8**

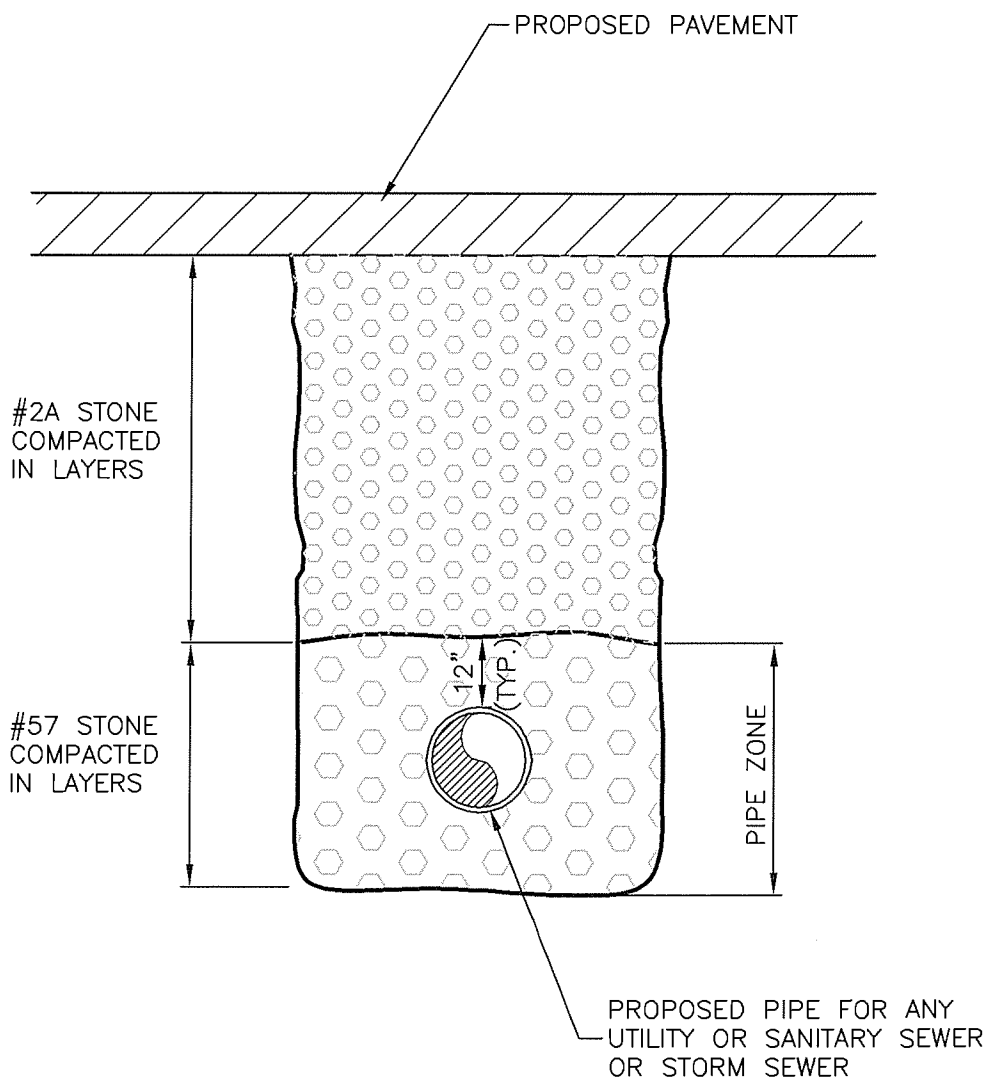


OLSEN & ASSOCIATES, LLC

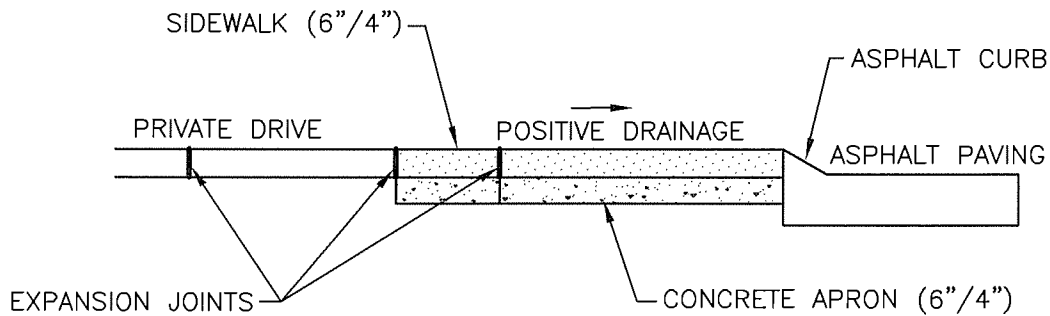
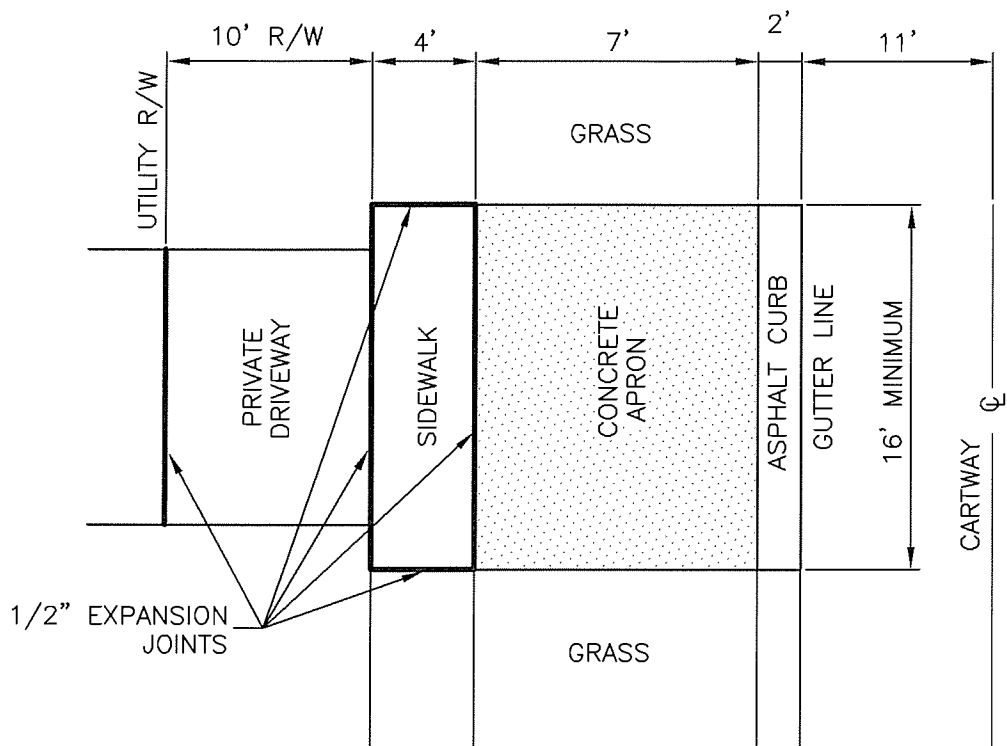
PROJECT NO. 201120A



BUTLER COUNTY
 HEADWALLS AND ENDWALLS
 STANDARD DETAIL 9



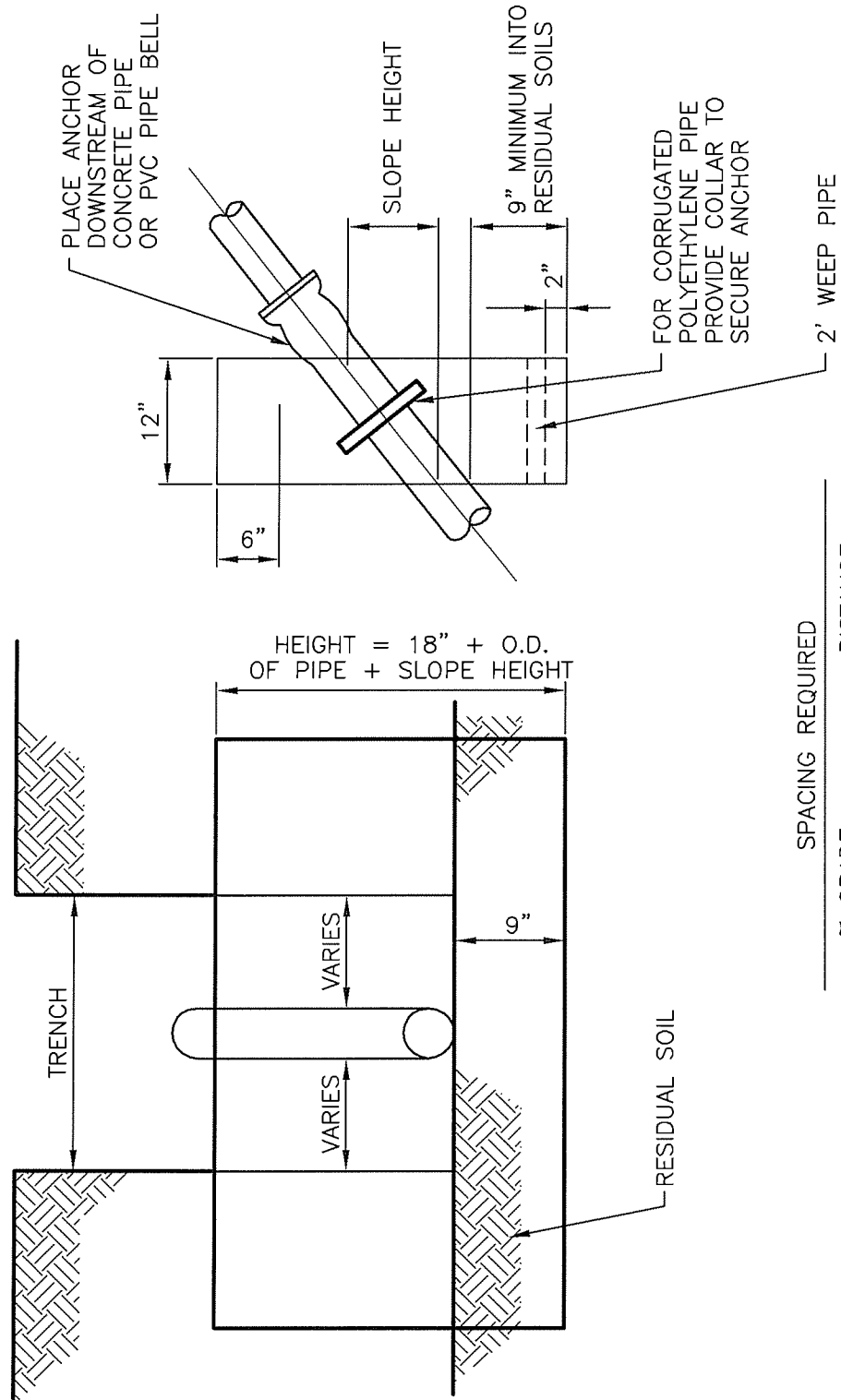
BUTLER COUNTY
TRENCH BACKFILL
STANDARD DETAIL 10



GENERAL NOTES:

1. SIDEWALK TO HAVE STIFF BROOM FINISH WITH TROWELED EDGES.
2. PROVIDE 1/2" EXPANSION JOINT AT NEW SIDEWALK ABUTTING EXISTING SIDEWALK.
3. THE CONCRETE APRON SHALL BE 6" THICK CONCRETE ON A 6" COMPACTED STONE BASE, 4000 PSI CONCRETE WITH 10X10X10 MESH IN APRON AND SIDEWALK.
4. SIDEWALK MAY BE LOWERED IN VICINITY OF APRON SO THAT AN ORDERLY TRANSITION IS POSSIBLE.
5. THE DRIVEWAY SHALL NOT EXCEED 10%.
6. THE DEPRESSED SIDEWALK IS NOT TO EXCEED 1/4" PER FOOT LONGITUDINALLY.

**BUTLER COUNTY
CONCRETE DRIVEWAY/SIDEWALK APRON
STANDARD DETAIL 11**

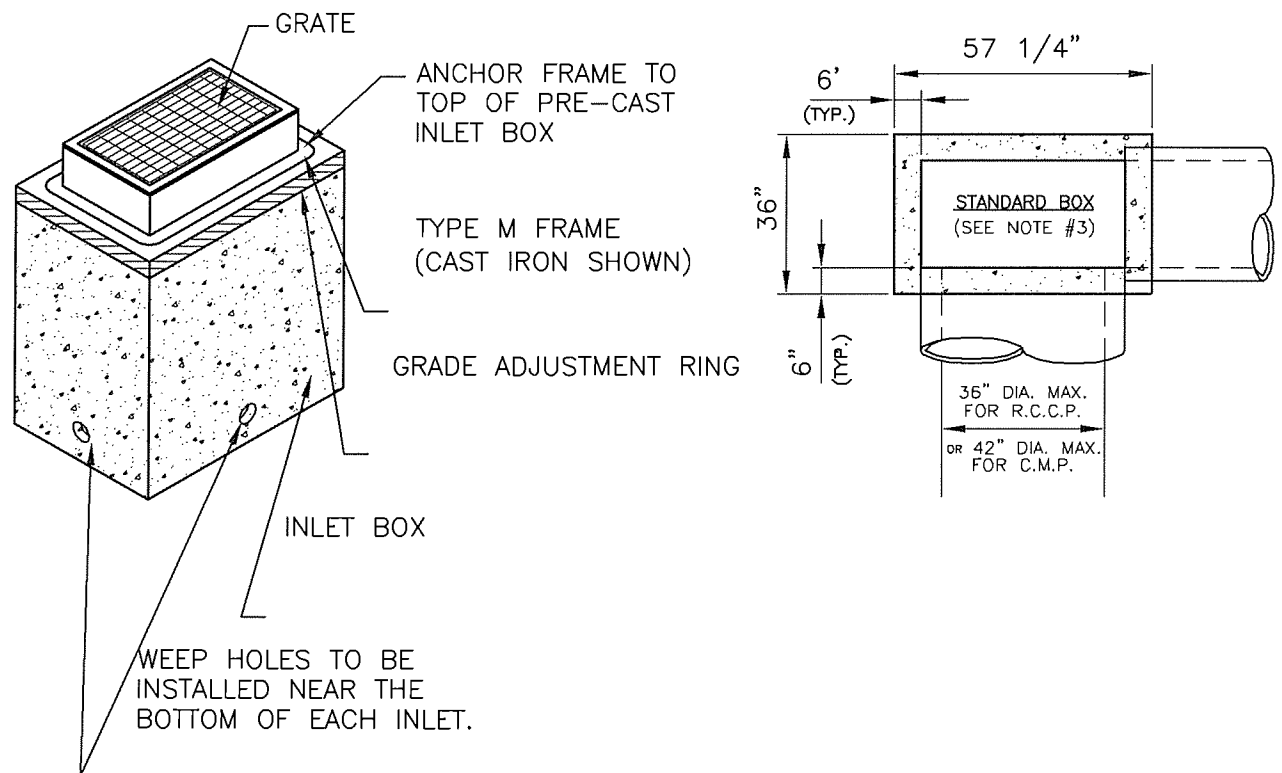


SPACING REQUIRED	
% GRADE	DISTANCE CENTER TO CENTER
20% TO 30%	36' C.C.
30% TO 50%	24' C.C.
50% +	18' C.C.

