

Chapter 280

SUBDIVISION AND LAND DEVELOPMENT

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- § 280-62. Stormwater regulations.

[HISTORY: Adopted by the Township Council of the Township of Hampton 2-23-2000 by Ord. No. 583 (Ch. 22 of the 1995 Code of Ordinances). Amendments noted where applicable.]

GENERAL REFERENCES

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|--|--------------------------------------|
| Environmental Advisory Council — See Ch. 19. | Rights-of-way — See Ch. 242. |
| Planning Commission — See Ch. 46. | Sewers — See Ch. 250. |
| Uniform construction codes — See Ch. 120. | Stormwater management — See Ch. 266. |
| Flood damage prevention — See Ch. 155. | Streets and sidewalks — See Ch. 272. |
| Grading and excavation — See Ch. 161. | Waterways protection — See Ch. 302. |
| Numbering of properties — See Ch. 208. | Zoning — See Ch. 310. |

ARTICLE I
General Provisions

§ 280-1. Short title.

This chapter shall be known and may be cited as the "Township of Hampton Subdivision and Land Development Ordinance" or just the "Subdivision Ordinance."

§ 280-2. Grant of power.

This chapter is adopted in accordance with the authority granted to municipalities to regulate subdivision and land development by the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.¹

§ 280-3. Purposes.

The purpose of this chapter is to regulate certain land subdivision, consolidation and development activities in the Township by providing for a uniform method for the submission of preliminary and final plats to ensure the proper layout or arrangement of land, the proper design of streets to accommodate projected traffic and facilitate fire protection, and the provision of adequate easements or rights-of-way, gutters, storm and sanitary drainage facilities, walkways, stormwater management and other required public facilities.

§ 280-4. General intent and community development objectives.

This chapter is made in accordance with the community development objectives set forth in the Township Zoning Ordinance in Chapter 310, the Township's Long Range Development Plan and the Township's Comprehensive Plan are intended to achieve the following goals:

- A. To promote, protect and facilitate one or more of the following: the public health, safety and general welfare, coordinated and practical community development, the harmonious and orderly growth of the Township, proper density of population, civil defense, disaster evacuation, the provision of adequate open space for recreation and light and air, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, public grounds and other public requirements, integration of subdivision plans with the various elements of the Township's Long Range Development Plan and the Township's Comprehensive Plan.
- B. To prevent one or more of the following: overcrowding of land, blight, danger and congestion in travel and transportation, and loss of health, life or property from fire, panic or other dangers.
- C. To minimize environmental damage and protect natural resources by carefully fitting the subdivision to the natural environment of the site.

§ 280-5. Interpretation and definitions.

A. Interpretation.

- (1) In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirements adopted for the protection of the public health, safety and welfare.
- (2) The word "person" includes a corporation, association, partnership or individual. The words

1. Editor's Note: See 53 P.S. § 10101 et seq.

"shall" and "will" are mandatory; the word "may" is permissive. The word "building" includes "structure or any part thereof." Words used in the present tense include the future tense.

- (3) In the event any definition set out hereinafter or any provision of this chapter shall conflict with a definition or provision set out in the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended) then the definition or provision contained in the Pennsylvania Municipalities Planning Code shall prevail.²

B. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

ACT — The Stormwater Management Act (Act of October 4, 1978, P.L. 864, No. 167, 32 P.S. §§ 680.1 to 680.17, as amended by Act of May 24, 1984, No. 63).

APPLICANT — A landowner or developer, as hereinafter defined.

APPLICATION FOR DEVELOPMENT — Any application, whether preliminary 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.

BLOCK — Property comprised of one or more adjoining lots situated between two immediate intersections or interrupting streets, rights-of-way or other definite barriers to the continuity of development, such as public land, waterways or railroad rights-of-way.

BUILDING LINE — A line describing the extent of the area in a lot within which construction can occur. The setback distance from front, side and rear property lines determines the building line.

CARTWAY — That portion of the street right-of-way which is surfaced for vehicular use, excluding curbs.

CHANNEL — A natural stream with a defined streambed and stream bank that conveys water; a ditch or open channel excavated for the flow of water.

CLEAR SIGHT TRIANGLE — An area of unobstructed vision at street intersections, defined by lines of sight between points at a given distance from the intersection of street lines.

CLUSTER — A site planning and development design technique that concentrates dwelling units in specific areas of a site, provided there is no increase in dwelling unit density, and which allows the remaining land to be used for recreation, common open space and preservation of environmentally sensitive features.

COMMON GROUND — A parcel or parcels of land within the residentially developed part of the plan, but not privately held or occupied by public rights-of-way, which is guaranteed by the recorded plan to remain in perpetuity and which is the responsibility initially of the developer and subsequently of the association of residents. This may include off-street "overflow" parking areas and landscaped areas in the immediate vicinity of multifamily dwellings, but shall not be calculated or considered as a part of the required open space. Also referred to as "common areas."

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 designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities.

COMPLETION BOND — Financial security, in a form satisfactory to the Township, to provide for and to secure to the public the completion, within a specified period of time fixed in the developer's

2. Editor's Note: See 53 P.S. § 10107 for MPC definitions.

agreement, of any improvement required for the subdivision plat or land development.

COMPREHENSIVE PLAN — The document enacted by Ord. No. 504 on April 26, 1995.

CONFLUENCE — Points where watercourses join together.

CONSERVATION DISTRICT (ACCD) — The Allegheny County Conservation District.

CONSOLIDATION — The combination of two or more lots, tracts or parcels of land for the purpose of sale or lease of a building or lot.

CONSTRUCTION STANDARDS — Those standards adopted by the Township Council of the Township of Hampton, as amended, copies of which are on file in the office of the Township Manager.

COUNCIL — The elected Council of the Township of Hampton.

COUNTY — Allegheny County, Pennsylvania.

COUNTY PLANNING COMMISSION — Allegheny County Planning Commission.

COVENANT — A restriction on the use of land, usually set forth in the deed, the violation of which can be restrained by court action.

CROSSWALK — A public right-of-way or portion thereof within a block, having a width of 10 feet or more, intended to provide safe pedestrian access to adjacent streets or blocks.

CUL-DE-SAC — A short street having one end open to traffic and being permanently terminated by a vehicle turnaround.

CULVERT — A pipe, conduit or similar structure, including appurtenant works, which carries a stream under or through an embankment or fill.

DAM — Any artificial barrier, together with its appurtenant works, constructed for the purpose of impounding or storing water or a structure for highway, railroad or other purposes which may impound water, that exceeds 15 feet in height when measured from the upstream toe of the dam.

DESIGN STORM — The magnitude of precipitation from a storm event measured in probability of frequency of occurrence (e.g., fifty-year storm) and duration (e.g., 24 hours) and used in computing stormwater management control systems.

DETENTION — The slowing, dampening, or attenuating of runoff flows entering the natural drainage pattern or storm drainage system by temporarily holding water on a surface area, such as detention basins, reservoirs, on rooftops, in streets, parking lots, or within the drainage system itself and releasing the water at a desired rate of discharge.

DETENTION BASIN — A basin designed to alleviate stormwater runoff by temporarily storing the runoff and releasing it at a predetermined rate. A detention basin shall be designed to drain completely after a storm event.

DEVELOPER — Any landowner, agent of such landowner or tenant with the permission of such landowner, who proposes, makes, or causes to be made a subdivision of land or a land development.

DEVELOPMENT — Any activity, construction, alteration, change in land use or similar action that affects stormwater runoff characteristics.

DEVELOPMENT PLAN — The provisions for development, including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of building and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space, landscaping, buffer yards and public facilities. The phrase "provisions of the

development plan," when used in this chapter, shall mean the written and graphic materials referred to in this definition.

DEVELOPMENT SITE — A lot, parcel or tract of land on which development is taking place or is proposed.

DISCHARGE — Rate of flow, specifically fluid flow. A volume of fluid flowing from a conduit or channel or being released from detention storage, per unit of time, commonly expressed as cubic feet per second (cfs), million gallons per day (mgd), gallons per minute (gpm), or cubic meters per second (cms).

DISCHARGE CONTROL POINT — A point of hydraulic concern, such as a bridge, culvert, or channel section, for which the rate of runoff is computed or measured in the watershed plan.

DOUBLE FRONTAGE LOT — A lot, other than a corner lot, which has frontage on two streets, usually where the front lot line and the rear lot line adjoin the rights-of-way for different streets.

DRAINAGE — Interception and removal of excess surface water or groundwater from land by artificial or natural means.

DRAINAGE AREA — The contributing area to a single drainage basin, expressed in acres, square miles or other units of area, also called a catchment area, watershed or river basin; the area served by a drainage system or by a watercourse receiving stormwater and surface water.

DRAINAGE EASEMENT — A right granted by a landowner to a grantee allowing the use of private land for stormwater management purposes.

DRIVEWAY, PRIVATE — A vehicular access route serving only one parcel or lot, which provides access to a public street, but which does not provide access to any other lot or parcel under separate ownership.

DWELLING UNIT —

- (1) A group of connected rooms, whether in a separate structure, a duplex, townhouse or apartment building, including in each unit bathing, toilet, sleeping, cooking and food storage facilities for the exclusive use of one family or not more than three unrelated individuals.
- (2) The term "unit" as used in Article VIII, Planned Residential Development Districts, of Chapter 310, Zoning, and as related to institutional-type PRD developments, shall be defined as that portion of a building or a structure assigned to, leased to, sold to or occupied by one person, one family related by blood or marriage, or other entity or a group of persons, but not exceeding three in number for any such space. The term, as applied to a nursing home, shall be one patient bed considered as one unit. The word "unit" shall have the ordinary usage ascribed to it and shall refer in ordinary terms to that portion of a building intended for use by one person, family or group as opposed to a communal or collective assembly of persons.

EASEMENT — A right, liberty, privilege or advantage which one may have in the lands of another. It cannot be an estate or interest in the land itself or a right to any part of it, but consists in rights or enjoyment in or issuing out of another's land. Thus, one cannot have an easement in his or her own property, since in such cases the titles merge. An easement has also been described as a right to use another's land for a precise and definite purpose not inconsistent with the owner's general right of property.

ENCROACHMENT — Any structure or activity which in any manner changes, expands or diminishes the course, current or cross section of any watercourse, floodway or body of water.

ENGINEER — A professional engineer licensed as such in the commonwealth. The use of the word "engineer" shall not exclude the practice of surveying as provided for in state law.

ENVIRONMENTAL ADVISORY COUNCIL — Township of Hampton Environmental Advisory Council.

EROSION — The wearing away of the land surface by running water, wind, ice or other geological agents, including such process as gravitational creep.

EXCAVATION (CUT) — Any act by which soil or rock is cut into, dug, quarried, uncovered, removed, displaced or relocated and shall include the conditions resulting therefrom.

FEE — The required charge established by resolution of Council, adopted from time to time to defray the cost of processing an application, which shall be payable to the Township at the time an application is filed.

FINAL APPLICATION — The written and graphic materials specified by this chapter to be submitted to the Township in order to obtain final approval of a proposed subdivision or land development plan.

FINAL PLAT — The map or plan of a proposed subdivision or land development containing all the information required by this chapter and the Allegheny County Subdivision Regulations for final plat approval and in a form acceptable for recording in the office of the Allegheny County Recorder of Deeds.

FLOODPLAIN — A normally dry land area adjacent to stream channels that is susceptible to being inundated by overbank stream flows. For regulatory purposes, the Flood Plain Management Act³ (Act of October 4, 1978, P.L. 851, No. 166) and regulations pursuant to the Act define the floodplain as the area inundated by a one-hundred-year flood and delineated on a map by FEMA (Federal Emergency Management Agency).

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.

HYDRAULICS — The branch of science concerned with the mechanics of fluids, especially liquids. As applied in stormwater management, the study of the characteristics of water flow in and conveyance capacity of a watercourse, considering such factors as depth, velocity and turbulence.

HYDROGRAPH — A graph showing, for a given point on a stream or for a given point in any drainage system, the discharge, stage, velocity or other property of water in respect to time.

HYDROLOGY — The science dealing with the waters of the earth and their distribution and circulation through the atmosphere; engineering hydrology deals with the application of hydrologic concepts to the design of projects for use and control of water.

IMPERVIOUS MATERIAL OR SURFACE — Material which, for the most part, resists the entrance or passing through of water or other liquids.

INSPECTOR — The Township Engineer or the authorized representative designated by Council to make any or all necessary inspections of the work performed and materials furnished by the developers or their contractors selected to install the improvements required by this chapter.

LAND DEVELOPMENT — Any of the following activities:

3. Editor's Note: See 32 P.S. § 679.101 et seq.

- (1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (a) 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.
 - (b) 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) Developments proposing the conversion of an existing single-family detached dwelling or single-family semidetached dwelling into not more than three residential units, unless such units are intended to be a condominium; the addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; or the addition or conversion of building or rides within the confines of an enterprise which would be considered an amusement park.

LAND DEVELOPMENT PLAN — A plan which encompasses a proposed land development, which, in addition to a plat of subdivision, if required, includes all covenants relating to the use of the land; the proposed use, location and bulk of buildings and other structures; the intensity of use or density of development; streets, ways and parking facilities; common open space and public facilities. The land development plan shall include all of the written and graphic information required by this chapter.

LAND DISTURBANCE — Any activity involving grading, tilling, digging or filling or stripping of vegetation or any other activity which causes land to be exposed to the danger of erosion.

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 or she is authorized under the lease to exercise the rights of the landowner; or other persons having a proprietary interest in the land.

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

LOT AREA — The total area within the boundary of the lots.

LOT DEPTH — The average horizontal distance between the front lot line and the rear lot line.

LOT FRONTAGE — The distance between the side property lines of any property, measured along the right-of-way line of the street to which the property has access; except that on cul-de-sac lots lot frontage shall be measured at the front setback line, provided the lot has at least 30 feet of frontage on the abutting street right-of-way.

LOT WIDTH — The average horizontal distance between the side lot lines measured along a line parallel to or concentric with the street right-of-way.

MAINTENANCE BOND — Financial security, in a form satisfactory to the Township, to provide for and secure to the public the repair or maintenance of the improvements required by this chapter for a specified period after their completion and acceptance by the Township.

MUNICIPALITY — Township of Hampton, Allegheny County, Pennsylvania.

NATURAL STORMWATER RUNOFF REGIME — A watershed where natural surface configurations, runoff characteristics and defined drainage conveyances have attained the conditions

of equilibrium.

NRCS — Natural Resources Conservation Service, U.S. Department of Agriculture.⁴

OBSTRUCTION — Any structure or assembly of materials, including fill above or below the surface of land or water or any activity which might impede, retard or change flood flows.

ORDINANCE — All references to "ordinance" or "this ordinance" refer to the Township of Hampton Subdivision and Land Development Ordinance (this chapter) or to the Township of Hampton Zoning Ordinance (Chapter 310).

OUTFALL — Points or areas at which stormwater runoff leaves a site, which may include streams, storm sewers, swales or other well-defined natural or artificial drainage features, as well as areas of dispersed overland flows.

OUTLET STRUCTURE — A structure designed to control the volume of stormwater runoff that passes through it during a specific length of time.

PA DEP — Pennsylvania Department of Environmental Protection.

PEAK RATE OF RUNOFF (OR DISCHARGE) — The maximum rate of flow of water at a given point and time resulting from a predetermined storm.

PERFORMANCE STANDARD — A standard which establishes an end result or outcome which is to be achieved but does not prescribe specific means for achieving it. A specification standard, in contrast, is one which prescribes the exact characteristics to be used, leaving little choice to the applicant. The release rate percentage is an example of a performance standard; the design standards for storm sewers are specification standards.

PERVIOUS MATERIAL — Material which permits the passage or entrance of water or other liquid.

PLANNED RESIDENTIAL DEVELOPMENT — An area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units or combination of residential and nonresidential 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 Article VIII in Chapter 310, Zoning.

PLANNING COMMISSION — Township of Hampton Planning Commission.

PLAT — A map or plan of a subdivision or land development, whether either preliminary or final, indicating the subdivision, consolidation or redivision of land or a land development.

POINT OF INTEREST — A point of hydrological and hydraulic importance used for computing a release rate percentage. These may include points of stream confluences, an existing obstruction or problem area, or other similar points.

PRELIMINARY APPLICATION — The written and graphic materials specified by this chapter to be submitted to the Township in order to obtain preliminary approval of a proposed subdivision or land development.

PRELIMINARY PLAT — The map or plan of a proposed subdivision or land development which contains all of the information required by this chapter for approval of a preliminary plat.

PRIVATE IMPROVEMENTS — All roads, streets, walkways, gutters, stormwater management facilities, curbs, sewers and other facilities to be owned, maintained or operated by a private entity

4. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

such as an individual, partnership, corporation or homeowners' association or declaration of condominium.

PUBLIC GROUNDS — Includes:

- (1) Parks, playgrounds, trails, paths and other recreational areas and other 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 IMPROVEMENTS — All roads, streets, walkways, gutters, stormwater management facilities, curbs, sewers and other facilities to be dedicated to or maintained by the Township, for which plans and specifications must comply with the construction standards and all other ordinances of the Township.

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

RATE OF RUNOFF — Instantaneous measurement of water flow expressed in a unit of volume per unit of time, also referred to as "discharge" and usually stated in cubic feet per second (cfs) or gallons per minute (gpm).

RELEASE RATE PERCENTAGE — The percentage of predevelopment peak rate of runoff from a watershed subarea (as delineated in the watershed plan), which defines the allowable post-development peak discharge from any development site in that subarea. The release rate percentage is determined by computing the following:

$$\frac{\text{Subarea predevelopment rate of runoff contributing to peak at downstream point of interest}}{\text{Subarea predevelopment peak rate of runoff}} \times 100 = \text{Release Rate Percentage}$$

RENEWABLE ENERGY SOURCE — Any method, process or substance whose supply is rejuvenated through natural processes and, subject to those natural processes, remains relatively constant, including, but not limited to, biomass conversion, geothermal energy, solar and wind energy and hydroelectric energy and excluding those sources of energy used in the fission and fusion processes.

RUNOFF CHARACTERISTICS — The surface components of any watershed which affect the rate, amount, and direction of stormwater runoff. These may include, but are not limited to: vegetation, soils, slopes, and man-made landscape alterations.⁵

SEDIMENT — Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, gravity, or ice and has come to rest on the earth's surface.

SEDIMENT BASIN — A barrier or dam built at a suitable location to retain rock, sand, gravel, silt

5. Editor's Note: The original definition of "SCS," which immediately followed this definition, was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. I). See now the definition of "NRCS."

or other material.

SEDIMENTATION — The process by which mineral or organic matter is accumulated or deposited by moving wind, water or gravity.

SHARED ACCESS LANE — An irrevocable right-of-way agreement between the owners of two or more nonresidential properties, wherein access to such individual properties may be obtained through a common entranceway from a public street. **[Added 10-9-2002 by Ord. No. 617]**

SOIL-COVER-COMPLEX METHOD — A method of runoff computation developed by the U.S. Natural Resources Conservation Service and found in its publication "Urban Hydrology for Small Watersheds," Technical Release No. 55, June 1986 (or most current edition).

STORAGE FACILITY — See "detention basin."