BUTLER COUNTY
 PIPE ANCHOR
 STANDARD DETAIL 12

GENERAL NOTES:

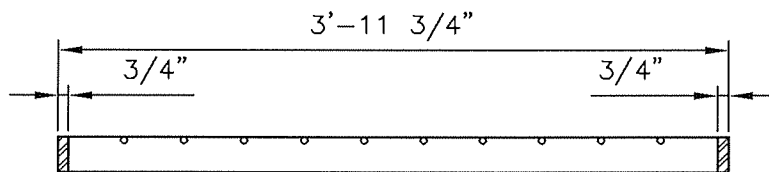
1. CONSTRUCT INLET BOXES IN ACCORDANCE WITH THE REQUIREMENTS OF PUBLICATION 408, SECTION 713.2(d), FOR PRECAST CEMENT CONCRETE UNITS.
2. ONLY PRECAST INLET BOXES SUPPLIED BY A MANUFACTURER LISTED IN BULLETIN 15 SHALL BE PERMITTED.
3. PROVIDE STANDARD INLET BOXES AND COVER ADJUSTMENT SLABS WITH A 24" X 45 1/4" OPENING TO ACCOMMODATE STANDARD TOP COMPONENTS.
4. INLETS THAT EXCEED THE MAXIMUM HEIGHT SHOWN SHALL REQUIRE A SPECIAL DETAIL AND DESIGN FOR THE INLET WALLS AND BASE. CONSTRUCT INLETS THAT EXCEED 4 FEET IN HEIGHT WITH STEPS SIMILAR TO MANHOLES.
5. LOCATE PIPE OR PIPES, AS INDICATED, WITH THE INLET BOTTOM SHAPED TO CHANNEL THE FLOW TOWARD THE OUTLET PIPE.
6. PLACE SUBBASE MATERIAL MEETING THE REQUIREMENTS OF PUBLICATION 408, SECTION 350.2, IN 4 INCH LAYERS, COMPACTED TO A 95% MODIFIED PROCTOR STANDARD DENSITY.
7. FOR PIPE DIAMETERS LARGER THAN 36" IN THIS WALL FOR A TYPE 1, USE A MODIFIED TYPE I INLET BOX.
8. FOR PIPE DIAMETERS LARGER THAN 48" R.C.C.P. OR 54" C.M.P. IN THIS WALL FOR A TYPE 2, USE A MODIFIED TYPE II INLET BOX.
9. FOR PIPE DIAMETERS LARGER THAN 48" R.C.C.P. OR 54" C.M.P. IN THE LONG DIRECTION OR LARGER THAN 36" IN THE SHORT DIRECTION, A SPECIAL DETAIL AND DESIGN IS REQUIRED.



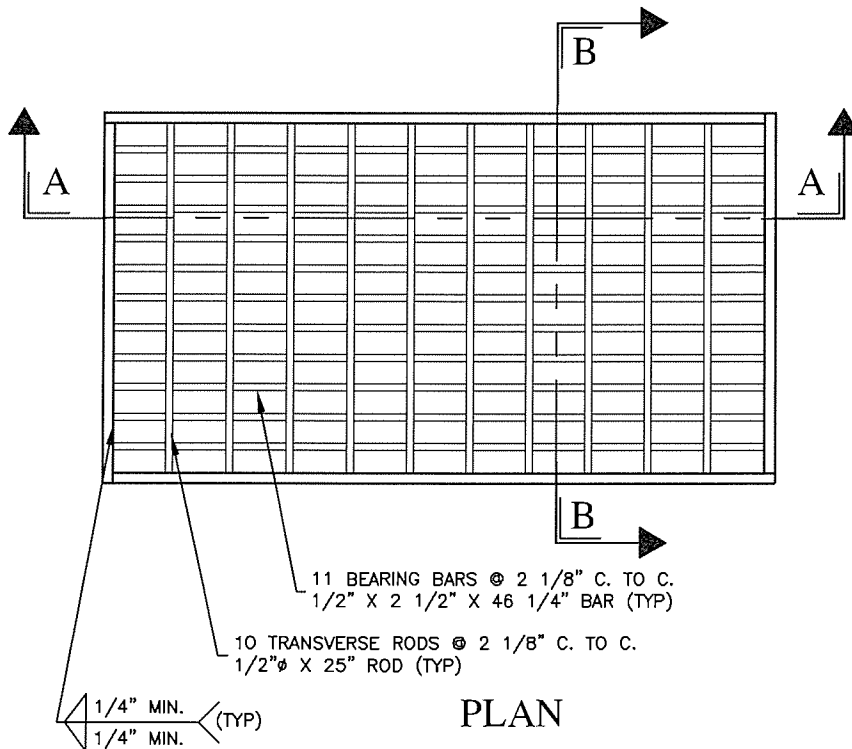
**BUTLER COUNTY
TYPE M INLET
STANDARD DETAIL 13**

GENERAL NOTES:

1. THIS SHEET DEPICTS THE DIMENSIONS REQUIRED FOR UNIFORMITY AND INTERCHANGEABILITY. IT DOES NOT INCLUDE DETAILS REQUIRED FOR FABRICATION OR MANUFACTURING. ONLY GRATES SUPPLIED BY A MANUFACTURER LISTED IN BULLETIN 15 SHALL BE PERMITTED. FOR A BULLETIN 15 LISTING, SUBMIT A 22" x 36" REPRODUCIBLE SHOP DRAWING TO THE BUREAU OF CONSTRUCTION AND MATERIALS, MATERIALS AND TESTING DIVISION FOR REVIEW AND APPROVAL.
2. WELD STRUCTURAL STEEL GRATES IN ACCORDANCE WITH THE REQUIREMENTS OF PUBLICATION 408 SECTION 1105.03(R). WELDING SHOPS ARE NOT REQUIRED TO BE AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC) CERTIFIED.
3. PROVIDE TRANSVERSE RODS, MEETING THE REQUIREMENTS OF AASHTO-M227 OR M255 , GRADE 70 , 75 OR 80 , FLUSH WITH THE GRATE SURFACE.
4. PROVIDE BICYCLE-SAFE, STRUCTURAL STEEL OR CAST IRON VANE GRATES FOR INSTALLATION ONLY WHERE BICYCLE TRAFFIC IS ANTICIPATED SUCH AS CURBED ROADWAYS IN URBAN AREAS OR ROADWAYS SPECIFICALLY ESTABLISHED AND SIGNED AS BIKEWAYS OR HAVING BIKE LANES. ALTERNATE BICYCLE-SAFE GRATE DESIGNS SHALL REQUIRE A SHOP DRAWING SUBMISSION, AS SPECIFIED IN NOTE 1, AND SHALL CONFORM TO THE DIMENSIONAL REQUIREMENTS FOR PROPER INSTALLATION WITH THE CURRENT CONCRETE TOP UNITS.
5. FABRICATE SLOTS BY BURNING, DRILLING, SHEARING OR PUNCHING. HAVE THE BOTTOM OF ALL BURNED OR DRILLED SLOTS CONFORM TO THE SHAPE OF THE ROD.
6. INSTALL STRUCTURAL STEEL GRATES WITH THE GRATE SPACERS LOCATED FLUSH ALONG THE TOP SURFACE OF THE GRATE.



SECTION A-A

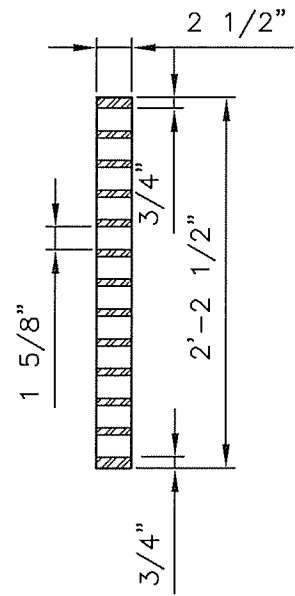


11 BEARING BARS @ 2 1/8" C. TO C.
 1/2" X 2 1/2" X 46 1/4" BAR (TYP)

10 TRANSVERSE RODS @ 2 1/8" C. TO C.
 1/2"φ X 25" ROD (TYP)

1/4" MIN. (TYP)
 1/4" MIN.

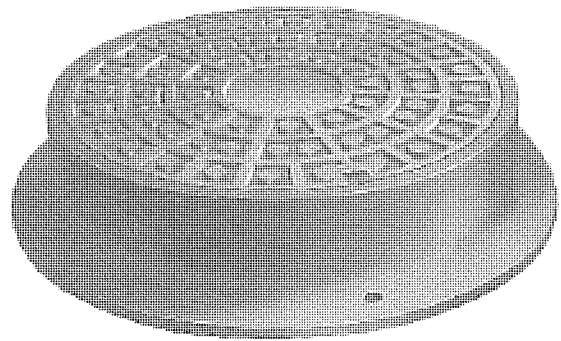
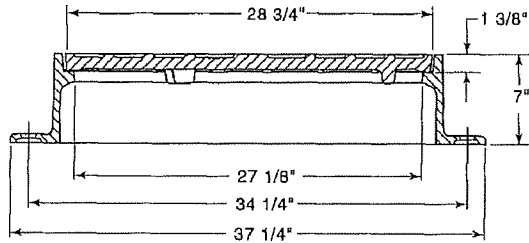
PLAN



SECTION B-B

**BUTLER COUNTY
 STRUCTURAL STEEL GRATE BICYCLE SAFE
 STANDARD DETAIL 14**

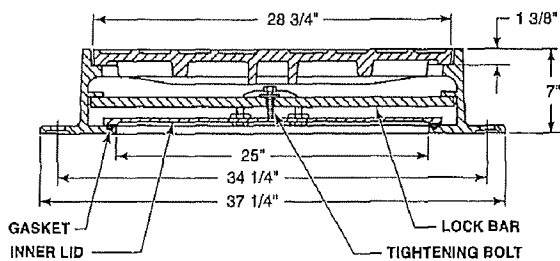
STORM MANHOLE COVER



Illustrating R-1753-A

NEENAH FOUNDRY COMPANY

WATER-TIGHT STORM MANHOLE COVER



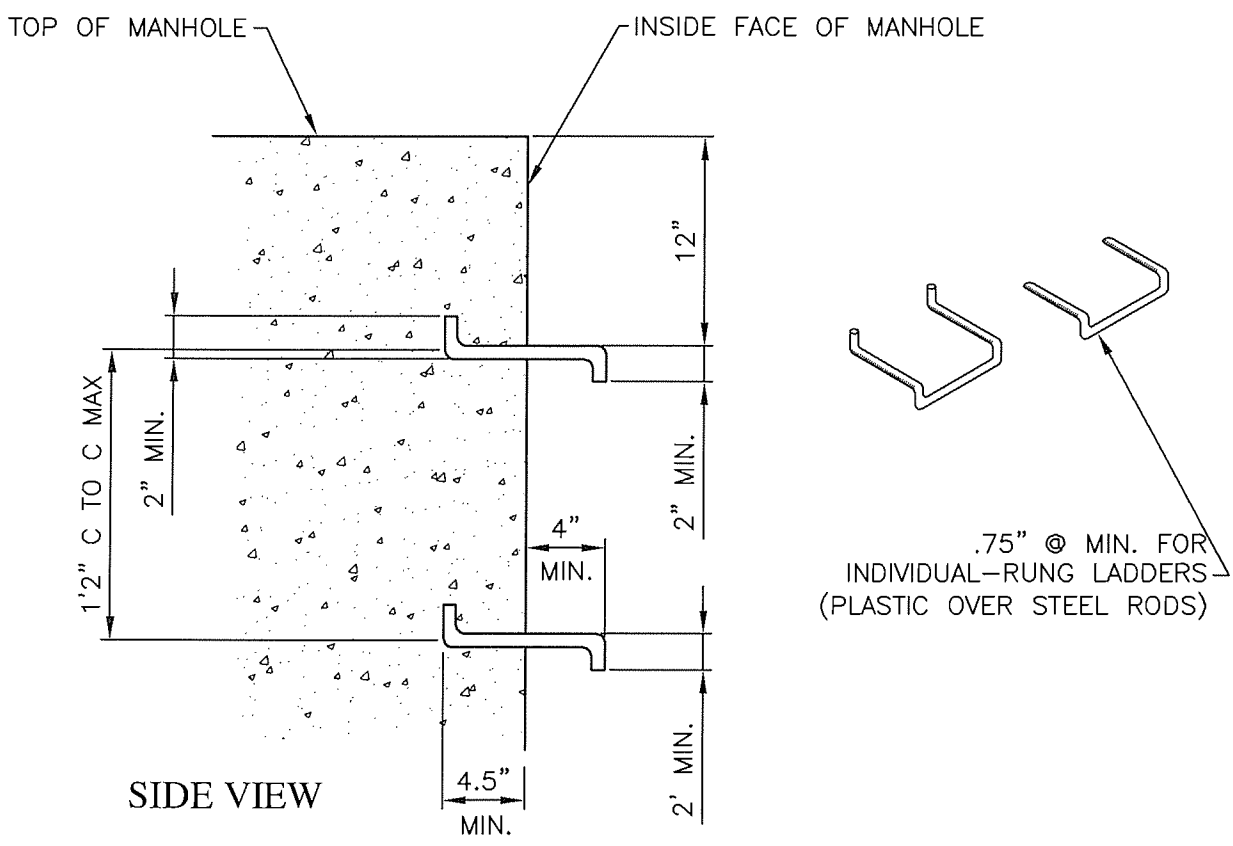
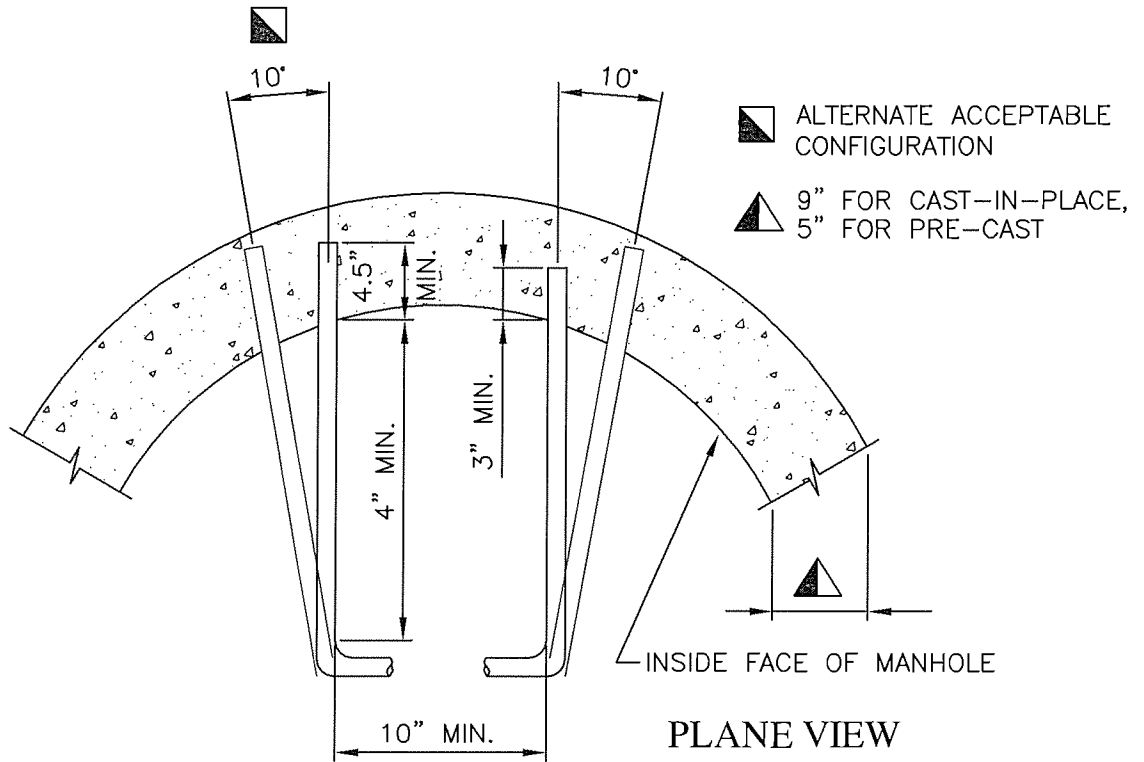
NEENAH FOUNDRY COMPANY

BUTLER COUNTY STORM MANHOLE COVERS STANDARD DETAIL 15

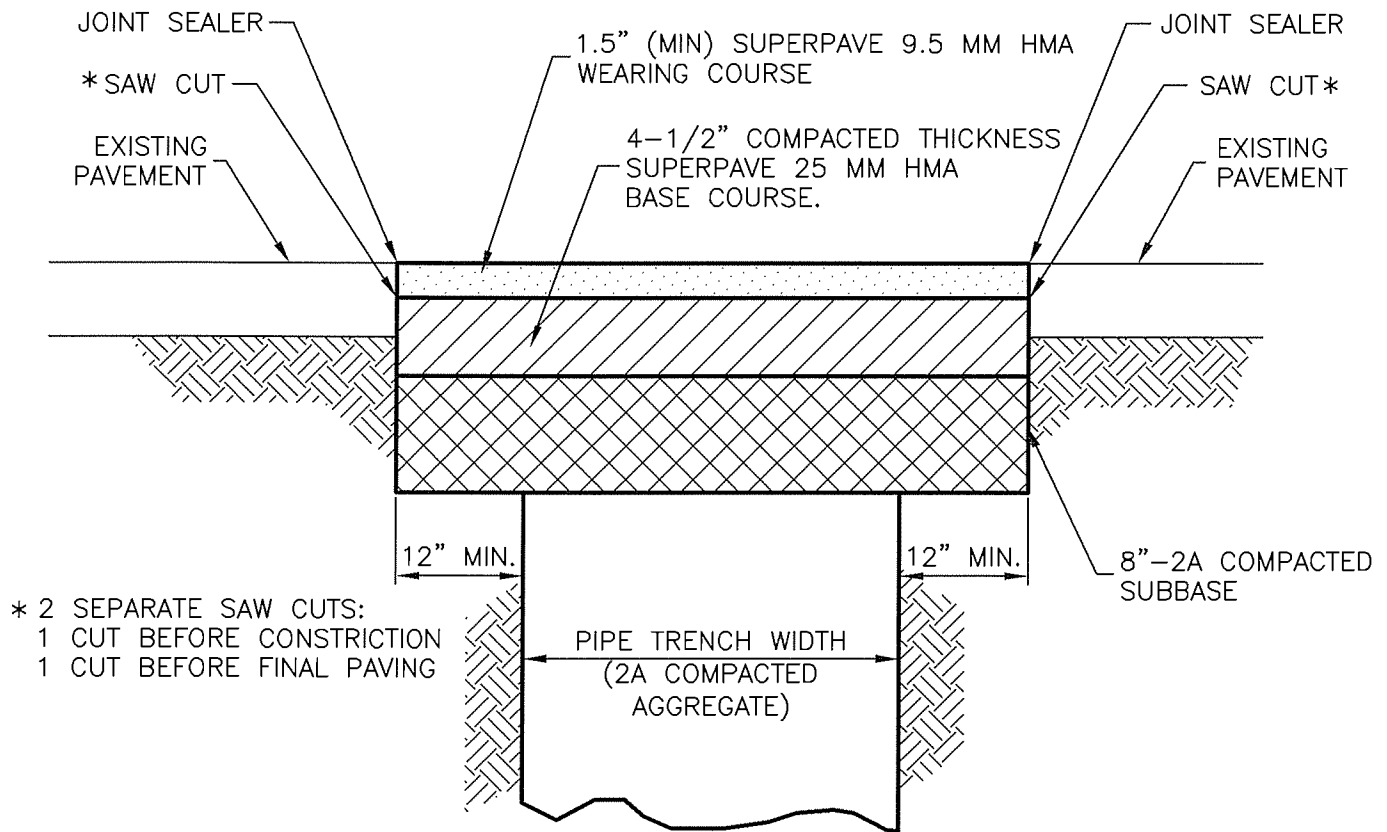


OLSEN & ASSOCIATES, LLC

PROJECT NO. 201120A



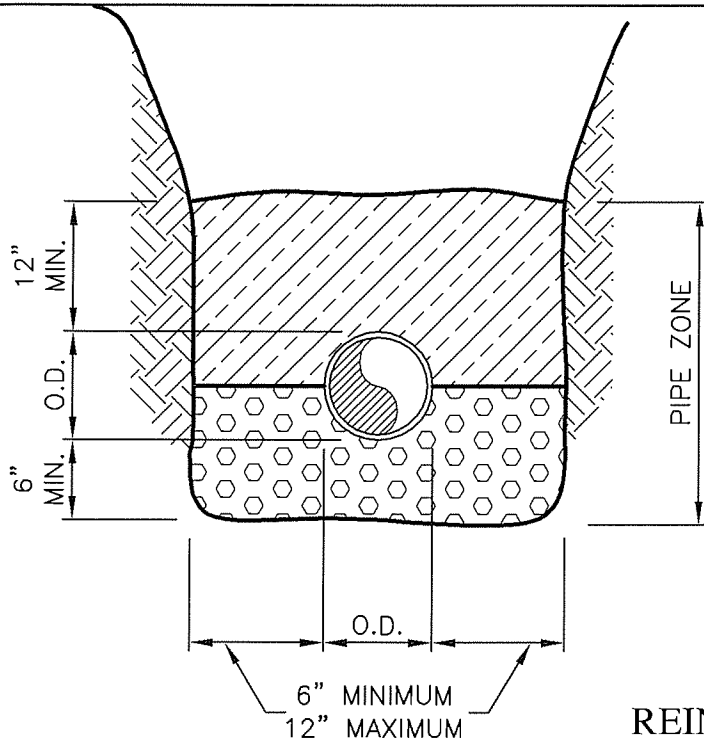
**BUTLER COUNTY
 MANHOLE LADDER BARS
 STANDARD DETAIL 16**



GENERAL NOTES:

1. DURING COLD WEATHER MONTHS PROVIDE AND MAINTAIN A TEMPORARY BITUMINOUS COLD PATCH SURFACE UNTIL WEATHER PERMITS HOT ASPHALT PAVING.
2. THE TOWNSHIP MUST BE NOTIFIED 48 HOURS IN ADVANCE OF ROAD OPENING AND SURFACING.
3. SUBBASE COURSE SHALL BE AS THICK AS EXISTING OR 8"-2A COMPACTED SUBBASE, (AFTER COMPACTION) WHICH EVER IS GREATER.
4. SUPERPAVE BASE COURSE SHALL BE AS THICK AS EXISTING OR 4-1/2" MINIMUM, (AFTER COMPACTION) WHICH EVER IS GREATER.
5. SUPERPAVE WEARING COURSE SHALL BE AS THICK AS EXISTING OR 1.5" MINIMUM, (AFTER COMPACTION) WHICH EVER IS GREATER.

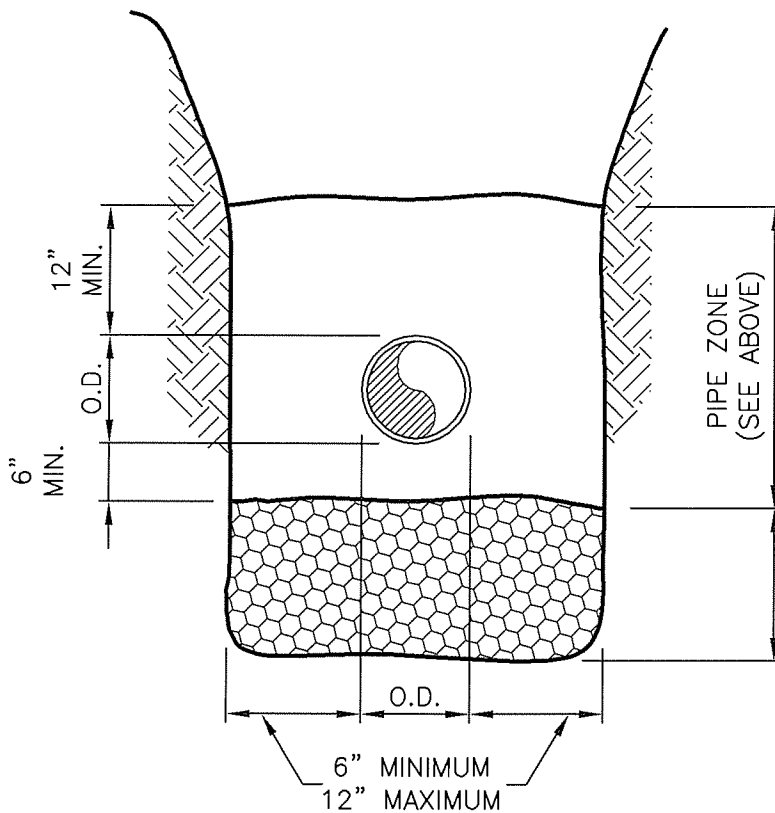
**BUTLER COUNTY
 ASPHALT PAVEMENT REPLACEMENT
 STANDARD DETAIL 17**



MECHANICALLY COMPACTED
SELECT BACKFILL MATERIAL
OR SPECIAL STONE AS
APPROVED BY THE TWP.
ENGINEER

MECHANICALLY COMPACTED
NO. 57 STONE BEDDING
MATERIAL

**TYPICAL BEDDING
AND PIPE ZONE
REINFORCED CONCRETE PIPE**



GENERAL NOTE:
SPECIAL BEDDING MAY BE
REQUIRED BY THE TOWNSHIP
ENGINEER IF FIELD CONDITIONS OR
LOADS WARRANT THE ADDITIONAL
BEDDING