STORM SEWER — A sewer that carries intercepted surface runoff, street water and other wash waters or drainage, but excludes domestic sewage and industrial wastes.

STORM SEWER DISCHARGE — Flow from a storm sewer that is discharged into a receiving stream.

STORMWATER COLLECTION SYSTEM — Natural or engineered structures which collect and transport stormwater through or from a drainage area to the point of final outlet, including, but not limited to, any of the following: conduits and appurtenant features, canals, channels, ditches, streams, culverts, streets and pumping stations.

STORMWATER MANAGEMENT PLAN — The plan for managing stormwater runoff from a specific development site.

STORMWATER RUNOFF — Waters resulting from snowmelt or precipitation within a drainage basin, flowing over the surface of the ground, collected in channels and conduits, and carried by receiving streams.

STREAM — A watercourse.

STREET — Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians, whether public or private.

STREET, ARTERIAL — A public street which serves large volumes of local and through traffic and which collects and distributes traffic from collector streets through the region. Streets classified as arterial in the Township include: Route 8, Duncan Avenue, Ferguson Road, Hardies Road, Hart's Run Road, Middle Road, Mount Royal Boulevard, Sample Road, Wildwood Road and Wildwood Road Extension.

STREET, COLLECTOR — A public street which, in addition to providing access to abutting lots, intercepts local streets and provides a route for carrying considerable volumes of local traffic to community facilities and arterial streets. Streets classified as collector in the Township include: Clearview Road, East Bardonner Road, Elfinwild Road, Haberlein Road, Hardt Road, McCully Road, McNeal Road, South Pioneer Road, Wickline Road and Wildwood Sample Road.

STREET, CUL-DE-SAC — See "cul-de-sac."

STREET, LOCAL — A public street designed to provide access to abutting lots and to discourage through traffic. All streets in the Township not classified as arterial or collector streets are local streets.

STREET, MARGINAL ACCESS — A local street which is parallel to and adjacent to an arterial

street and which provides access to abutting properties and protection from through traffic.

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. A private street shall be subject to the requirements and provisions contained in Article VIII of this chapter, as amended from time to time. (See also "driveway, private.")

STREET, PUBLIC — A vehicular thoroughfare constructed either by a public agency or by a developer who records the right-of-way and builds to standards established by the Township, which accepts by ordinance the thoroughfare for perpetual maintenance. Direct access to such a thoroughfare shall be required for the subdivision (and/or development) of any property, in accordance with minimum front yard widths established by Chapter 310, Zoning, for the zone district in which the property is located.

STREET, SERVICE — A short street or alley, whether public or private, designed only to provide secondary access to a structure or group of structures or to parking and loading facilities accessory to the structures, and which is not intended for general traffic circulation.

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

SUBAREA — A portion of the watershed that has similar hydrological characteristics and drains to a common point.

SUBDIVISION — The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines, for the purpose, whether immediate or future, of lease, transfer of ownership, or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres not involving any new street or easement of access or residential dwellings shall be exempted.

SUBDIVISION, SIMPLE — A subdivision containing no more than two lots, tracts or parcels, all of which have frontage on an improved public street, which does not involve any new public street or easement of access or the extension or creation of any public improvements and which does not adversely affect the development of the remainder of the parcel or adjoining property and which is not in conflict with any provisions of this chapter or Chapter 310, Zoning.

SWALE — A low-lying stretch of land which gathers or carries surface water runoff.

TIME OF CONCENTRATION — The time period necessary for surface runoff to reach the outlet of a subarea from the hydraulically most remote point in the tributary drainage area.

TOWNSHIP — The Township of Hampton, a home rule municipality, Allegheny County, Pennsylvania.

TOWNSHIP ENGINEER — A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed by the Township Council to serve as the Engineer for the Township for the purposes of this chapter.

WATERCOURSE (WATERWAY) — Any channel of conveyance of surface water having a defined bed and banks, whether natural or artificial, with perennial or intermittent flow, including, but not limited to, a channel, creek drain, river or stream.

WATERSHED — The entire region or area drained by a river or other body of water, whether natural or artificial. A "designated watershed" is an area delineated by PA DEP and approved by the Environmental Quality Board for which counties are required to develop watershed stormwater

management plans.

WATERSHED STORMWATER MANAGEMENT PLAN (WATERSHED PLAN) — The plan for managing stormwater runoff throughout a designated watershed adopted by Allegheny County as required by the Pennsylvania Stormwater Management Act.⁶

ZONING ORDINANCE — The Township of Hampton Zoning Ordinance, Chapter 310, Zoning, as amended.

6. Editor's Note: See 32 P.S. § 680.1 et seq.

ARTICLE II
Applicability of Regulations

§ 280-6. Scope.

This chapter shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to the enactment of this chapter, unless they are proposed to be consolidated or revised. Nor is it intended by this chapter to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, or with private restrictions placed upon property by deed, covenant, or other private agreement, or with restrictive covenants running with the land to which the Township is a part; except that, where this chapter imposes greater restrictions upon land than are imposed or required by such existing provisions of law, ordinance, contract or deed, it shall be interpreted that they are in addition to the restrictions of such other existing regulation or ordinance.

§ 280-7. Approval required.

- A. A subdivision plat, consolidation plat or land development plan approved in accordance with this chapter shall be required for:
- (1) Any development consisting of single-family dwellings, two-family dwellings, townhouse units or other multifamily dwellings. The subdivision plat for such a development shall show each lot occupied or intended to be occupied by one single-family dwelling or one two-family dwelling and the lot area to be occupied by townhouse units or multifamily dwellings.
 - (2) Any development consisting of townhouse units or multifamily dwellings or commercial, business or industrial structures and/or buildings in which one or more units or areas will be under separate and independent ownership or lease, including, but not limited to, condominiums and the like. Plats and plans, including declaration plans, required by any statute of the commonwealth for condominium developments may qualify as a plat or plan pursuant to this chapter.
 - (3) Any development consisting of the construction or reconstruction on a site for a business, commercial or industrial use in which one or more structures will be constructed for separate ownership or for leasehold.
 - (4) The consolidation, as defined by this chapter, of two or more lots, tracts or parcels of land for the purpose of one development.
 - (5) The subdivision, as defined by this chapter, of any parcel, lot or tract of land in the Township.
 - (6) Any development in which the developer proposes or intends to construct streets or any other public improvements to be dedicated to the Township for public use.
- B. A stormwater management plan shall be required for any development which, under the requirements of Article VII of this chapter, requires compliance with the stormwater management regulations of this chapter.

§ 280-8. Compliance required.

No lot in a subdivision may be sold; no permit may be issued to erect, alter, repair or occupy any building on land in any subdivision; and no building may be erected in any subdivision unless and until the provisions of this chapter have been complied with.

§ 280-9. Relationship to planned residential developments.

The provisions of this chapter may be modified for planned residential developments as authorized in Chapter 310, Zoning, as amended; however, the conditions, requirements and standards of this chapter which are not affected or altered by Chapter 310, Zoning, shall apply to all multifamily and planned residential developments.⁷

§ 280-10. Modifications.

- A. The Township Council, authorized to approve applications within this chapter, may grant a modification of the requirements of one or more provisions if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of this chapter is observed.
- B. All requests for a modification shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the ordinance involved and the minimum modification necessary. The request shall also address the following criteria for consideration by the Township Council:
- (1) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of this chapter.
 - (2) That because of such physical circumstances or conditions there is no possibility that the property can be developed in strict conformity with the provisions of this chapter and that the authorization of a modification is therefore necessary to enable reasonable use of the property.
 - (3) That such unnecessary hardship has not been created by the applicant.
 - (4) That the modification, if authorized, will not alter the essential character of the neighborhood in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.
 - (5) That the modification, if authorized, will represent the minimum modification that will afford relief and will represent the least modification possible of the regulation in issue.
- C. Approval power is reserved for the Township Council, the request for modification may be referred to the Planning Commission and Environmental Advisory Council for advisory comments. The Township Council shall keep a written record of all actions on all requests for modifications.

7. Editor's Note: Original § 205, Conservation subdivisions, which immediately followed this section, was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. I). See Ch. 310, Zoning, Art. X, Conservation Subdivisions.

ARTICLE III
Review Procedure

§ 280-11. Procedure for approval.

- A. The procedure for review and approval of planned residential development shall be in accordance with Article VIII of Chapter 310, Zoning, as amended.
- B. The developer, owner, agent of the developer or owner of the property is hereby notified that they are responsible for the material submitted for review and possible approval. The approved plan, as approved by the Township Council, is the development plan that must be constructed without exception. Changes to the plans must be approved, in writing, by the Township and its Engineer.
- C. Any developer of land within the Township desiring approval of a subdivision of land, other than a planned residential development proposed under Chapter 310, Zoning, shall comply with the following procedure.
- D. Any developer of land within the Township desiring approval of a land development application not including the subdivision or consolidation of any land for any nonresidential or multifamily use which proposes the construction of any new buildings, the enlargement of an existing building, enlargement or relocation of parking spaces, access drives, signs or other permanent features of a nonresidential or multifamily site shall be subject to the Township Council approval process outlined in § 280-14. Application content and materials shall be submitted in accordance with §§ 280-15B and C, 280-17 and 280-18.

§ 280-12. Preapplication conference.

Prior to filing an application for preliminary approval, a developer may meet with Township staff and may appear before the Planning Commission and the Environmental Advisory Council for a preapplication conference to discuss the applicable regulations governing subdivision and/or development of the property and the feasibility and timing of the application. The preapplication conference with the Planning Commission and the Environmental Advisory Council is voluntary, and no formal application or fee is required. These opportunities are afforded to the developer to obtain information and guidance before entering into binding commitments or incurring substantial expenses for plan preparation. The developer shall notify the Township at least five calendar days prior to the regular meeting of the Planning Commission or the Environmental Advisory Council regarding his desire to attend a preapplication conference with the Planning Commission or the Environmental Advisory Council.