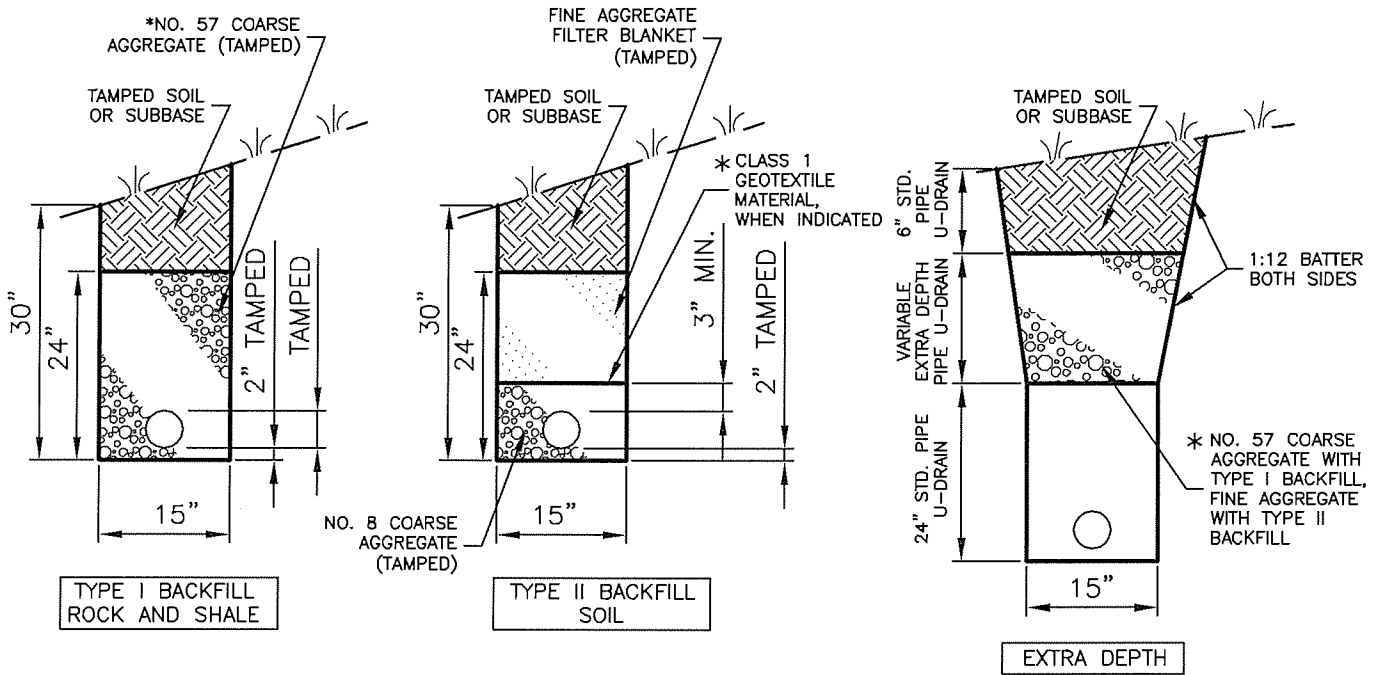
O.D. + 24" SPECIAL BEDDING
AASHTO NO. 1 OR AS APPROVED
BY TWP. ENGINEER

SPECIAL BEDDING

**BUTLER COUNTY
TYPICAL BEDDING FOR RCP, SPECIAL BEDDING
STANDARD DETAIL 18**

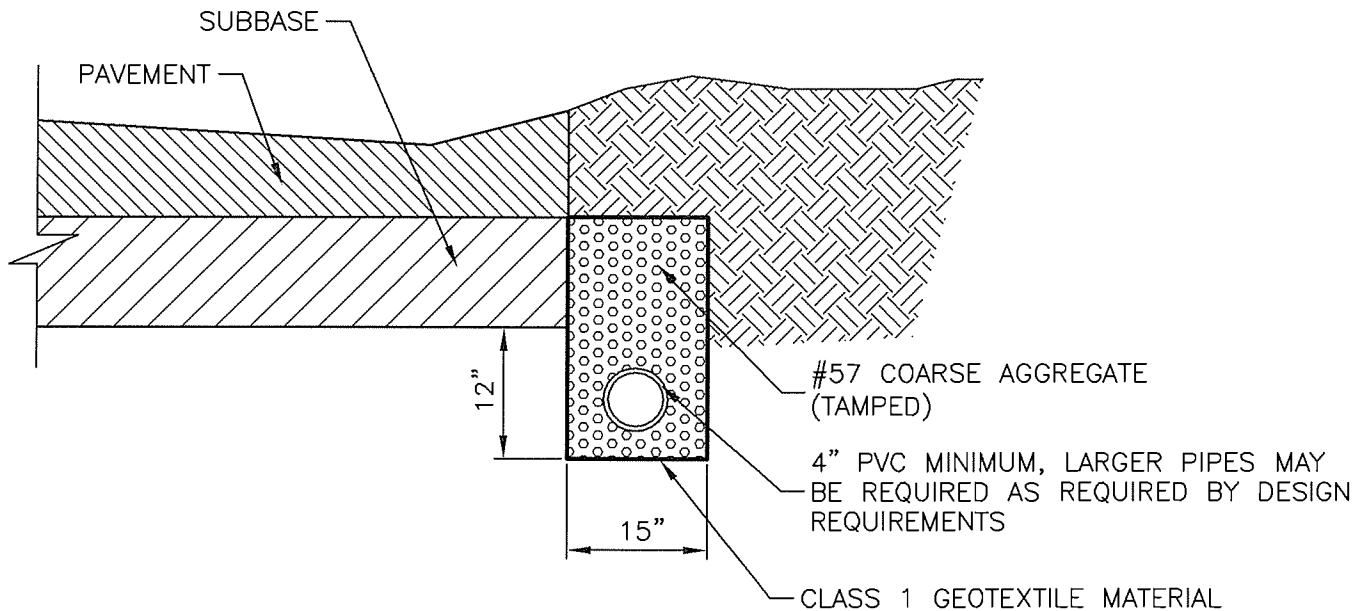


OLSEN & ASSOCIATES, LLC
PROJECT NO. 201120A

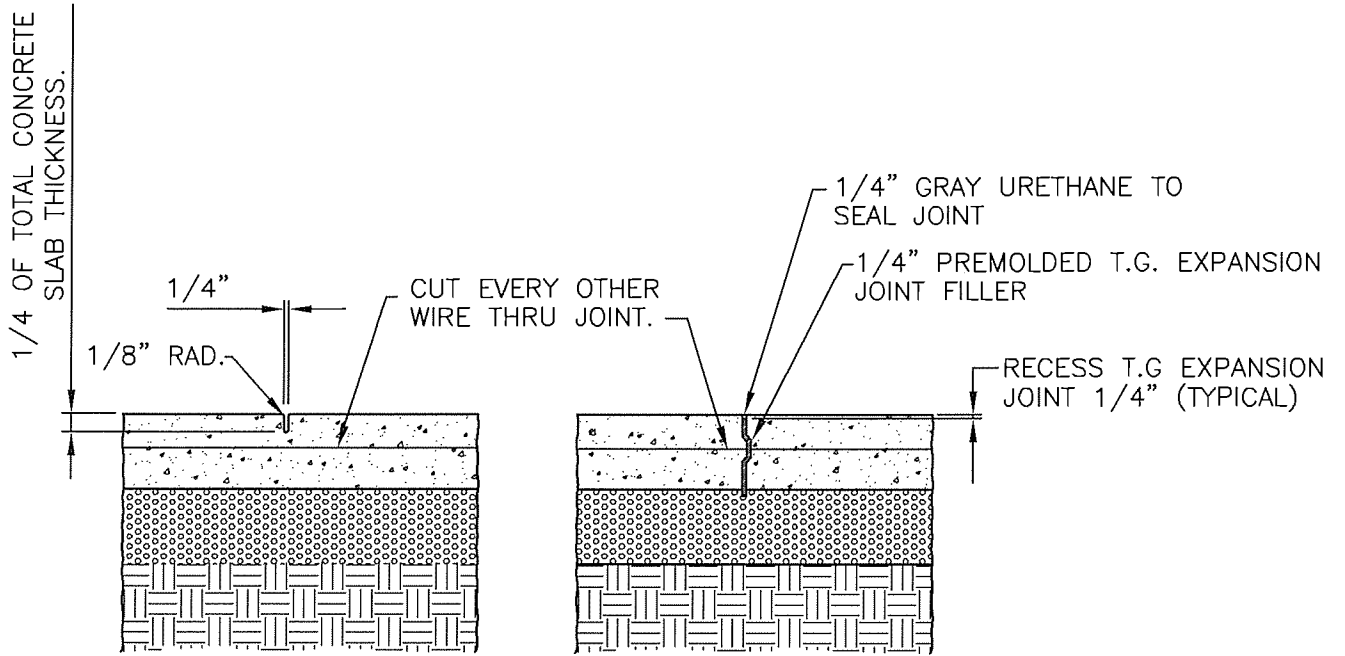


GENERAL NOTES:

*WHEN GEOTEXTILE MATERIAL IS USED FOR TYPE II BACKFILL, REPLACE FINE AGGREGATE FILTER BLANKET WITH EQUIVALENT DEPTH OF NO. 57 COARSE AGGREGATE. WRAP ALL PIPE ZONE AGGREGATE WITH CLASS 1 GEOTEXTILE MATERIAL.

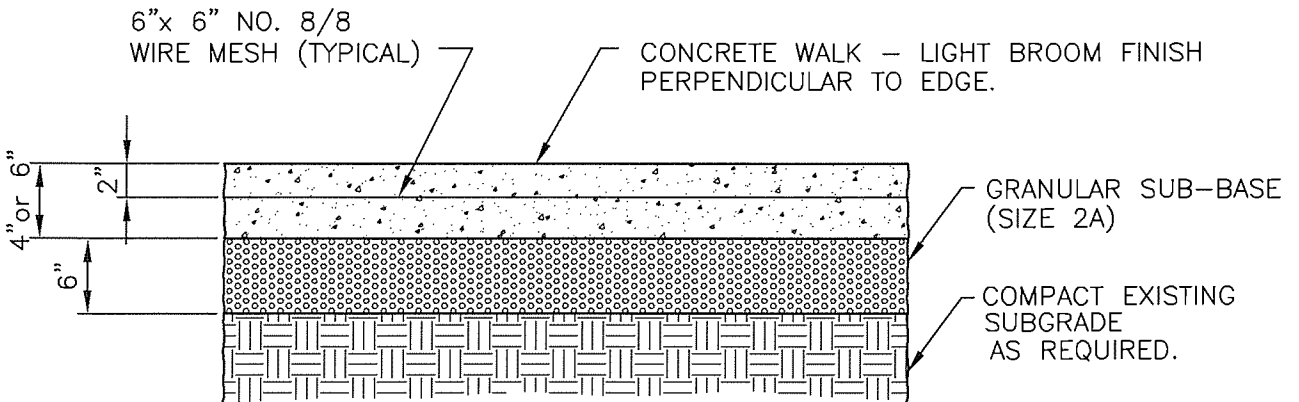


**BUTLER COUNTY
PIPE UNDERDRAIN, PAVEMENT BASE DRAIN
STANDARD DETAIL 19**



CONTROL JOINT
(SPACED EVERY 5')

EXPANSION JOINT
(SPACED EVERY 20'-0")

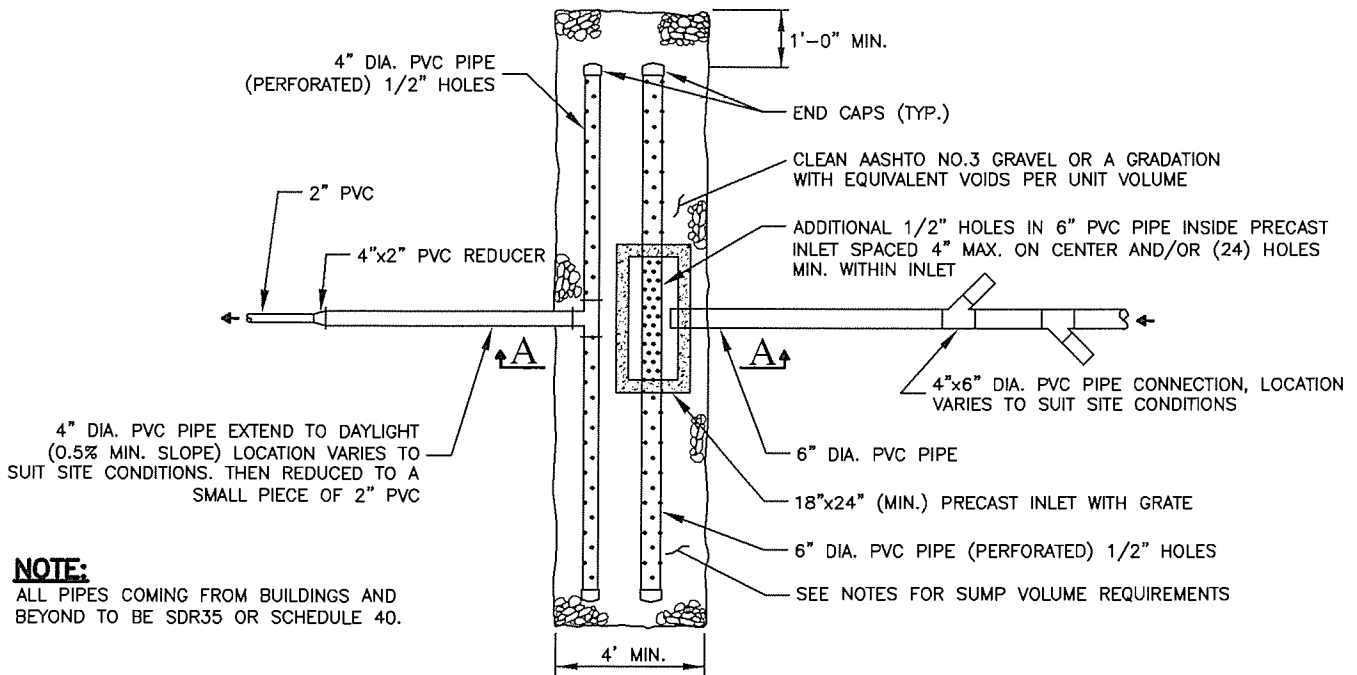


**BUTLER COUNTY
CONCRETE SIDEWALK
STANDARD DETAIL 20**



OLSEN & ASSOCIATES, LLC

PROJECT NO. 201120A

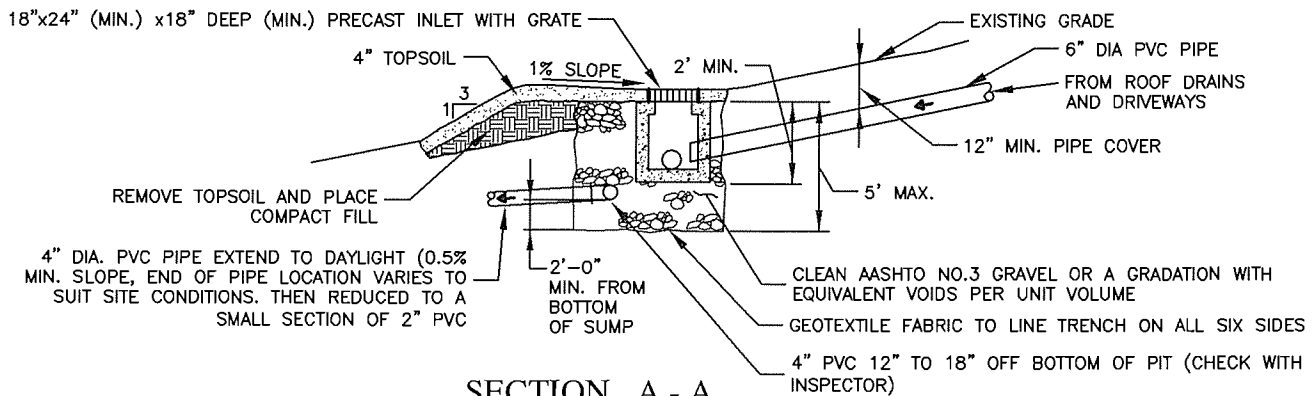


4" DIA. PVC PIPE EXTEND TO DAYLIGHT (0.5% MIN. SLOPE) LOCATION VARIES TO SUIT SITE CONDITIONS. THEN REDUCED TO A SMALL PIECE OF 2" PVC

NOTE:

ALL PIPES COMING FROM BUILDINGS AND BEYOND TO BE SDR35 OR SCHEDULE 40.

PLAN



SECTION A - A

GENERAL NOTES:

1. AS A CONDITION OF RECEIVING A BUILDING PERMIT OR LAND SUBDIVISION APPROVAL, LOT OWNERS SHALL BE REQUIRED TO CONSTRUCT AN "ON-LOT STORMWATER DETENTION SUMP" CONFORMING TO DETAILS AND NOTES ON THIS DRAWING.
2. ALL DRY SUMPS DESIGNED FOR ACCEPTING SURFACE WATER FROM ROOF AND DRIVEWAY AREAS SHALL BE DESIGNED ACCORDING TO THE FOLLOWING CRITERIA.
3. EACH SUMP SHALL BE DESIGNED TO STORE A MINIMUM WATER VOLUME EQUIVALENT TO 2" OF PRECIPITATION COVERING THE NEW IMPERVIOUS TRIBUTARY AREA. FOR EXAMPLE, A SUMP FOR A 1200-SQUARE FOOT ROOF AREA WOULD BE DESIGNED TO STORE A WATER VOLUME OF 200-CUBIC FEET. THE TOTAL STORAGE VOLUME, ASSUMING THE SUMP IS 60% ROCK AND 40% VOIDS, WOULD BE 500-CUBIC FEET.
4. DRY SUMPS SHOULD BE ELONGATED IN A MINIMUM 3:1 LENGTH TO WIDTH RATIO AND BE ORIENTED WITH THE LONG DIMENSION PARALLEL TO THE CONTOUR.
5. DRY SUMPS MUST BE CONSTRUCTED IN UNDISTURBED GROUND ONLY. DRY SUMPS SHALL BE 20- FEET OR MORE FROM ANY PROPERTY LINE OR RIGHT-OF-WAY LINE.
6. DRY SUMPS SHALL BE LOCATED BELOW OR DOWN SLOPE SO AS TO NOT INTERFERE OR CAUSE SATURATION OF ANY EXISTING OR PROPOSED ON-LOT SANITARY DISPOSAL ABSORPTION, OR BUILDING FOUNDATION.
7. INLET GRATES SHALL BE PROVIDED TO SUPPORT 50 PSF IN LAWN AREAS AND HS20 LOADS IN PAVED AREAS.

* WHERE WATERCOURSE IS NOT AVAILABLE OR WHERE AN EXPOSED DISCHARGE PIPE IS INAPPROPRIATE, EXTEND THE 2" PIPE TO A DOWNGRADE 2'X2'X2' GRAVEL-FILLED SUMP PIT.

**BUTLER COUNTY
ON-LOT STORMWATER DETENTION SUMP DETAIL
STANDARD DETAIL 21**

Subdivision and Land Development Ordinance

Butler County, Pennsylvania

Appendix B

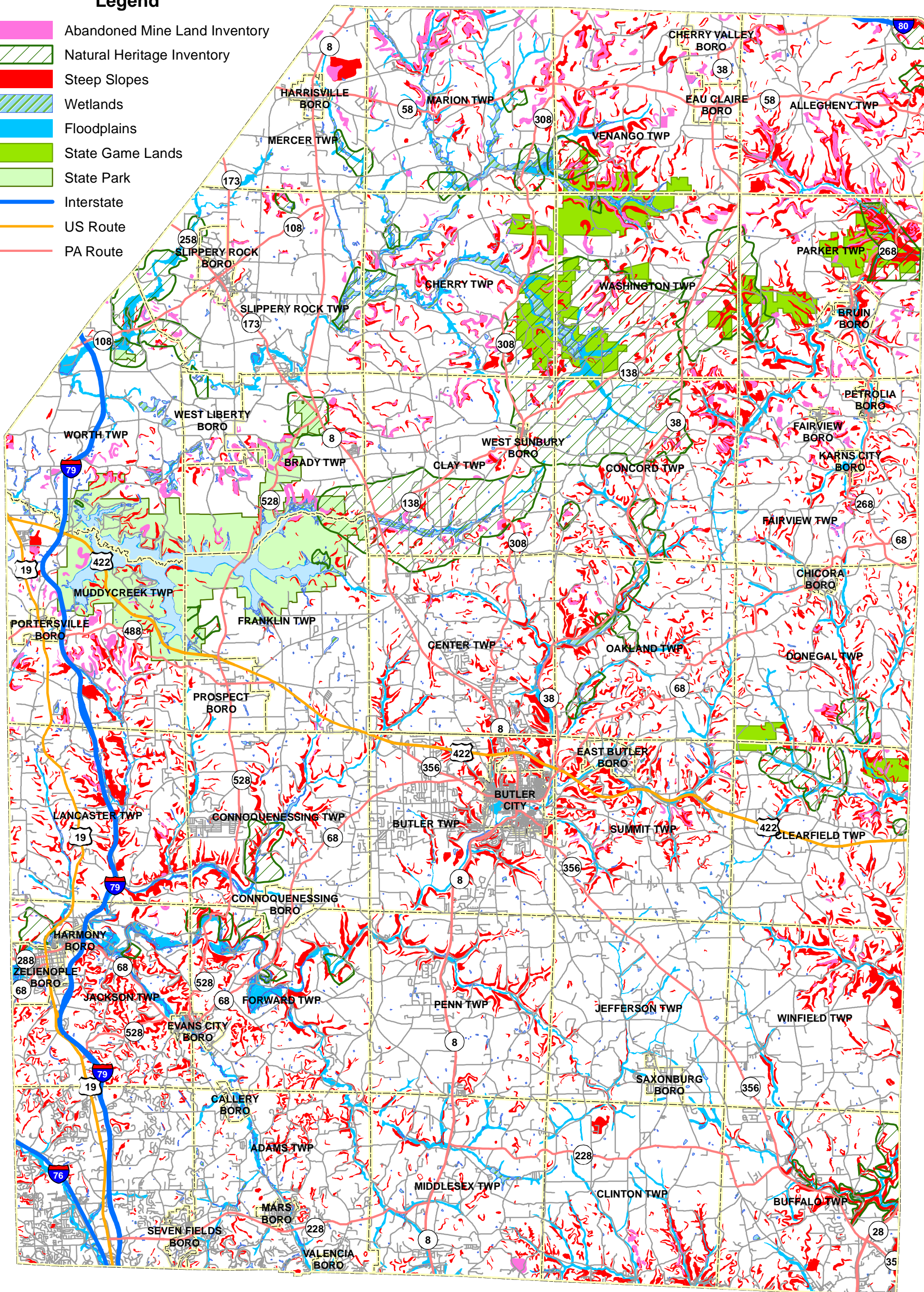
County Reference Maps

Development Constraints Butler County, Pennsylvania



Legend

- Abandoned Mine Land Inventory
- Natural Heritage Inventory
- Steep Slopes
- Wetlands
- Floodplains
- State Game Lands
- State Park
- Interstate
- US Route
- PA Route



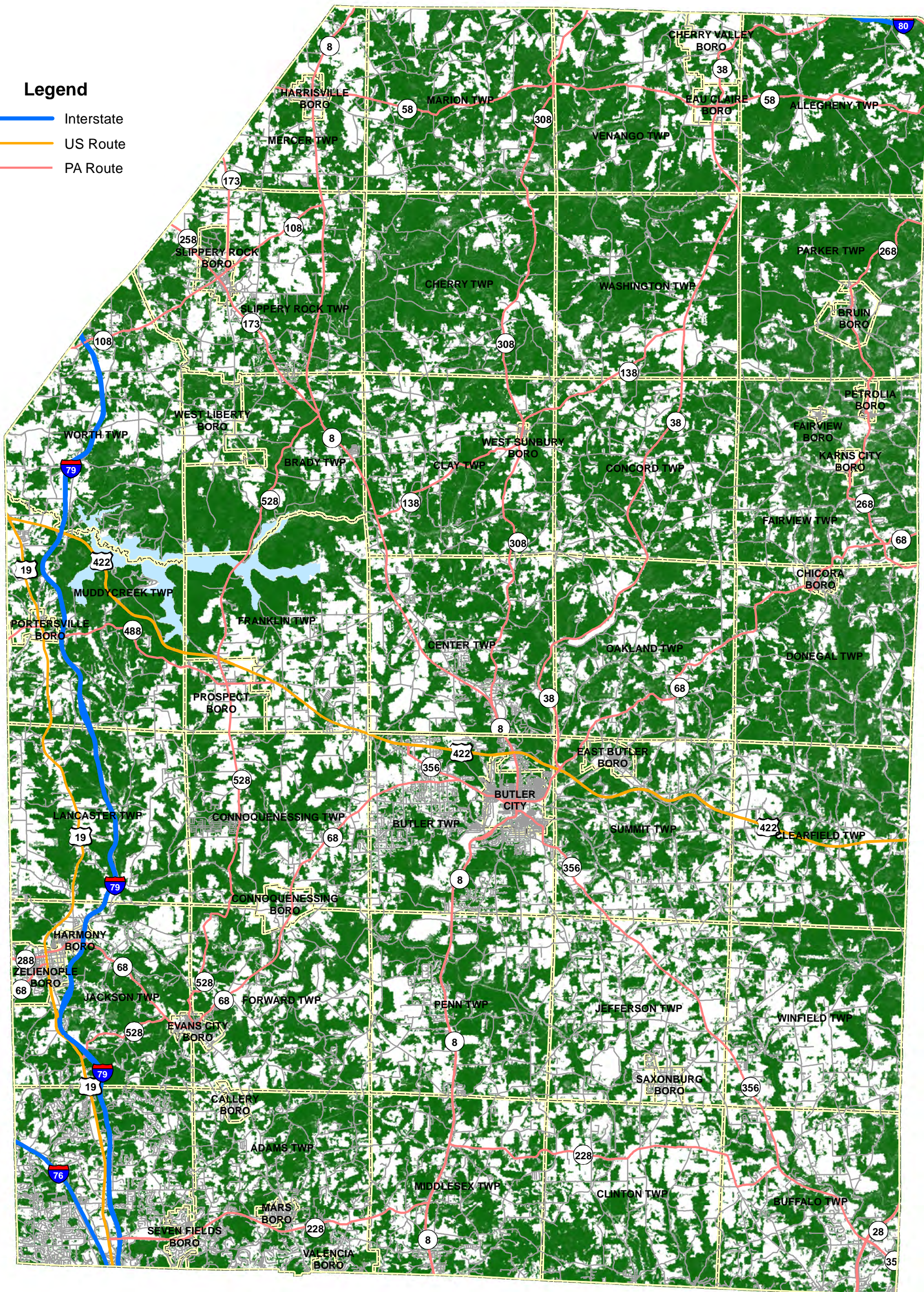
Vegetative Cover

Butler County, Pennsylvania

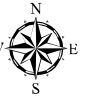


Legend

- Interstate
- US Route
- PA Route

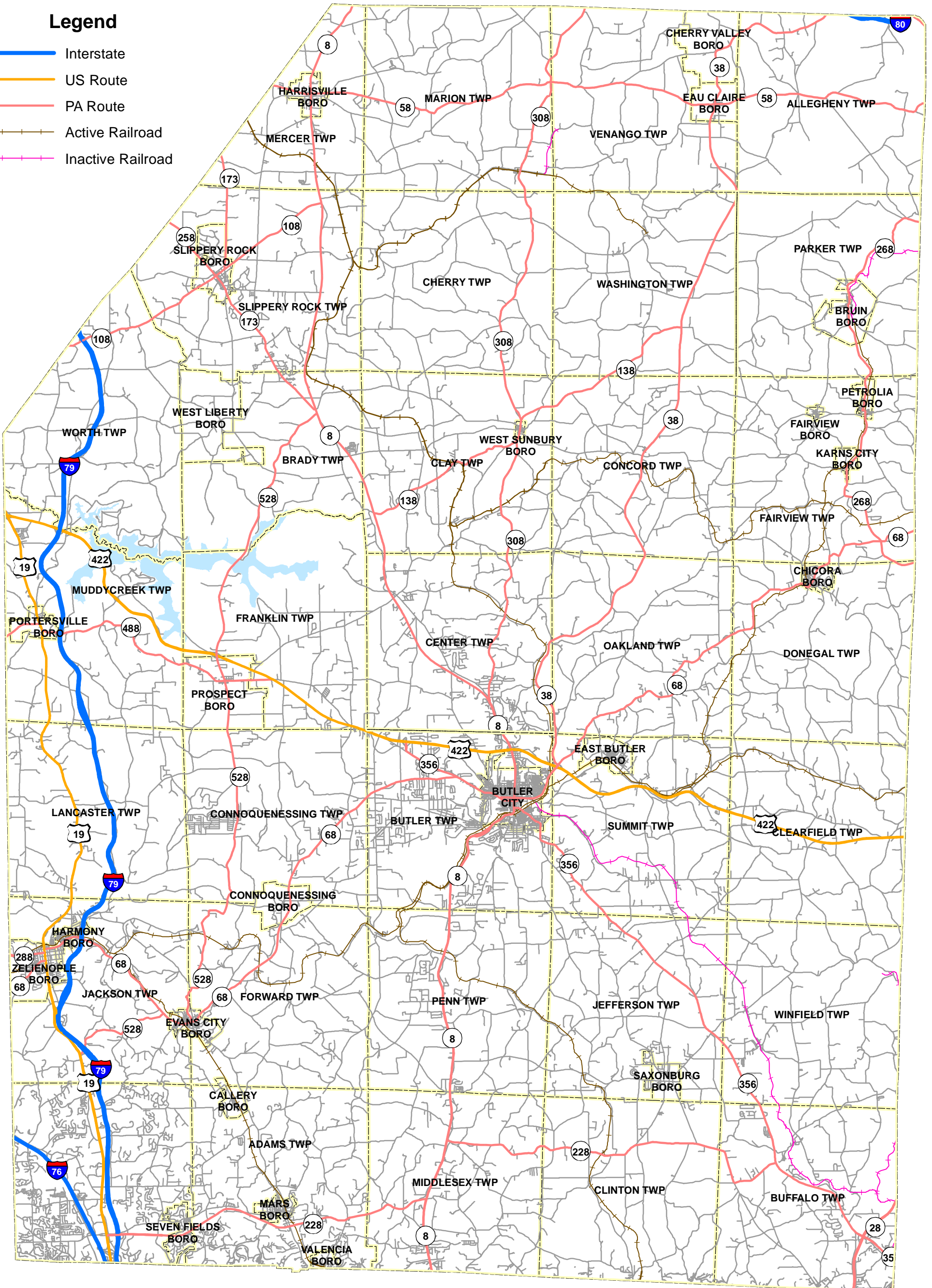


Transportation Network Butler County, Pennsylvania



Legend

- Interstate
- US Route
- PA Route
- Active Railroad
- Inactive Railroad



Slope Grade

Butler County, Pennsylvania



Legend

- Interstate
- US Route
- PA Route
- A - 0% - 3%
- B - 3% - 8%
- C - 8% - 15%
- D - 15% - 25%
- F - Above 25%