§ 280-13. Preliminary subdivision application submission.

- A. An application for approval of a preliminary subdivision plan shall be submitted by the applicant to the Zoning Officer of the Township of Hampton at least 10 working days prior to the regular meeting of the Township Council. The application shall be submitted on a form provided by the Township and shall be accompanied by 20 copies of the plans required by § 280-14 below. The application also shall be accompanied by a filing fee made payable to the Township of Hampton in an amount as may be designated, from time to time, by appropriate resolution of the Council of the Township of Hampton.
- B. The preliminary subdivision application shall not be considered to be complete and properly filed unless and until all items required by § 280-14 of this chapter, as well as the application fee and the application form provided by the Township, have been received. If the plan submitted is incomplete,

the Zoning Officer shall notify the applicant and shall return the filing fee and all application materials to the applicant.

§ 280-14. Procedure for preliminary subdivision approval.

In the event that the preliminary subdivision application has been determined by the Township Zoning Officer to be complete and suitable for further consideration, the Zoning Officer shall present the preliminary subdivision application to the Township Council at its next regular monthly meeting. At the regular monthly meeting, Township Council shall accept the completed application for review and shall formally refer it to the Planning Commission and the Environmental Advisory Council. The period specified by the Pennsylvania Municipalities Planning Code (Act 247, as amended) for review of the application, 90 days, shall begin from the date of the Township Council meeting at which the application is accepted as complete and formally referred to the Planning Commission and the Environmental Advisory Council for review.

- A. Planning Commission review. At its next regular or special meeting following referral of the application by the Township Council to the Planning Commission, the Planning Commission shall review the application submitted to determine compliance with the requirements of this chapter and shall refer the plans to other Township departments or authorities for review, as warranted. On behalf of the Planning Commission, the Zoning Officer shall submit the plans to the Allegheny County Department of Economic Development for its comments on the proposed plat and to the Allegheny County Conservation District for its review and report on the stormwater management plan required by Chapter 266.⁸
- B. Environmental Advisory Council review. At its next regular or special meeting following referral of the application by the Township Council to the Environmental Advisory Council, the Environmental Advisory Council shall review the submitted application to determine compliance with the requirements of this chapter.
- C. Planning Commission recommendation. The Township Engineer shall submit a report to the Planning Commission which states whether an application complies with the requirements of this chapter and that report shall be made a part of the record at the Planning Commission meeting. The Planning Commission shall not make a recommendation on the application until the report of the Township Engineer has been received. Within 60 days of the referral of the application, the Planning Commission shall make a written recommendation to the Township Council for approval, approval with conditions or disapproval of the preliminary application. The recommendation of the Planning Commission shall provide reasons for the recommendation and, in the case of a recommendation for disapproval, shall cite the specific requirements of this chapter which have not been met.
- D. Environmental Advisory Council recommendation. Within 60 days of the referral of the application, the Environmental Advisory Council shall make a written recommendation to the Township Council for approval, approval with conditions, or disapproval of the preliminary subdivision application. The recommendation shall provide reasons for the recommendation and, in the case of a recommendation for disapproval, shall cite the specific requirements of this chapter which have not been met.
- E. Township Council action. Within 90 days of the date of the regular meeting of the Township Council at which the preliminary subdivision application is accepted as properly filed and referred to the Planning Commission and the Environmental Advisory Council, Township Council shall either approve, approve with conditions, or disapprove the preliminary subdivision application at a public

8. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

meeting. The recommendations of the Planning Commission and the Environmental Advisory Council and the report of the Township Engineer shall be made a part of the record at that meeting. Before acting on the preliminary subdivision application, the Township Council may hold a public hearing regarding the application after public notice. The public hearing, if appropriate and at the Township Council's discretion, may be a joint hearing with the Planning Commission. A letter indicating Township Council approval or disapproval shall be in writing and shall be communicated to the applicant personally or sent to the applicant by regular mail within 15 days of the date of the decision. If the preliminary subdivision application is not approved, the Township Council shall specify the defects found in the preliminary subdivision application and cite the requirements of this chapter which have not been met.

- F. Failure of the Township Council to render a decision and communicate it to the applicant within the time and in the manner described herein shall be deemed an approval of the application in terms as presented 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 or communication shall have like effect.
- G. In the case of a preliminary subdivision application calling for the installation of improvements beyond the five-year period identified in § 280-15D, a schedule shall be filed by the developer with the preliminary subdivision application delineating all proposed sections as well as deadlines within which applications for final subdivision approval of each section are intended to be filed. Such schedule shall be updated annually by the applicant on or before the anniversary of the preliminary subdivision application approval until final subdivision approval of the final section has been granted, and any modification in the aforesaid schedule shall be subject to approval of the Township Council in its discretion. Each phase in any residential subdivision or land development, except for the last section, shall contain a minimum of 25% of the total number of dwelling units as depicted in the preliminary subdivision application, unless a lesser percentage is approved by the Township Council in its discretion. Provided that the developer has not defaulted with regard to or violated any of the conditions of the preliminary subdivision application approval, including compliance with the developer's aforesaid schedule of submission of final subdivision applications for the various sections, then the protections afforded in § 280-15D by substantially completing the improvements depicted in the final subdivision application within five years shall apply, and for any sections or sections, beyond the initial section, in which the required improvements have not been substantially completed within the five-year period, the protections in § 280-15D shall apply for an additional term or terms of three years from the date of final subdivision approval for each section. Failure of the developer to adhere to the schedule of submission of final subdivision applications for the various sections shall subject any such section to any and all changes in zoning, subdivision and other governing ordinance enacted by the municipality subsequent to the date of the initial preliminary subdivision application submission.

§ 280-15. Preliminary subdivision application content.

- A. Survey or scaled drawing. The application shall be accompanied by a survey of the property prepared to scale. The survey shall show existing conditions within the property, define the areas and perimeters of the property and for at least 100 feet beyond the boundaries or perimeters of said property, show any structures, streets, or utilities which are planned in the proposed development. The drawing shall be at a scale between one inch equals 30 feet and one inch equals 50 feet and shall show the following:
 - (1) Preliminary plan details.

- (a) Title block containing the name of the proposed project, name of the municipality, the project number assigned by the firm that prepared the plans, the plan date and dates of all plan revisions.
 - (b) Location map showing the subdivision location; major existing thoroughfares related to the subdivision, including the distance therefrom; title; graphic scale and North point.
 - (c) Entire tract boundary with bearings and distances as shown by deed and the total acreage of the entire tract. If the proposed project is located in two or more municipalities, show municipal boundary lines on the plan.
 - (d) Schedule of zoning district regulations, including area and bulk regulations, density, coverage and building and yard requirements, show zoning of all adjacent land.
 - (e) Existing platting of all adjacent properties where they touch the property to be developed, with names of adjoining owners and any Township boundaries.
 - (f) North arrow, graphic scale, dates of preparation and revisions to the plan.
 - (g) Name and address of the firm that prepared the plans, and name, address, registration number and seal of engineer, surveyor, landscape architect, and/or architect involved in the preparation of the plans.
 - (h) Name and address of the landowner of record and the name and address of the developer, if the developer is not the landowner.
 - (i) Zoning classification of the property to be subdivided or developed.
- (2) Existing conditions.
- (a) Contours, shown at two-foot vertical intervals, except where slopes exceed 25%, which shall be at ten-foot intervals. Show existing contours with dashed lines and number clearly. Steep slopes, 15% to 25% and greater than 25%, shall be delineated by category on the plan. State location and elevation of datum to which contour elevations refer. Datum used shall be a known, established bench mark. Contours plotted from USGS quadrangle maps shall not be acceptable.
 - (b) Steep slopes, with categories of slope delineated as follows:
 - [1] Fifteen percent to 25%.
 - [2] Greater than 25%.
 - (c) Soils. Identify soils series as shown in the Soil Survey of Allegheny County. Plot soil limit lines on the base map.
 - (d) Regulated waters of the commonwealth and required setback as defined in Title 25, Environmental Protection, Chapter 105, Dam Safety and Waterway Management. If any part of the site lies within a floodplain, as indicated on a certified FEMA map, plot the floodway and one-hundred-year floodplain boundary on the base map and reference the community panel number, map name, date, and map panel numbers.
 - (e) General vegetative cover. Provide a brief description of the general vegetative cover of the site (meadows, wetlands, wooded, etc.). Show approximate location of any woodlands or

groves, as provided in § 310-61F. Show number, species, size and approximate location of all trees with a DBH of 24 inches and over that are proposed to be disturbed.⁹

- (f) Significant natural features, including plant and wildlife habitat areas for rare or endangered species, wetlands, or any other natural feature identified in the Allegheny County Natural Heritage Inventory.
 - (g) Potentially hazardous features, including quarry sites, surface and subsurface mines, undermined areas, underground fires, solid waste disposal sites, contaminated areas, and landslide-prone areas. Show approximate location and cite source information.
 - (h) Significant cultural features, including cemeteries, burial sites, archeological sites, historic buildings, structures, plaques, markers, or monuments. Show approximate location and cite source information.
 - (i) Existing structures and other significant man-made features. Show approximate location and type. If an existing structure is proposed to be demolished, show clearly on the plans.
 - (j) Existing streets, roads, alleys, driveways, or other means of access located on or within 100 feet of the site. Include name, jurisdiction of ownership, width and location of right-of-way and existing grades.
 - (k) Existing utilities (sewers, water, gas, etc.), including any related easements or rights-of-way. Show approximate location. Identify purpose and ownership.
 - (l) Location, ownership, and type of any other easements or rights-of-way, including railroads, trails, gas or oil wells and gas or oil transmission lines, etc.
- (3) Proposed conditions.
- (a) Tabulation of site data, including total acreage of land to be subdivided, number of lots, proposed density, number of dwelling units, and acreage of any proposed open space or other public/common areas. For nonresidential and multifamily developments show the total square footage of all proposed buildings, percent lot coverage, the number of parking spaces required, and the number provided.
 - (b) All required yards and building setback lines. Show any required buffer yards.
 - (c) Proposed streets. Show location, width of cartway and right-of-way. Show sidewalks and connection to existing streets. Provide center-line profiles for all proposed streets or any existing streets to be improved, indicating grades of each segment and relationship to existing topography.
 - (d) Proposed lot layout. Show lot widths and lot lines in scaled dimensions and lot areas in square feet. Show proposed lot numbers.
 - (e) For nonresidential and multifamily developments, show proposed buildings, parking areas, access drives, driveways, and any other significant proposed feature.
 - (f) Proposed utilities (sewer, gas, water, etc.) and related easements. Show points of connection to existing utilities.

9. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- (g) Proposed pedestrian and bicycle circulation routes, including any easements or rights-of-way.
- (h) Location, size, and layout of proposed public or semipublic areas, reserved areas, open space areas and any related conditions or restrictions.
- (i) Proposed grading, with existing and proposed contours at a two-foot vertical interval. Existing contours shall be plotted with dashed lines and proposed contours with solid lines. Proposed contours shall tie back into existing contours. Number contours clearly. The grading plan shall include the following information:
 - [1] Approximate finished floor elevations of proposed buildings.
 - [2] Approximate grades on all handicapped parking spaces and related access routes.
 - [3] Approximate quantity of total excavation in cubic yards. Show approximate location of cut and fill areas and limit of disturbance. Indicate whether or not the earthwork is expected to balance on site.
- (j) Stormwater management report, which shall include the following information:
 - [1] Name of the watershed in which the proposed development is located and the (sub)basin release rate percentage.
 - [2] Map taken from the USGS quadrangle sheet showing watershed draining to project site. Map shall be at scale. Show name of quadrangle sheet. Show area of watershed in acres. Highlight any potential DEP regulated encroachments.
 - [3] Method and standards used in design of stormwater management facilities (i.e., rational, TR-55, other).
 - [4] Preliminary calculations, including predevelopment and post-development runoff and approximate basin storage volumes.
 - [5] Approximate location of any proposed permanent stormwater management facilities, such as detention basins, storage tanks, sumps, outlet structures, inlets, culverts, debris collection basins, manholes, piping, permanent swales, etc.
- (k) Preliminary soil erosion and sedimentation pollution control plan.
- (l) Landscape plan, including the names, sizes, quantities and approximate location of all proposed plant materials.
- (m) Division of the property into the several phases for development, indicating the boundaries of each phase and the net residential density and number of dwelling units in each phase.
- (n) Profiles along center lines of all new streets, indicating grades of each segment and relationship to existing topography.
- (o) All items required by § 266-12.¹⁰
- (p) Notation on the plan of any modifications to the provisions of this chapter requested under § 280-64, if applicable.

10. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- (q) A land development plan for the erection of a wireless communications tower shall contain all the information required in Articles X and XI of Chapter 310, Zoning.¹¹
- B. Land development plan. The survey or scaled drawing shall be accompanied by the proposed development plan, which shall be prepared at the same scale and shall include the following:
- (1) Zoning classification of the property to be subdivided or developed.
 - (2) Street plan indicating street rights-of-way and cartway widths, curbs, sidewalks and connections to existing streets.
 - (3) Preliminary locations of all buildings (other than single-family dwellings), indicating type of structure, use, number of stories, number of dwelling units and setback lines adjacent to property lines and/or street rights-of-way.
 - (4) If lots to be sold or rented are included in the plan, lot lines (scaled dimensions), lot widths, lot areas in square feet, and setback lines from adjacent streets.
 - (5) Sanitary sewer, water, and gas lines and their connection to the existing system.
 - (6) Storm drainage structures, including storm sewers, culverts, inlets, easements, diversion terraces, debris collection basins, etc.
 - (7) Grading to show existing contours to remain, new contours and contours to be altered at two-foot intervals.
 - (8) In developments proposed for uses other than single-family dwellings, a parking plan indicating location of each parking area, arrangement of spaces, access lanes and number of cars to be accommodated in each area.
 - (9) Location, size and general layout of areas to be set aside for recreational use, open space, schools or other public, semipublic or community purposes.
 - (10) Division of the property into the several phases for development, indicating the boundaries of each phase and the net residential density and number of dwelling units in each phase.
 - (11) Profiles along center lines of all new streets, indicating grades of each segment and relationship to existing topography.
 - (12) All items required by § 266-12.¹²
 - (13) Notation on the plan of any modifications to the provisions of this chapter requested under § 280-64, if applicable.
- C. General information. The application shall describe existing covenants, land characteristics, relationship of proposed subdivision to adjoining, existing and proposed community facilities which serve or influence the site, utilities, number of lots and sizes, business areas, playgrounds, main traffic arteries, elementary and high schools and street improvements. The application shall also contain a report evaluating the impact of the proposed development on existing off-site public facilities and utilities, including, but not limited to, streets, storm sewers, sanitary sewers, parks and schools. The application shall include written statements which provide provisions for ensuring that.

11. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

12. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- (1) The layout or arrangement of the subdivision or land development shall conform to the Township's Comprehensive Plan and to any regulations or maps adopted in furtherance thereof.
- (2) Reservations, if any, by the developer of any area designed for use as public grounds shall be suitable size and location for their designated uses.
- (3) 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 use which shall not endanger life or property or further aggravate or increase the existing menace.
- (4) A copy of the option agreement or certificate of title shall be submitted as evidence of the applicant's interest in the property.
- (5) A written statement justifying any modifications to the provisions of this chapter requested under § 280-64 shall accompany the application, if applicable.

D. Changes in the chapter.

- (1) From the time an application for approval of a subdivision, whether preliminary or final, or a land development plan is duly filed as provided for in this chapter and while such application is pending approval or disapproval, no change or amendment of the zoning, subdivision or other governing ordinance or plan 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 plans as they stood at the time the application was duly filed. In addition, when a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations.
- (2) When an application for approval of a subdivision, whether preliminary or final, or land development plan has been approved without conditions or approved by the applicant's acceptance of conditions, no subsequent change or amendment in the Zoning Ordinance, Subdivision and Land Development Ordinance or other governing ordinance or plan 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 such approval.
- (3) Where final approval is preceded by preliminary approval, the aforesaid five-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 provision of the governing ordinances or plans as they stood at the time when the application for such approval was duly filed.
- (4) Where the landowner has subsequently completed the required improvements as depicted upon the final plan within the aforesaid five-year limit, or any extension thereof as may be granted by the governing body, no change of municipal ordinance or plan enacted subsequent to the date of filing of the preliminary plan shall modify or revoke any aspect of the approved final plan pertaining to zoning classification or density, lot, building, street or utility location.

§ 280-16. Procedure for final subdivision application approval.

- A. General procedure. After a preliminary subdivision application has been approved by the Township Council, the developer may proceed by filing the following application:
- (1) A final application, including final plat approval, subject to submission of a completion bond and development agreement to guarantee proper installation of required improvements in the plan, submitted in accordance with the requirements of Subsection B below.
 - (a) The applicant shall submit 20 copies of the final subdivision application to the Zoning Officer, on a form provided by the Township, at least 10 working days prior to the regular meeting of the Township Council. A copy of the approved preliminary subdivision plan shall accompany the final application. The application shall also be accompanied by a filing fee made payable to the Township of Hampton in an amount as may be designated, from time to time, by appropriate resolution adopted by the Township Council.
 - (b) If the application is determined by the Zoning Officer to be incomplete, the application shall be returned in accordance with the procedure specified in § 280-14 of this chapter.
 - (c) Upon receipt, copies of the application shall be distributed to the Township Engineer, members of the Planning Commission and the Environmental Advisory Council and the Township Council.
- B. Final subdivision approval.
- (1) At the first regular meeting of the Planning Commission and the Environmental Advisory Council following referral by the Township Council of the final subdivision application, the Planning Commission and Environmental Advisory Council shall consider the final subdivision application. The Township Engineer shall submit a report to the Planning Commission and the Environmental Advisory Council which states whether the application complies with the requirements of this chapter, and that report shall be made a part of the record at the Planning Commission and Environmental Advisory Council meetings. The Planning Commission and the Environmental Advisory Council shall not make a recommendation on the application until the report of the Township Engineer has been received.
 - (2) After referral by the Township Council of the final subdivision application, the Planning Commission and Environmental Advisory Council may make a recommendation, in writing, to the Township Council for approval, approval with conditions or disapproval of the final subdivision application. The recommendation of the Planning Commission and the Environmental Advisory Council shall provide reasons for the recommendation and, in the case of a recommendation for disapproval, shall cite the specific requirements of this chapter which have not been met.
 - (3) Before acting on the final subdivision application, the Township Council may hold a public hearing regarding the application after public notice. The public hearing, if appropriate and at the Township Council's discretion, may be a joint hearing with the Planning Commission.
 - (4) Within 90 days of the date of referral, the Township Council shall either approve, approve with conditions or disapprove the final subdivision application at a public meeting. The Planning Commission's and the Environmental Advisory Council's recommendations and the report of the Township Engineer shall be made a part of the record at that meeting.
 - (5) A letter indicating approval or disapproval shall be in writing and shall be communicated to the applicant personally or sent to the applicant by regular mail within 15 days of the date of the

decision. If the final subdivision application is not approved, Township Council shall specify the defects found in the final subdivision application and cite the requirements of this chapter which have not been met.