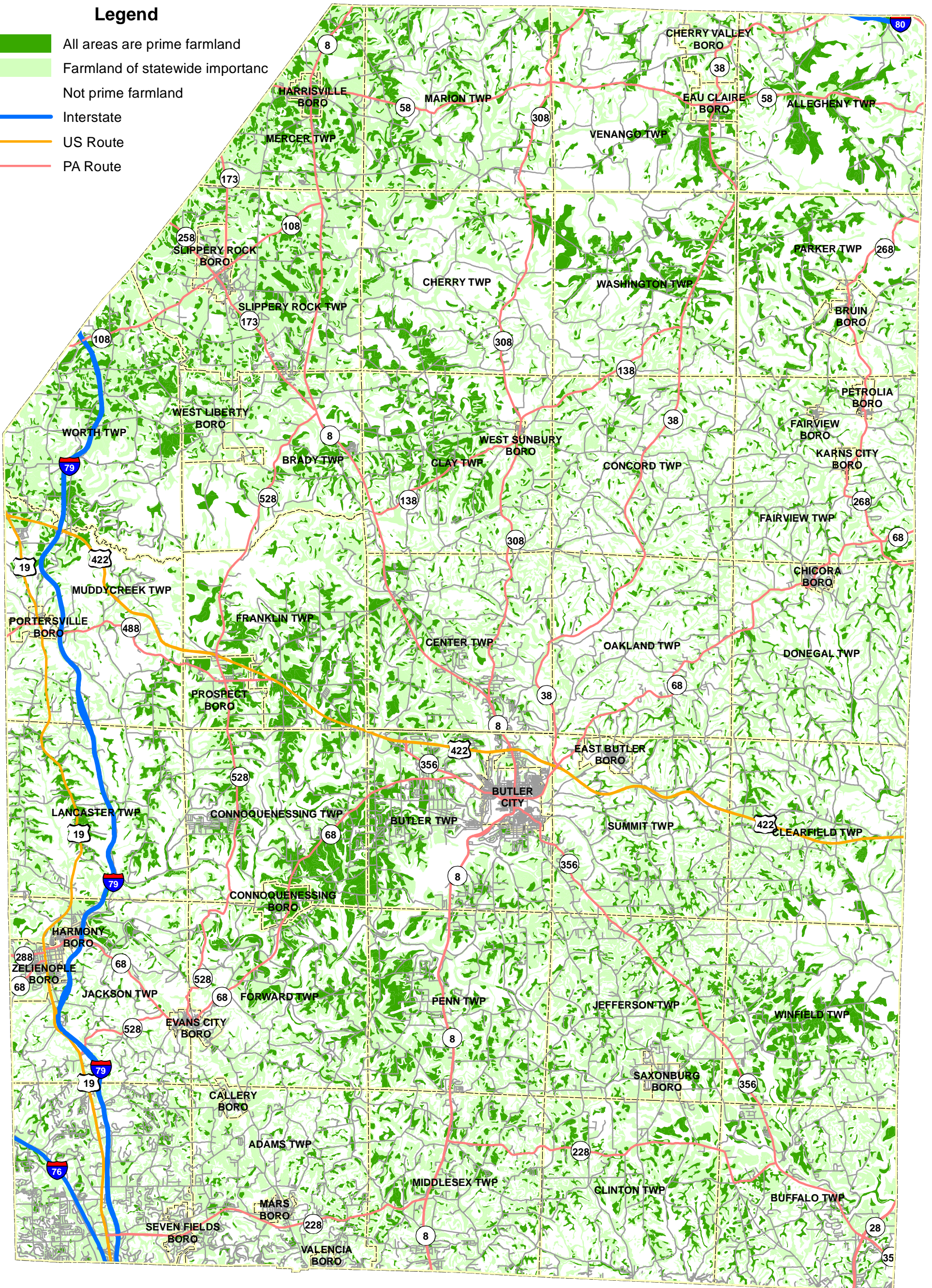


Prime Agricultural Soils Butler County, Pennsylvania



Legend

- All areas are prime farmland
- Farmland of statewide importance
- Not prime farmland
- Interstate
- US Route
- PA Route



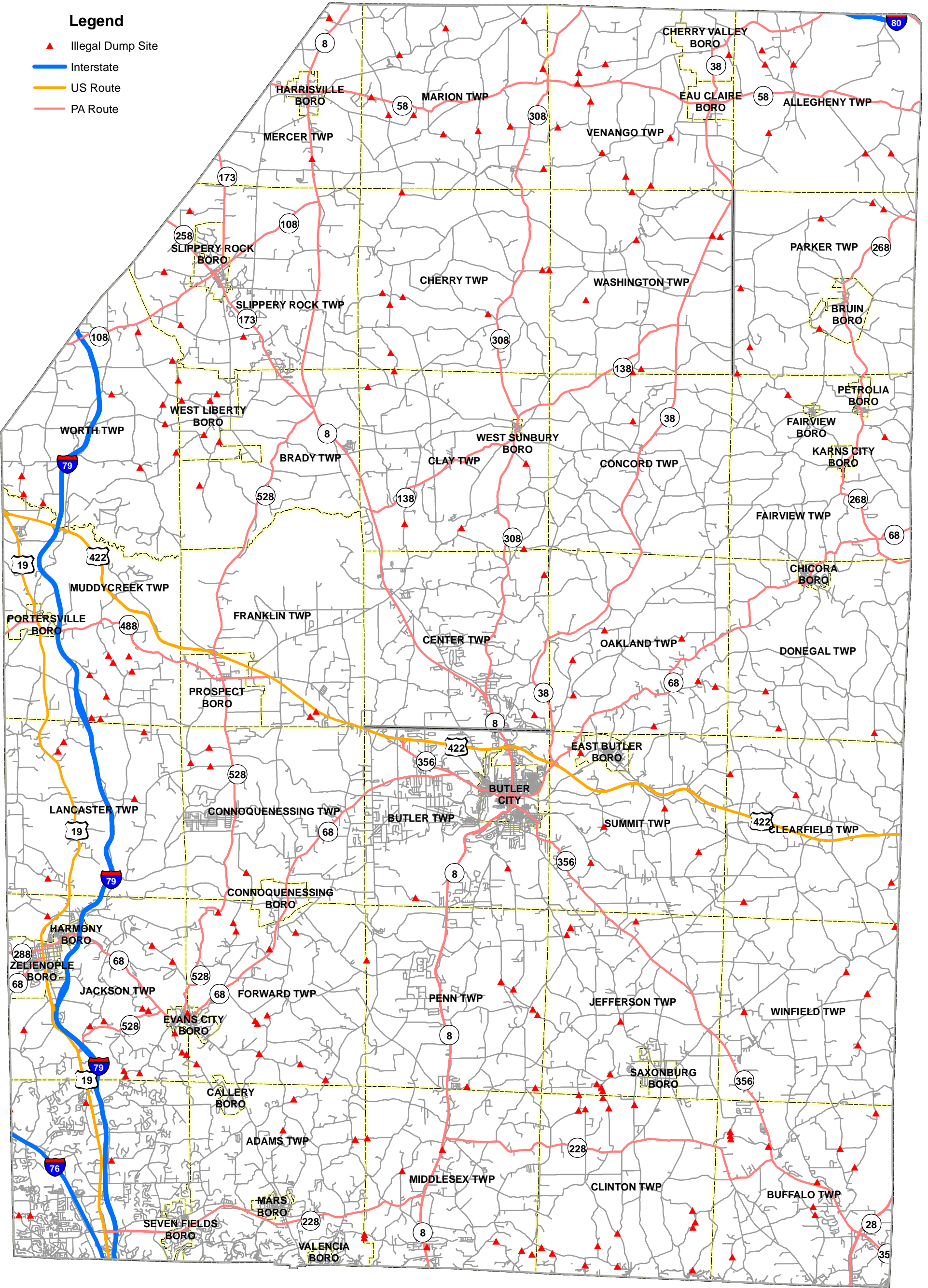
PA Cleanways Illegal Dump Sites 2010

Butler County, Pennsylvania



Legend

- ▲ Illegal Dump Site
- Interstate
- US Route
- PA Route









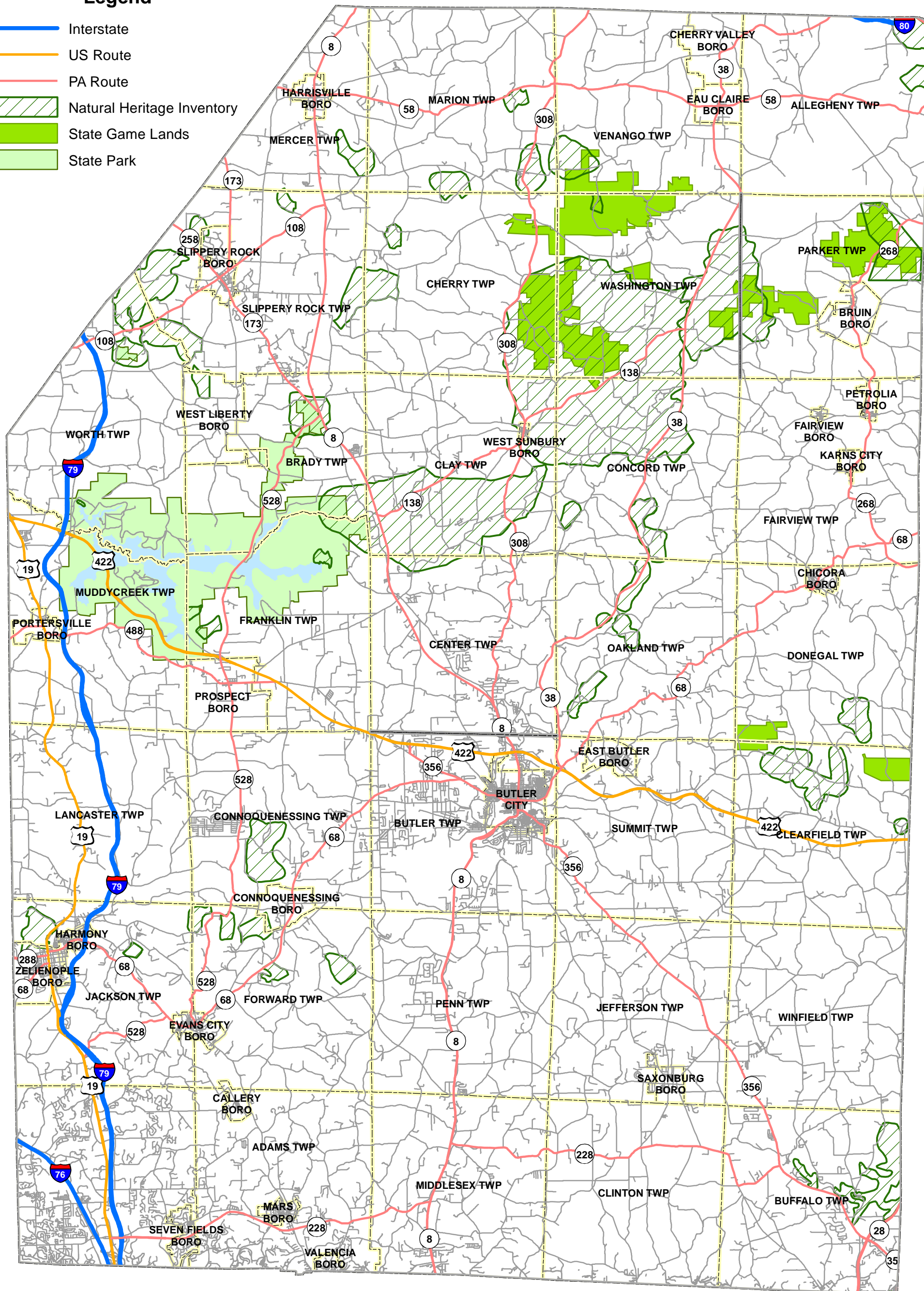
Natural Features

Butler County, Pennsylvania



Legend

-  Interstate
-  US Route
-  PA Route
-  Natural Heritage Inventory
-  State Game Lands
-  State Park

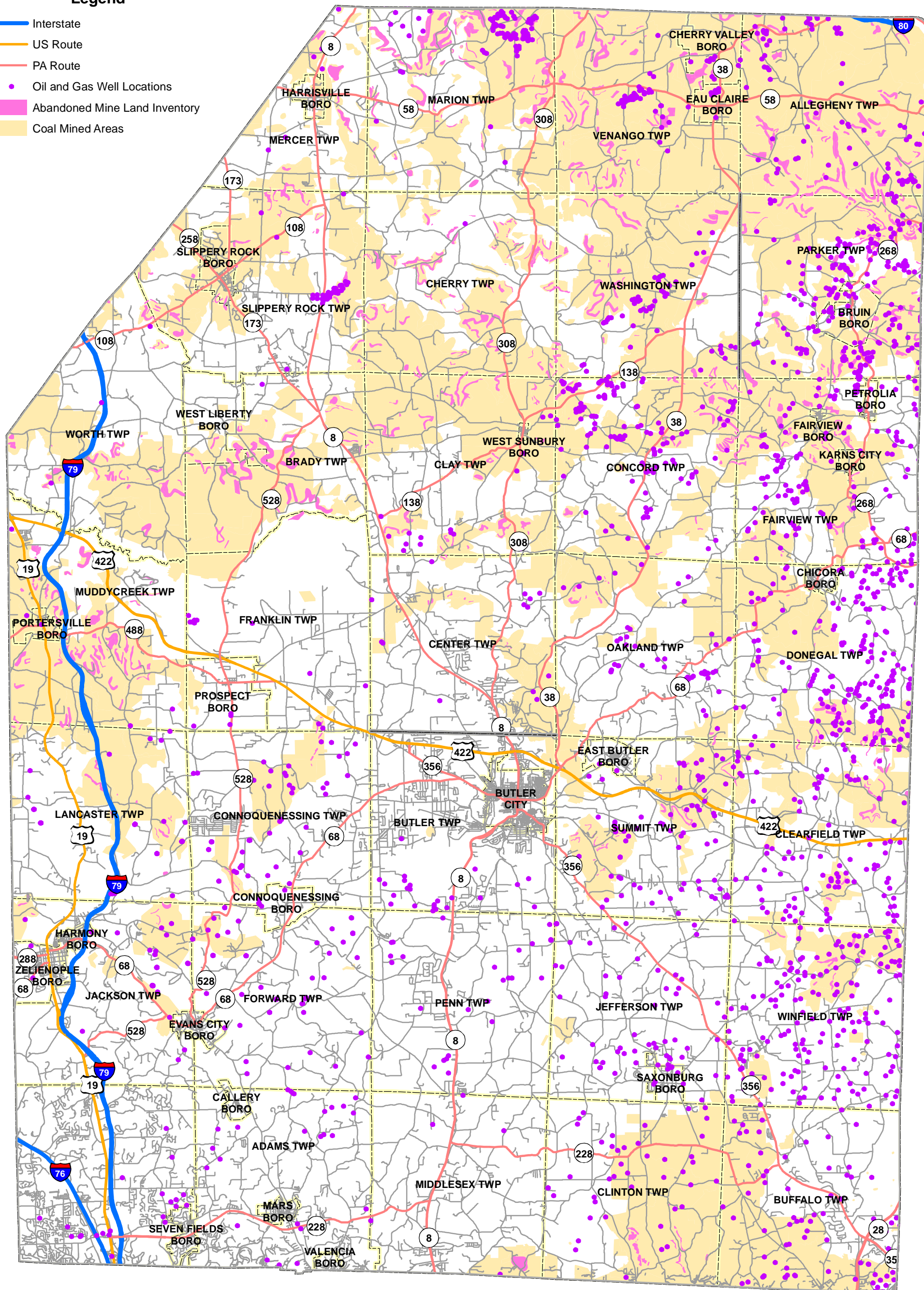


Mineral Extraction Butler County, Pennsylvania



Legend

- Interstate
- US Route
- PA Route
- Oil and Gas Well Locations
- Abandoned Mine Land Inventory
- Coal Mined Areas