- C. Failure of the Township Council to render a decision and communicate it to the applicant within the time and in the manner described herein shall be deemed an approval of the application in terms as presented 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 or communication shall have like effect.
- D. Phased approval. In the case where development of a subdivision or land development is projected over a period of years, the Township authorizes submission of final subdivision applications by sections or phases of development, subject to such requirements or guarantees for public improvements in future sections or phases of the development which are essential for the protection of the public welfare and any existing or proposed section or phase of the plan. All sections or phases must conform to the preliminary subdivision application as previously approved by the Township. Any phase that contains substantive changes in the number of lots or buildings proposed or in the layout of the lots, buildings or streets previously approved in the preliminary subdivision application will require complete resubmission of the preliminary subdivision application in accordance with §§ 280-13, 280-14 and 280-15 of this chapter.

§ 280-17. Final subdivision plan application permit.

- A. Final subdivision application. A final subdivision application shall not be considered to be complete and properly filed unless and until all items required by § 280-17 of this chapter, including the application fee and the application form provided by the Township, have been received.
- B. Final subdivision application content. All applications submitted for final subdivision approval shall include, in accurate and final form, all of the information required for preliminary subdivision submittals; however, supporting maps and information need not be resubmitted if there have been no changes to that information. Applications for final subdivision approval shall include the following:
- C. Land development plans. In addition to the above final subdivision requirements, land development plans shall include the following information:
 - (1) Final site plan, including building locations, parking areas, roads and access drives, landscaping and buffer yards.
 - (2) Final grading plan, as per § 280-39 of this chapter. The final grading plan shall include all final contours, grades, floor elevations, permanent conservation measures, limit of disturbance line, typical keyway and/or benching details, and earthwork quantities in cubic yards.¹³
 - (3) Final stormwater management plan, as per Chapter 266, Stormwater Management, including all final calculations.¹⁴
 - (4) Final soil erosion and sedimentation pollution control plan, as submitted to the Allegheny County Conservation District (ACCD), and evidence that the ACCD has issued a finding of adequacy.

13. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

14. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 280-18. Final subdivision plan content.

All applications submitted for final subdivision approval shall meet the following requirements:

- A. Form of application. The final subdivision shall be in such form and on such material as is presently required for recording of subdivision plans by the Allegheny County Department of Economic Development and the Recorder of Deeds of Allegheny County. Sizes of the plans and materials to be used shall for the purposes of this chapter be the same as those required by the Allegheny County Recorder of Deeds.
- B. Certifications. All records, data, indentures, statements, easements, covenants, affidavits, etc., shall be added to the plan.
- C. Title block. The final plan shall contain a title block in the lower right corner including the following:
 - (1) Name approved by Planning Commission under which the subdivision is to be recorded, the plan date and the date of any revisions.
 - (2) Graphic scale, sheet number, and location of the subdivision.
 - (3) Name and address of the owner of record and the developer.
 - (4) Name and address of the firm that prepared the plans, and the name, seal, and registration number of the surveyor who prepared the plan.
 - (5) The name and plan book volume and page numbers of the previously recorded plan, if any.
- D. Final plan. All final plans submitted shall be drawn at a scale of either one inch equals 50 feet or one inch equals 100 feet and shall include the following:
 - (1) Perimeter of subdivision.
 - (a) Streets and other ways shall be drawn as medium solid lines.
 - (b) Property lines of adjacent subdivisions shall be drawn as medium dashed lines broken with two short dashes.
 - (c) Lot lines by light dotted lines.
 - (d) Restriction lines, building lines, easements, etc., shall be drawn as short light dashed lines.
 - (2) Within subdivision.
 - (a) Streets and other ways shall be drawn as heavy solid lines.
 - (b) Perimeter property lines of the subdivision shall be drawn as heavy dashed lines broken with two short dashes.
 - (c) Lot lines as light solid lines.
 - (d) Restriction or building lines shall be drawn as medium dashed lines.
 - (e) Easements or other reserved areas shall be drawn as light dashed lines.
 - (3) North point and site location map.

- (4) Accurate distances and directions to the nearest established street corners or official monument. Reference monument shall be accurately described on the plan. State whether found, set or to be set.
- (5) Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way and property lines of residential lots and other sites with accurate dimensions, bearings or deflection angles, radii, arcs and central angles of all corners. Tract boundaries, right-of-way lines of streets, easements and other right-of-way lines with accurate distances to hundredths of a foot and bearings to 1/4 minute. Tract boundaries shall be determined by field survey only and shall be balanced and closed.
- (6) Approved name and right-of-way width of each street or right-of-way.
- (7) Number to identify each lot on site and the area of each lot shall be shown on the plan.
- (8) Any existing public lands and purpose for which sites other than residential are to be dedicated.
- (9) Front, rear and side building setback lines on all lots and sites.
- (10) Property lines of adjacent property (within 200 feet) and names of owners of record of adjoining unplotted land.
- (11) Certification of registered professional land surveyor as to the accuracy of survey and plan.
- (12) Statement by the owner dedicating streets, rights-of-way, other property and sites for public use.
- (13) Protective covenants, if any, in form for recording.
- (14) Such other certificates, affidavits, endorsements or dedications as may be required in the enforcement of these regulations.
- (15) The existing zoning of land adjacent to the proposed subdivision within 200 feet of its boundaries.
- (16) If applicable, a notation on the plan that access to a state highway shall only be authorized by a highway occupancy permit issued by the Pennsylvania Department of Transportation under § 402 of the State Highway Law (P.L. 1242, No. 428, of June 1, 1945).¹⁵
- (17) Tabulation of area data, including lots, parcels, units, areas dedicated for rights-of-way, etc., and the total acreage of the plan.
- (18) The location, dimensions, limitations and purposes of all proposed easements and rights-of-way.
- (19) Notation on the plan of any modifications to the provisions of this chapter requested under § 280-64, if applicable.
- (20) Lot and block or tax map parcel numbers.
- (21) Accurate dimensions, acreage, and purpose of any property to be reserved as public or common open space.
- (22) All required municipal certifications, which shall include the Township Engineer.

15. Editor's Note: See 36 P.S. § 670-402.

- (23) All other certifications, dedications, and acknowledgements, as required by this chapter and the Allegheny County Office of the Recorder of Deeds.
- E. Construction plans for public improvements. The final plan shall be accompanied by construction plans for public improvements prepared by a registered engineer drawn on sheets measuring 24 inches by 36 inches at a scale of one inch equals 50 feet which show the following:
- (1) Conformity with the design standards specified in Article VI of this chapter and the Township Construction Standards.
 - (2) Plans in profile of each street in the plan and at least 200 feet beyond the limits of the plan.
 - (3) Street cross sections at intervals not to exceed 100 feet and extending 25 feet outside of the street right-of-way.
 - (4) All drainage easements over private property.
 - (5) The location of all necessary sewers, manholes and catch basins.
 - (6) The top and invert elevation of each inlet and manhole, together with the grade of each sewer line.
 - (7) The grade line, distance, type, and pipe size of each line in the storm drainage system within the plan and any storm drainage system immediately adjacent thereto.
 - (8) All pipe sizes shown by plan and profile.
 - (9) The location of each wye as proposed for installation, including a station for that wye, measured from the downstream manhole.
- F. Supplementary information. An engineer's report bearing his Pennsylvania seal shall likewise be submitted, testifying to the following:
- (1) Feasibility of sewage disposal system in terms of connection to existing public system and remaining line and plant capacity.
 - (2) Feasibility of storm drainage plan in terms of impact upon adjacent downstream properties and proposals to control soil erosion and stream pollution during and after construction. Also, a letter from the Natural Resources Conservation Service (NRCS) stating that the erosion control measures proposed are adequate.
 - (3) Feasibility of solutions to problems related to soil, mineral or water conditions, if any, underlying the property.
 - (4) Feasibility of proposed grading and justification for slopes in excess of those permitted in the Township Grading Regulations in Chapter 161, Grading and Excavating, if such grading is proposed. Any proposed deviation from the grading regulations will require documentation from a registered soil engineer stating that the proposed earthwork will not adversely impact the subject or surrounding properties.
 - (5) Submission of all items required by Chapter 266, Stormwater Management.¹⁶
 - (6) If a homeowners' association is proposed, a copy of the homeowners' association documents.

16. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 280-19. Posting of completion bond.

- A. In lieu of the completion of any improvement required prior to, and as a condition for, final approval of a plat, the applicant shall deposit with the Township a completion bond, as defined by this chapter, in favor of the Township, in an amount sufficient to cover the costs of any improvements or common amenities. Without limitation as to other types of financial security which the municipality may approve, federal or commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions shall be deemed acceptable financial security for the purposes of this section, provided that the bonding company or lending institution is authorized to conduct such business within the commonwealth.
- B. The amount of the completion bond shall be in an amount at least equal to 110% of the cost of the improvements for which the completion bond is posted. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements submitted by an applicant or developer and prepared by a professional engineer licensed as such in this commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost.
- C. If the party posting the completion bond requires more than one year from the date the bond is posted to complete the improvements, the amount of the bond shall be increased by an additional 10% for each one-year period beyond the first anniversary date of the posting of the completion bond or to an amount equal to 110% of the revised cost of completing the improvements, as determined on or about each one-year anniversary of the original posting. The revised cost of the improvements for any anniversary period shall be determined in the same manner as the cost for the initial completion bond amount.
- D. See § 280-29F for procedures regulating the release of funds secured for the completion bond.

§ 280-20. Development agreement.

- A. As a condition of granting final subdivision approval, the Township shall require that the developer execute a development agreement with the Township, in a form acceptable to the Township Solicitor, containing provisions that are reasonably required to guarantee the proper installation of on-site and off-site improvements related to the subdivision and/or land development and provisions necessary to indemnify the Township in connection therewith.
- B. If the developer fails to execute the development agreement within 90 days of the date of final subdivision approval and/or fails to initiate construction of public improvements in the plan within one year of the date of execution of the development agreement, final subdivision approval shall expire, unless the developer submits a written request for an extension prior to the expiration of the one-year period, and Township Council grants the request in writing. The final subdivision for recording shall contain a notation regarding these provisions governing expiration of approval. In the event that final subdivision approval expires, the developer shall resubmit a final subdivision application for approval.

§ 280-21. Approval by other agencies.

Approval of final subdivisions by the Township Council shall not be binding if county, state or federal agencies find just cause to disapprove the development. It shall be the developer's responsibility to obtain all necessary approvals from county, state or federal agencies.

§ 280-22. Recording of final plat.

- A. The completion bond required by § 280-19 shall be posted, the fully executed development agreement required by § 280-20 shall be submitted, and all fees required by this chapter shall be paid before the Township Secretary shall affix his or her signature and the Township Seal to the final plat for recording purposes.
- B. Upon approval of a final subdivision plan by the Township, the developer shall, within 90 days of such final approval, record such plan in the office of the Allegheny County Recorder of Deeds.

§ 280-23. Reapproval procedures.

From and after the effective date hereof, any submission (subdivision plan, plat, site plan or other land development submission) made by a developer of land to the Township for approval, which submission has previously obtained the approval of the Township Council (after having been processed for review to and through the applicable agencies of the Township, such as the Planning Commission and the Environmental Advisory Council, the Township Engineer and the Township Solicitor, as well as the county planning agency) and which development has not been constructed, implemented or acted upon by the developer or such developer's assignees and/or which development plans have not been recorded in the offices of the Recorder of Deeds, as required by the Municipalities Planning Code, or which plat, subdivision plan, site plan or such other submission has not been appropriately recorded in any other office as required, may, if the time limits for continuance of the same or completion of the same have expired, be resubmitted directly to the Township Council for action to obtain the necessary reapprovals (without the necessity of resubmitting the same or recording of the same to the Planning Commission, Environmental Advisory Council, the county planning agency or any other applicable agency, or require any additional hearings upon the same), provided that such submission or application for reapproval shall be submitted to the Township Engineer for his review and approval shall:

- A. Have been filed within one year from the date that the original submission would or did expire.
- B. The subdivision plan, site plan, or resubmission shall not have changed in any respect, and that all of the lots, sites, structures, easements and other required data shown on such plan shall remain exactly the same as the original submission.
- C. No amendment has been made to this chapter, Chapter 310, Zoning, or other applicable ordinance of the Township which would be applicable to the submission or development in question (unless the submission or application shall be protected by the provisions of § 508 of the Municipalities Planning Code of Pennsylvania, Act 247 of 1968, as amended, or any other section of the Municipalities Planning Act which may be applicable thereto), and the developer or applicant seeking reapproval shall not be in default or shall not have breached any developer's agreement entered into between the developer or applicant, and the Township.
- D. No application or submission has been made to the Township of Hampton for a different activity or type of development involving the same land, since the date of the original approval for the land involved.
- E. The developer or landowner submitting the application for reapproval is able to demonstrate good cause why the approval had not been recorded or acted upon by the developer or landowner within the appropriate time period. The Township Council may, in its discretion, after having reviewed such submission for reapproval, approve the application or submission and establish a new expiration date within which the reapproved application must be recorded or acted upon, or the Township Council may deny the application for reapproval and require the developer or landowner to proceed anew following the entire review process required for an original application.

§ 280-24. Filing of copies.

Upon recording of the final plan in the office of the County Recorder of Deeds, the developer shall deliver to the Township three paper prints of the plan as recorded.

ARTICLE IV

Installation, Inspection and Acceptance of Improvements**§ 280-25. Installation of improvements.**

No improvements shall be installed until necessary plans, profiles and specifications for the improvements have been submitted to and finally approved by the Township and the completion bond, as required by § 280-19, and a fully executed development agreement, as required by § 280-20, have been submitted. The developer shall notify the Inspector at least 72 hours prior to beginning any installation of public improvements in an approved plan.

§ 280-26. Progress inspections.

- A. While work is in progress, the developer shall notify the Inspector at least 72 hours prior to the time that the following required progress inspections are desired:
- (1) Inspection of subgrade of streets prior to laying of base.
 - (2) Inspection of base prior to final paving of streets.
 - (3) Inspection on installation of waterlines, sanitary sewer lines, storm sewers and drainage facilities before they are covered.
- B. The Inspector shall prepare a written report of all inspections in duplicate on forms provided by the Township. One copy shall be retained by the Township, and one copy shall be retained by the Township Engineer.

§ 280-27. Notice of completion.

When the developer has completed the required public improvements in a plan, the developer shall notify the Township, in writing, by certified or registered mail. Within 15 days of the receipt of such notification. Township Council shall authorize the Township Engineer to inspect the public improvements in the plan to determine compliance with the design standards specified in Article VI of this chapter and the Township Construction Standards.

§ 280-28. Filing of as-built plans.

- A. Upon completion of the public improvements in a plan, as-built plans and profiles of the public improvements, as constructed, shall be filed with the Township by the developer within 30 days of the mailing of the notice of completion. Filing of as-built plans shall be required before the Township considers acceptance of the public improvements.
- B. As-built plans shall show the top and invert elevations for all manholes, inlets and sewer structures, the distance between all manholes, inlets and sewer structures, wye locations on all sanitary sewers and significant changes to the street profiles.

§ 280-29. Final inspection and approval.

- A. Township Engineer's report. Upon authorization by the Township Council, the Township Engineer shall perform a final inspection of the public improvements in the plan. Within 30 days of receiving the authorization by the Township Council, the Township Engineer shall file a report, in writing, indicating approval or rejection of the improvements, either in whole or in part, and in the case of

rejection, shall provide a statement of the reasons for such rejection. The Township Engineer shall promptly mail a copy of said report to the developer by certified or registered mail.

- B. Notification of developer by Township Council. The Township Council shall notify the developer, in writing, by certified mail, of the action of Township Council with relation to approval or rejection of the public improvements.
- C. Failure of Township to comply. If the Township Council or the Township Engineer fails to comply with the time limitation provisions contained in this article, all public improvements will be deemed to have been approved, and the developer shall be released from all liability pursuant to the completion bond posted with the Township.
- D. Completion of rejected public improvements. If any portion of the public improvements shall not be approved or shall be rejected by the Township Council, the developer shall proceed to make the required corrections or additions and, upon completion, the same procedure of notification, inspection and approval, as outlined in this article, shall be followed.
- E. Developer's rights. Nothing in this article; however, shall be construed to limit the developer's right to contest or question, by legal proceedings or otherwise, any determination of the Township Council or the Township Engineer.
- F. Release of completion bond. Upon approval of all of the public improvements in the plan, the developer shall be released from any liability pursuant to the completion bond posted to guarantee the proper installation of those improvements.
 - (1) From time to time during the installation of the public improvements, the developer may request partial release of the completion bond in an amount necessary for payment of contractors performing the work. Any such request shall be in writing and shall be addressed to the Township Council. Township Council shall have 45 days from the receipt of such request to allow the Township Engineer to certify, in writing, that such portion of the installation of public improvements has been completed in accordance with the requirements of this chapter and the approved final plat.
 - (2) Upon such certification by the Township Engineer, Township Council shall authorize release of an amount as estimated by the Township Engineer which fairly represents the value of the improvements completed. The Township Council may require retention of 10% of the estimated cost of such improvements until such time as all improvements have been installed and the completion bond is released in its entirety.

§ 280-30. Acceptance of public improvements.

- A. Upon completion of the inspection and approval of the public improvements, the developer shall submit a request to the Township Council, in writing, to accept the dedication of the public improvements. The request for acceptance shall be accompanied by a legal description of the rights-of-way for all streets to be dedicated to the public and shall be submitted at least 10 days prior to the regular meeting of Township Council. Upon favorable report by the Township Engineer, the Township Council shall enact an ordinance, at a regular meeting, accepting some or all of the public improvements as part of the Township's public facilities, subject to the posting of the maintenance bond required by § 280-31 of this chapter.
- B. No property or public improvement shown on a final plat shall be considered to have been finally accepted by the Township until the dedication thereof has been officially accepted by adoption of an

ordinance of the Township, duly enacted and advertised in accordance with law, the cost of said advertisement to be at the developer's expense.

§ 280-31. Posting of maintenance bond.

- A. When the Township Council accepts the dedication of all or some of the required public improvements in a plan, following their completion, the Township Council shall require the posting of a maintenance bond, as defined by this chapter, to secure the structural integrity of the improvements and to guarantee the proper functioning of those improvements in accordance with the design standards of Article VI of this chapter, the Township Construction Standards¹⁷ and the specifications of the final plat.
- B. The term of the maintenance bond shall be for a period of 18 months from the date of the acceptance of the public improvements by Township Council. The amount of the maintenance bond shall be 15% of the actual cost of installation of the public improvements.

§ 280-32. Remedies to effect completion of public improvements.

In the event that the public improvements required to be installed by the provisions of this chapter are not installed in accordance with the requirements of this chapter or the approved final plat prior to the expiration of the completion bond, Township Council shall have the power to enforce the completion bond by appropriate legal and equitable remedies provided by the laws of the Commonwealth of Pennsylvania. If proceeds from the completion bond are insufficient to pay the cost of installing or making repairs or corrections to all the improvements guaranteed by such completion bond, the Township Council may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the completion bond or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements guaranteed by such completion bond and not for any other Township purpose.