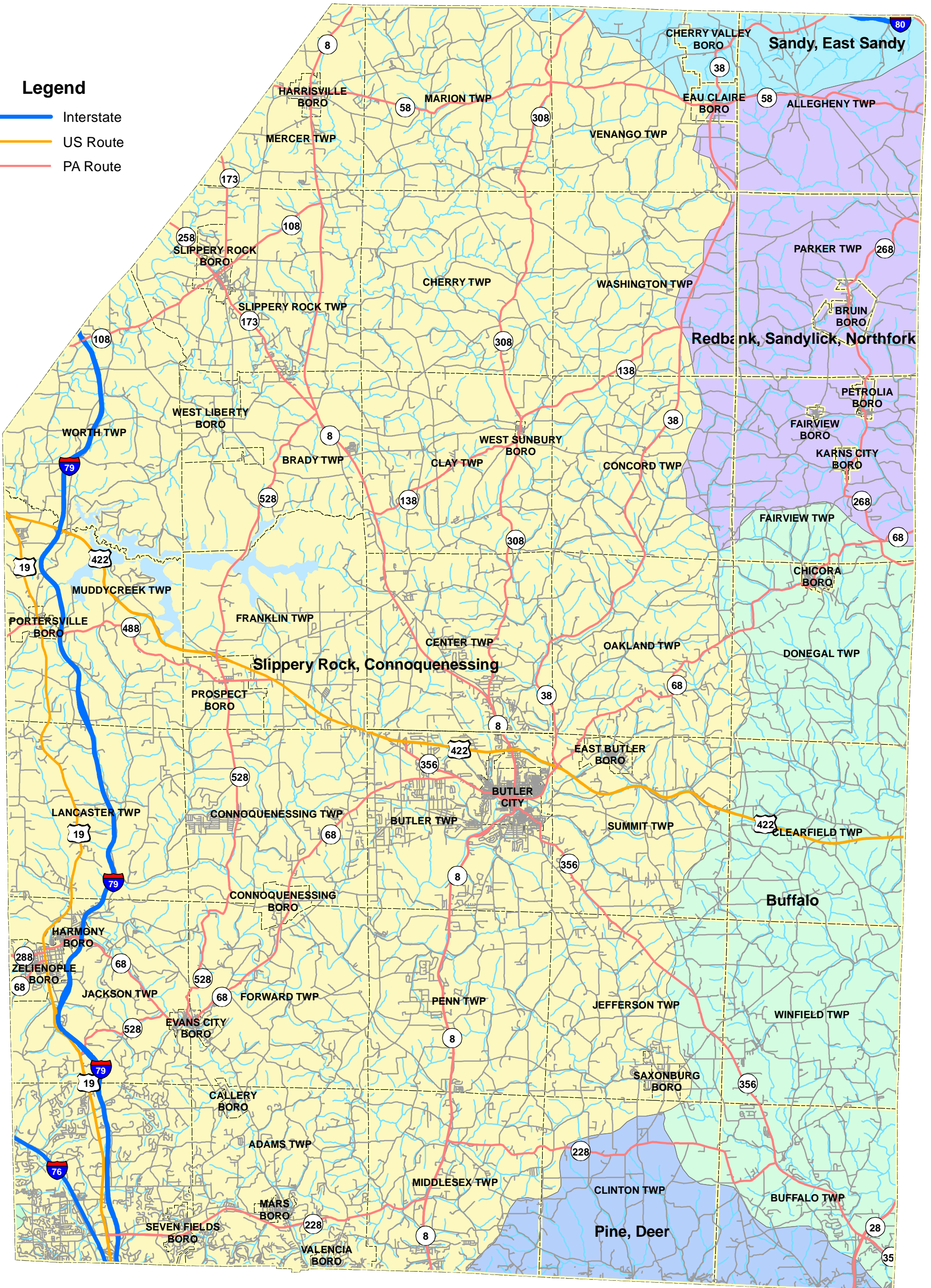


Major Watersheds Butler County, Pennsylvania



Legend

- Interstate
- US Route
- PA Route

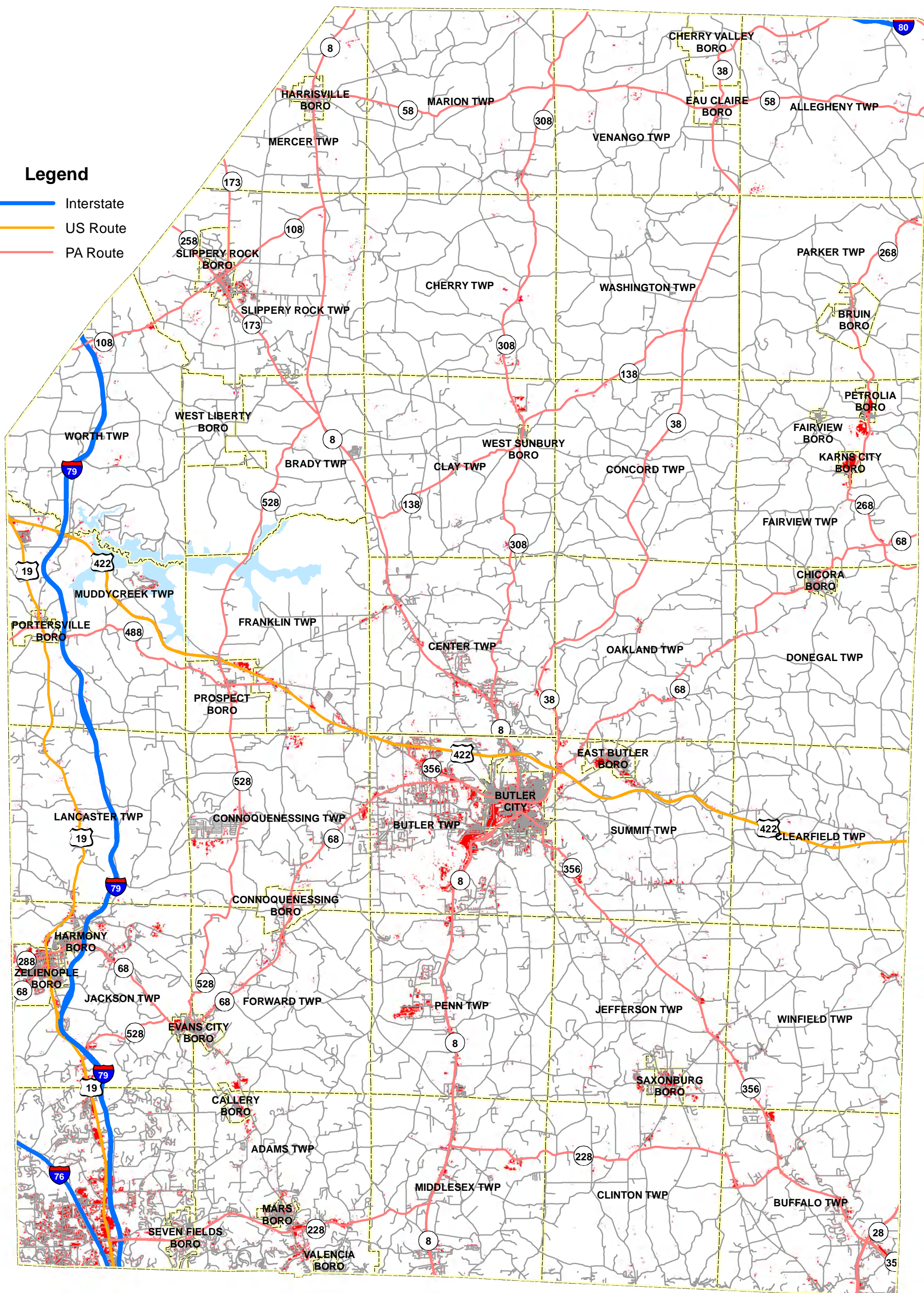


Impervious Surface Butler County, Pennsylvania



Legend

- Interstate
- US Route
- PA Route




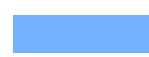




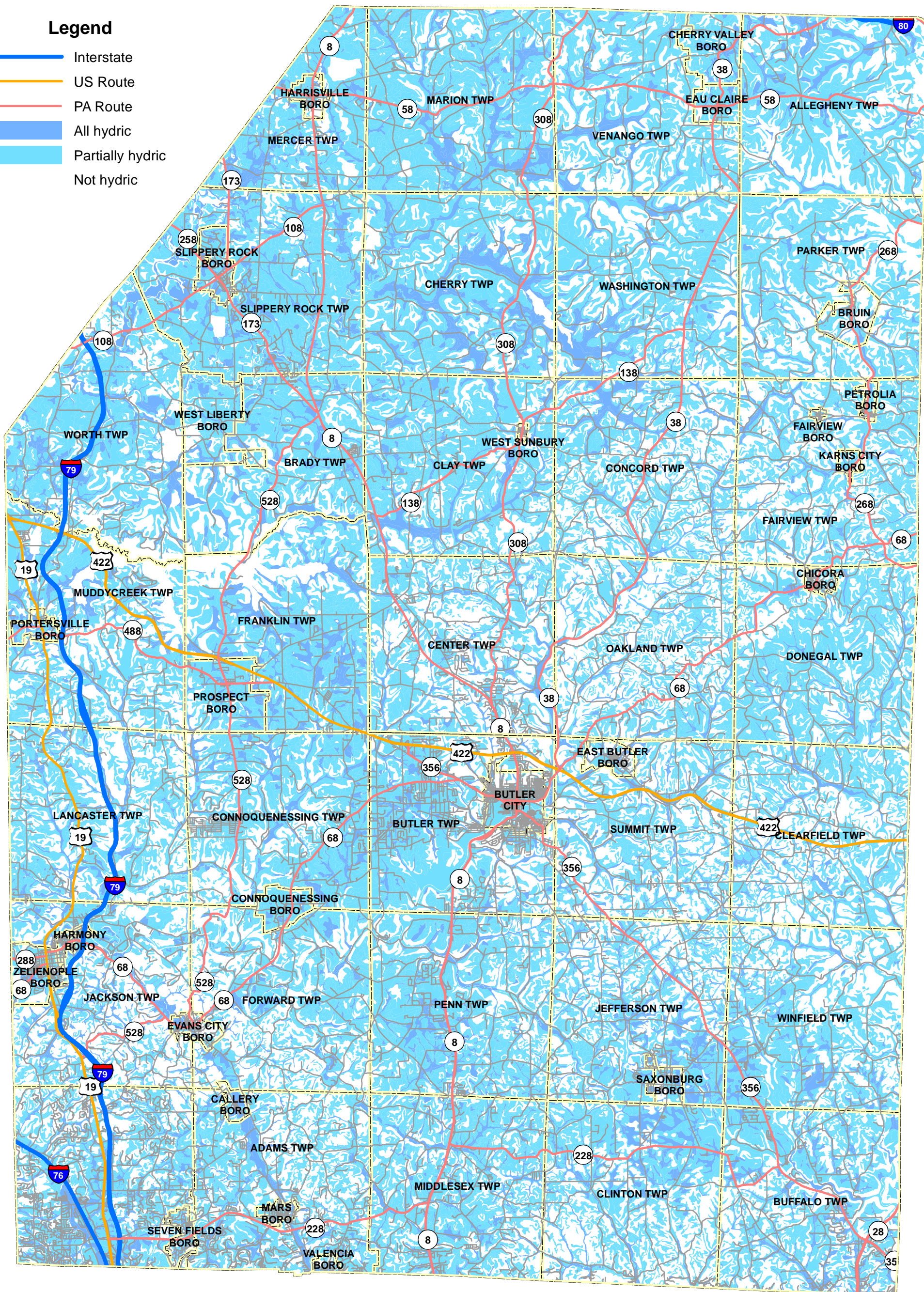
Hydric Soils

Butler County, Pennsylvania



Legend

-  Interstate
-  US Route
-  PA Route
-  All hydric
-  Partially hydric
-  Not hydric








Floodplains

Butler County, Pennsylvania



Legend

-  Interstate
-  US Route
-  PA Route
-  Floodplains
-  Networked Streams

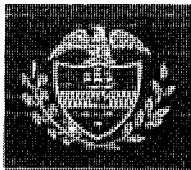


Subdivision and Land Development Ordinance

Butler County, Pennsylvania

Appendix C

Road Name Application and
Municipal Street Address Guide Update



**ROAD NAME APPLICATION &
MUNICIPAL STREET ADDRESS
GUIDE UPDATE**

BUTLER COUNTY
Dept. of Emergency Services
 120 McCune Dr. Butler PA 16001
 (724) 284-5211

FOR COUNTY USE ONLY

<i>DATE SUBMITTED</i>	<i>RECEIVED BY</i>
<i>DATE SUBMITTED</i>	<i>ACTION</i>

APPLICANT INFORMATION

MUNICIPALITY OR PERSON SUBMITTING APPLICATION:	DATE:
ADDRESS:	
TELEPHONE:	EMAIL:

PROPOSED ROAD NAME / PRIVATE LANE / EXISTING ROAD NAME:	EXTENSION:	
DESCRIPTION / LOCATION:	ADDRESS RANGE	
	LOW	HIGH
COMMENTS:		

ADOPTION:

This form must be submitted by the municipality in which the new road or address update to an existing road is located, to the Butler County Department of Emergency Services, 120 McCune Drive, Butler PA 16001. Fax # (724) 285-6388. No road names will be approved by the County that duplicate or closely resemble the name of a road in that municipality or in the same general area of the County. It is highly recommended any new road names do not duplicate an existing name within Butler County. The local municipality has the final responsibility to approve any road name or address updates within the municipality.

APPROVED	DISAPPROVED	NAME (Printed)	SIGNATURE	DATE
<input type="checkbox"/>	<input type="checkbox"/>	Municipality		
<input type="checkbox"/>	<input type="checkbox"/>	Butler County Emergency Services		
<input type="checkbox"/>	<input type="checkbox"/>	Butler County Planning Commission		
<input type="checkbox"/>	<input type="checkbox"/>	Butler County Mapping Department		
<input type="checkbox"/>	<input type="checkbox"/>			
<input type="checkbox"/>	<input type="checkbox"/>			
<input type="checkbox"/>	<input type="checkbox"/>			

ATTACH ADDITIONAL PAGES, MAPS AND DESCRIPTIONS, AS NECESSARY.

Subdivision and Land Development Ordinance

Butler County, Pennsylvania

Appendix D

Check Lists Required for Submission of
Applications Under the Jurisdiction of the
Butler County Subdivision and Land
Development Ordinance

BUTLER COUNTY PLANNING COMMISSION

Butler County, Pennsylvania

124 West Diamond Street
PO Box 1208
Butler, PA 16003-1208

Telephone: 724-284-5300
FAX: 724-284-5315
Email: jmackay@co.butler.pa.us

APPLICATION FOR LAND DEVELOPMENT APPROVAL

Under the Jurisdiction of the Butler County Subdivision and Land Development Ordinance

APPLICATION NO. _____

DATE: _____

Name of Applicant/Property Owner: _____

Address: _____

Telephone No. _____ FAX _____ Email _____

Engineer or Surveyor: _____

Address: _____

Telephone No. _____ FAX _____ Email _____

Description of Proposed Land Development: _____

Public Improvements Proposed _____

Estimated Development Schedule _____

Total acreage of tract _____ Number of lots _____

No. of acres to be developed _____

Primary Access _____

Total square footage of land development (lot coverage) _____

Zoning District (if applicable) _____

Water Supply z public z other (specify) _____

Sewage Disposal z public z other (specify) _____

Application For Land Development Approval (con't)

Number of phases (if applicable) _____
 Acres this phase _____
 Number of Structures _____
 Total No. of Lots (residences) _____
 Number of Dwelling Units _____

Applications:

	Date Submitted	Date Approved
PennDOT HOP or Township Road Occupancy permit	_____	_____
PaDEP Planning Module	_____	_____
PaDEP Permit Approval	_____	_____
Municipal Water & Sewer Authority (if applicable)	_____	_____
Butler County Conservation District	_____	_____

Land Development Worksheet: This worksheet will be used to evaluate all applications for land development review. The following information is required by Article VII of the Butler County Subdivision and Land Development Ordinance. Please check box if information is provided with this application.

General Information

- Location map
- North arrow
- Zoning district (if applicable)
- Tract boundary lines
- Names and addresses of owner or owners
- Total acreage to be developed
- Abutting property owners, tax parcel ID #'s
- Acreage of individual parcels
- Topography at five foot intervals
- Subsurface and drainage conditions
- Map at 100 scale or greater (1" – 100')
- Topography intervals
- Natural & artificial features
- Existing and proposed R.O.W.
- Access driveway locations and widths
- Easements (utility & drainage)
- Location and size of utilities
- Floodways delineation
- Subsurface conditions

Deed restrictions or covenants

Application For Land Development Approval (con't)

Site Design and Engineering

(all construction shall comply with Appendix A, Standard Details)

Compliance with Article VII, Section 704, Review Standards:

	Yes	Not Applicable
§704.1	<input type="checkbox"/>	<input type="checkbox"/>
§704.2	<input type="checkbox"/>	<input type="checkbox"/>
§704.3	<input type="checkbox"/>	<input type="checkbox"/>
§704.4	<input type="checkbox"/>	<input type="checkbox"/>
§704.5	<input type="checkbox"/>	<input type="checkbox"/>
§704.6	<input type="checkbox"/>	<input type="checkbox"/>
§704.7	<input type="checkbox"/>	<input type="checkbox"/>
§704.8	<input type="checkbox"/>	<input type="checkbox"/>
§704.9	<input type="checkbox"/>	<input type="checkbox"/>

Compliance with Article VII, Section 705, Plan Submittal and Review:

	Yes	Not Applicable
§705.1	<input type="checkbox"/>	<input type="checkbox"/>
§705.2	<input type="checkbox"/>	<input type="checkbox"/>
§705.3	<input type="checkbox"/>	<input type="checkbox"/>
§705.4	<input type="checkbox"/>	<input type="checkbox"/>
§705.5	<input type="checkbox"/>	<input type="checkbox"/>
§705.6	<input type="checkbox"/>	<input type="checkbox"/>
§705.7	<input type="checkbox"/>	<input type="checkbox"/>
§705.8	<input type="checkbox"/>	<input type="checkbox"/>
§705.9	<input type="checkbox"/>	<input type="checkbox"/>
§705.10	<input type="checkbox"/>	<input type="checkbox"/>
§705.11	<input type="checkbox"/>	<input type="checkbox"/>
§705.12	<input type="checkbox"/>	<input type="checkbox"/>
§705.13	<input type="checkbox"/>	<input type="checkbox"/>
§705.14	<input type="checkbox"/>	<input type="checkbox"/>

Compliance with Article VII, Section 706

Surety Provided: Yes No Date Provided _____ Type of Survey _____

I certify that the information contained herein is true and correct.

Name

Signature

Date

Application For Land Development Approval (con't)

For County Use Only

Application No. _____

	Date:	Comment:
Application filed with County	_____	_____
Application fee and deposit paid	_____	_____
Time limit date	_____	_____
Butler County Planning Commission approval	_____	_____
Butler County Conservation District comments received	_____	_____
PennDOT Highway Occupancy permit approval	_____	_____
PA D.E.P. Permit Approval	_____	_____
Review letter sent to host municipality	_____	_____

BUTLER COUNTY PLANNING COMMISSION

Butler County, Pennsylvania

124 West Diamond Street
PO Box 1208
Butler, PA 16003-1208

Telephone: 724-284-5300
FAX: 724-284-5315
Email: jmackay@co.butler.pa.us

APPLICATION FOR MAJOR SUBDIVISION APPROVAL

Under the Jurisdiction of the Butler County Subdivision and Land Development Ordinance

APPLICATION NO. _____

DATE: _____

Name of Applicant/Property Owner: _____

Address: _____

Telephone No. _____ FAX _____ Email _____

Engineer or Surveyor: _____

Address: _____

Telephone No. _____ FAX _____ Email _____

Description of Proposed Major Subdivision: _____

Public Improvements Proposed _____

Total acreage of tract _____ Number of lots _____

No. of acres to be developed or transferred _____ Approximate Lot size _____

Zoning District (if applicable) _____

Water Supply z public z other (specify) _____

Sewage Disposal z public z other (specify) _____

Application For Major Subdivision Approval (con't)

Number of phases (if applicable) _____
 Acres this phase _____
 Total No. of lots _____
 Number of Dwelling Units _____

Applications:

	Date Submitted	Date Approved
PennDOT HOP or Township Road Occupancy permit	_____	_____
DEP Planning Module	_____	_____
Municipal Water & Sewer Authority (if applicable)	_____	_____
Butler County Conservation District	_____	_____

Major Subdivision Worksheet: This worksheet will be used to evaluate all applications for subdivision review. The following information is required by Article V of the Butler County Subdivision and Land Development Ordinance. Please check box if information is provided with this application.

General Information

- Location map
- North arrow
- Zoning district (if applicable)
- Tract boundary lines
- Names and addresses of owner or owners
- Abutting property owners, tax parcel ID #'s
- Acreage of individual parcels
- Topography at five foot intervals
- Subsurface and drainage conditions
- Map at 100 scale or greater (1" – 100')
- Natural & artificial features
- Existing and proposed R.O.W.
- Driveway locations and widths
- Easements (utility & drainage)
- Location and size of utilities
- Floodways delineation
- Deed restrictions or covenants

Application For Major Subdivision Approval (con't)

Site Design and Engineering

(all construction shall comply with Appendix A, Standard Details)

Compliance with Article VIII Design and Construction Standards:

	Yes	Not Applicable
§801 GENERAL	<input type="checkbox"/>	<input type="checkbox"/>
§802 APPLICATION OF STANDARDS	<input type="checkbox"/>	<input type="checkbox"/>
§803 LAND REQUIREMENTS	<input type="checkbox"/>	<input type="checkbox"/>
§804 STREET REQUIREMENTS	<input type="checkbox"/>	<input type="checkbox"/>
§805 GENERAL DESIGN REQUIREMENTS	<input type="checkbox"/>	<input type="checkbox"/>
§806 BLOCKS	<input type="checkbox"/>	<input type="checkbox"/>
§807 LOT, YARD AND HEIGHT REQUIREMENTS	<input type="checkbox"/>	<input type="checkbox"/>
§808 EASEMENTS	<input type="checkbox"/>	<input type="checkbox"/>
§809 SIDEWALKS	<input type="checkbox"/>	<input type="checkbox"/>
§810 RESERVED AREAS	<input type="checkbox"/>	<input type="checkbox"/>
§811 STREET NAMES AND NUMBERING	<input type="checkbox"/>	<input type="checkbox"/>
§812 ACCESS	<input type="checkbox"/>	<input type="checkbox"/>
§813 PUBLIC USE AND OPEN SPACE AREAS	<input type="checkbox"/>	<input type="checkbox"/>
§814 TABLE OF STREET SPECIFICATIONS	<input type="checkbox"/>	<input type="checkbox"/>
§815 TABLE OF DRIVEWAY SPECIFICATIONS	<input type="checkbox"/>	<input type="checkbox"/>

Compliance with Article IX Required Improvements:

	Yes	Not Applicable
§901 GRADING	<input type="checkbox"/>	<input type="checkbox"/>
§902 UNDERDRAINAGE	<input type="checkbox"/>	<input type="checkbox"/>
§903 CURBING	<input type="checkbox"/>	<input type="checkbox"/>
§904 GENERAL STREET DESIGN STANDARDS	<input type="checkbox"/>	<input type="checkbox"/>
§905 SIDEWALKS	<input type="checkbox"/>	<input type="checkbox"/>
§906 STORM DRAINAGE AND FACILITIES	<input type="checkbox"/>	<input type="checkbox"/>
§907 MONUMENTS	<input type="checkbox"/>	<input type="checkbox"/>
§908 STREET TREES	<input type="checkbox"/>	<input type="checkbox"/>
§909 NATURAL CONDITIONS AND EROSION CONTROL	<input type="checkbox"/>	<input type="checkbox"/>
§910 WATER SUPPLY	<input type="checkbox"/>	<input type="checkbox"/>
§911 SANITARY SEWERS	<input type="checkbox"/>	<input type="checkbox"/>
§912 OTHER UTILITIES	<input type="checkbox"/>	<input type="checkbox"/>
§913 GENERAL REGULATIONS	<input type="checkbox"/>	<input type="checkbox"/>

Surety Provided: Yes No Date Provided _____ Type of Survey _____

I certify that the information contained herein is true and correct.

Name

Signature

Date

For County Use Only

Application No. _____

	Date:	Comment:
Application filed with County	_____	_____
Application fee and deposit paid	_____	_____
Time limit date	_____	_____
Butler County Planning Commission approval	_____	_____
Butler County Conservation District comments received	_____	_____
PennDOT Highway Occupancy permit approval	_____	_____
PA D.E.P. Permit Approval	_____	_____
Review letter sent to host municipality	_____	_____

BUTLER COUNTY PLANNING COMMISSION

Butler County, Pennsylvania

124 West Diamond Street
PO Box 1208
Butler, PA 16003-1208

Telephone: 724-284-5300
FAX: 724-284-5315
Email: jmackay@co.butler.pa.us

APPLICATION FOR MINOR SUBDIVISION APPROVAL

Under the Jurisdiction of the Butler County Subdivision and Land Development Ordinance

APPLICATION NO. _____

DATE: _____

Name of Applicant/Property Owner: _____

Address: _____

Telephone No. _____ FAX _____ Email _____

Engineer or Surveyor: _____

Address: _____

Telephone No. _____ FAX _____ Email _____

Description of Proposed Subdivision: _____

Public Improvements Proposed _____

Total acreage of tract _____ Number of lots _____

No. of acres to be developed or transferred _____ Approximate Lot size _____

Zoning District (if applicable) _____

Water Supply z public z other (specify) _____

Sewage Disposal z public z other (specify) _____

Application For Minor Subdivision Approval (con't)

Applications:

	Date Submitted	Date Approved
PennDOT HOP or Township Road Occupancy permit	_____	_____
DEP Planning Module	_____	_____
Municipal Water & Sewer Authority (if applicable)	_____	_____
Butler County Conservation District	_____	_____

Minor Subdivision Worksheet: This worksheet will be used to evaluate all applications for subdivision review. The following information is required by Article IV of the Butler County Subdivision and Land Development Ordinance (Section 402). Please check box if information is provided with this application.

General Information

- Location map
- North arrow
- Zoning district (if applicable)
- Tract boundary lines
- Names and addresses of owner or owners
- Abutting property owners, tax parcel ID #'s
- Acreage of individual parcels
- Topography at five foot intervals
- Subsurface and drainage conditions
- Map at 100 scale or greater (1" – 100')
- Natural & artificial features
- Existing and proposed R.O.W.
- Driveway locations and widths
- Easements (utility & drainage)
- Location and size of utilities
- Floodways delineation
- Deed restrictions or covenants

Application For Minor Subdivision Approval (con't)

Site Design and Engineering

(where public improvements are proposed)

Compliance with Article VIII Design and Construction Standards: Yes Not Applicable

Compliance with Article IX Improvements: Yes Not Applicable

Surety Provided: Yes No Date Provided _____ Type of Survey _____

I certify that the information contained herein is true and correct.

Name _____	Signature _____
	Date _____

For County Use Only

Application No. _____

	Date:	Comment:
Application filed with County	_____	_____
Application fee and deposit paid	_____	_____
Time limit date	_____	_____
Butler County Planning Commission approval	_____	_____
Butler County Conservation District comments received	_____	_____
PennDOT Highway Occupancy permit approval	_____	_____
PA D.E.P. Permit Approval	_____	_____
Review letter sent to host municipality	_____	_____

Subdivision and Land Development Ordinance

Butler County, Pennsylvania

Appendix E

Application Review Fees

Butler County Subdivision and Land Development

Application

Butler County Planning Commission

124 W. Diamond Street, PO Box 1208, Butler, PA 16003-1208
Phone 724.284.5300 Fax 724.284.5315 TDD 724.284.5473

Site
Address: _____
Municipality: _____

Applicant: _____
Telephone Number: _____

Owner: _____
Telephone Number: _____

Engineer / Surveyor: _____
Telephone Number & Email: _____

Purpose of the Plan: _____

Type of Application

Type 1, to include:

Lot Line Revisions, and 3 Lots or Less
(Residual=1 Lot)...\$50.00

If New Right-of-Ways/Easements are
Proposed.....\$100.00

Type 2, to include:

All other Land Developments including, but not limited to Commercial, Industrial, and Institutional Site Plans, Planned Residential Developments, New Roads, Cell Towers and 4 Lots/Dwelling Units or more.....\$200.00

Developments that are over 4 Lots/Dwelling Units are subject to \$10.00/Unit/Lot additional.

***Please attach the appropriate fee payable to:Butler County Treasurer for this application to be reviewed.**