17. Editor's Note: The Standards of Construction are on file in the office of the Township Manager and available for public inspection upon request.

ARTICLE V
Required Improvements

§ 280-33. Survey monuments, bench marks and lot pins.

- A. Monuments shall be placed on each street in subdivisions and at the intersections of lines forming angles in the boundaries of subdivisions.
- B. The street monuments shall be placed in the street right-of-way, five feet off the right-of-way line, at the beginnings and ends of tangent sections. Additional monuments on line shall be placed for sighting when topographic conditions require.
- C. The locations and tie-in dimensions of all monuments shall be shown on the plan for recording.
- D. Monuments shall consist of a three-foot length of six-inch vitrified clay or PVC pipe, filled with concrete to within 3 1/2 inches of the spigot end. A one-half-inch diameter barbed bronze plug, 3 1/2 inches in length, shall be centered in a 1:2 cement mortar mix. The mortar shall be finished flush with the spigot end and the bronze plug shall project 1/4 inch. The actual survey point shall be indicated by a one-sixteenth-inch hole drilled in the bronze plug.
- E. Monuments shall be set at finished grade by a registered surveyor after completion of the public improvements and site grading.
- F. No public improvements shall be accepted by the Township until all monuments have been set and certified to by a registered surveyor.

§ 280-34. Sanitary sewers.¹⁸

Sanitary facilities shall be designed and constructed by the developer to provide for the proper disposal of wastes from each lot. Sanitary facilities shall be provided in one of the following ways, subject to the approval of the Pennsylvania Department of Environmental Protection (PA DEP).

- A. Public sewers. If the subdivision can reasonably be served by the extension of an existing public sanitary sewer, as determined by the Planning Commission and Township/Environmental Services Director, the developer shall provide a system of sanitary sewer mains and shall provide lateral connections for each lot. Public sewers shall be constructed in accordance with the design standards of Article VI and the Township Construction Standards.
- B. On-site treatment plan. If a subdivision cannot be reasonably served by the extension of an existing public sanitary sewer, as determined by the Planning Commission and Township/Environmental Services Director, then the Commission may authorize a sanitary system, approved by the Pennsylvania Department of Environmental Protection (PA DEP), which includes a sewage treatment plant and a house connection for each lot, provided that such system is designed and the plant so located that it can be integrated into the future sewer system planned or programmed for the area and the temporary treatment plant abandoned at such time when public sewers are installed. All plans for sewage treatment plants shall be submitted to the Township/Environmental Services Director for review and written comments.
- C. On-lot septic system. If a subdivision cannot reasonably be served by the extension of existing public sanitary sewers, as determined by the Planning Commission and Township/Environmental Services

18. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

Director, individual septic tanks may be installed, subject to the approval of the Allegheny County Health Department, on lots of the size required by Chapter 310, Zoning, if soil percolation tests have indicated a reasonable useful life of such disposal methods, in accordance with Allegheny County Health Department requirements. No subdivision consisting of more than five lots utilizing septic tanks shall be permitted.

§ 280-35. Storm drainage facilities.

Storm sewers shall be designed and constructed by the developer as required for the drainage area in which the proposed subdivision is located for the proper drainage of surface water from each lot in the subdivision in accordance with the following requirements:

- A. Public storm sewers available. Where a public storm sewer is reasonably accessible, as determined by the Planning Commission, the developer shall connect to the storm sewer drainage system, if adequate capacity exists in the system, and shall do such grading and provide such drainage structures as may be required. Storm sewers and drainage facilities shall be constructed in accordance with the design standards of Article VI and the Township Construction Standards. If required by Article VII of this chapter, stormwater management facilities shall be constructed by the developer in accordance with this chapter and the Township Construction Standards.
- B. Public storm sewers not accessible. If the subdivision is in an area where a public stormwater system is not available, the developer shall do such grading and provide such drainage structures as may be required by the Township Engineer. All storm drainage shall be carried to a natural watercourse of sufficient size to accept the drainage from the development.
- C. Easements required. Whenever the construction of streets and necessary stormwater systems of the subdivision is such that the direction of stormwater flow is diverted to affect surrounding properties, the developer shall obtain sufficient drainage easements to provide adequate disposal of water. The developer may be required to deed in fee, dedicate or grant an easement to the Township for a drainage channel not less in width than required by existing topography along the watercourse.

§ 280-36. Water supply.

Water supply shall be designed and constructed by the developer to provide a water supply to each lot. Where public water supplies are within reasonable distance, as determined by the Planning Commission and Township Authority, the developer shall construct a system of water mains that connects with such public water supply and provides connections for each lot. If the subdivision cannot be reasonably served by the extension of an existing public water supply, as determined by the Planning Commission and Township Authority, the Commission and Authority may permit the installation of a community water supply or on-site wells to serve each lot.

§ 280-37. Underground utilities.

The developer shall be responsible for contracting with private utility companies and for providing any easements required by those utility companies to guarantee that each lot shall be served by telephone, gas and/or electricity and cable television. All such utilities in any subdivision which consists of three or more lots shall be installed underground in accordance with the laws of the Commonwealth of Pennsylvania and as shown on the street detail in the Township Construction Standards.

§ 280-38. Streets.

Each lot shall have frontage on a public street, as defined by this chapter. If a lot does not have frontage on an existing public street, a public street shall be provided by the developer which is constructed in accordance with the design standards of Article VI and the Township Construction Standards, unless an exception or modification to this requirement is granted in accordance with the provisions of Article VIII of this chapter.

§ 280-39. Grading.

The developer shall grade each subdivision in order to establish street grades, floor elevations of buildings and lot grades in proper relation to each other and existing topography and natural features such as existing trees. Streets shall be graded in accordance with the plans, profiles and specifications approved with the final plat, as filed with the Inspector, and the design standards of Article VI.

§ 280-40. Extra-size and off-site improvements.

The developer shall be required to extend improvements to serve adjoining unsubdivided land. If streets or utilities are not available at the boundary of the proposed subdivision, the Planning Commission shall require the developer to construct off-site extensions of the improvements. Procedures for providing extra-size and off-site improvements on the necessary public lands and general standards for prorating costs are set forth below.

- A. Extra-size improvements. Where improvements in excess of the size needed to serve only the proposed subdivision are required, the developer shall pay the total cost of the improvements he is required to install to service the subdivision, plus the portion of additional cost which the government body having jurisdiction may assess against the benefitted property owners of the entire service or drainage area. For example, if a storm sewer of 24 inches or sanitary sewer of 18 inches or water main of 12 inches is required to serve the proposed subdivision, and each is less in size than the sewer trunk line or water mains which would be required to properly serve the area, the Township may construct the extra-size utility and require a deposited advance from the developer for the cost of the utility he is required to install and his portion of other costs which the governmental body having jurisdiction may assess against the benefitted owners of the service or drainage area.
- B. Off-site extensions. If streets or utilities are not available at the boundary of the proposed subdivision, the Planning Commission may require, as a precedent to the approval of the preliminary plan and final plan, assurances that the improvement extensions shall be provided as follows:
 - (1) If the Commission finds the extension across undeveloped areas would not be warranted as a special assessment to the intervening properties or as a governmental expense until some future time, the developer may be required, if he wishes to proceed with the development, to obtain necessary easements or rights-of-ways to construct and pay for the extensions.
 - (2) The governmental body having jurisdiction may construct and pay for the extensions and assess the cost to the owner's benefit and require a deposit from the developer as described in Subsection A above. The governmental body having jurisdiction may establish a revolving fund to pay for the development costs and not collect the assessments on the intervening land until it is developed.
- C. Prorating costs. In making determinations for prorating costs for the construction of off-site extensions or extra-size improvements, the Planning Commission shall consider, in addition to the standards set forth in this section and other regulations of the state, county and Township, the

following conditions:

- (1) The relative location and size of the proposed subdivision.
- (2) Traffic estimate to be generated by the development in relation to the present streets.
- (3) Natural drainage area for sewers and service areas for water.
- (4) Development benefits that will accrue to the subdivision.
- (5) The sequence of land and utility development in the vicinity.
- (6) Any other condition they may find pertinent.

§ 280-41. Streetlights.

For the safety and convenience of the public, the developer shall install streetlights of a type approved by the Township and on poles prescribed by the Township on all public and private streets. Installation shall be in accordance with the Township Construction Standards. The cost of the lights, poles and installation shall be assumed by the developer. At a minimum, streetlights shall be installed at all intersections of local streets with arterial or collector streets. The location of streetlights in plans containing more than 100 dwelling units shall be shown on the plan, and the spacing and location of the streetlights shall be approved by the Township.

§ 280-42. Street signs.

The developer shall install street name signs, approved by the Township, at all street intersections. The cost of the street signs and posts shall be assumed by the developer. Street signs shall be installed in accordance with the Township Construction Standards. Street signs shall be installed as soon as paving of the streets is completed by the developer.

§ 280-43. Shade trees.

- A. The developer shall be required to plant street trees along all public streets in the subdivision. The trees shall be placed between 10 and 15 feet of the street right-of-way and shall be spaced at intervals of a maximum of 50 feet. At street corners, the trees shall be located a minimum of 25 feet from the intersection of the street right-of-way line. The type of tree provided shall be appropriate for local soil and climate conditions and shall be approved by the Environmental Advisory Council in accordance with a recommended list of trees maintained by the Township. These shade trees shall be a minimum of 1 1/2 inches in diameter at breast height (DBH) and at least six feet in height.
- B. In addition to the required shade trees, the developer shall preserve, to the maximum extent practical, species of existing trees on the site of the proposed subdivision and which have a diameter at breast height exceeding four inches, except for those trees which are located within the right-of-way of proposed streets in the plan

ARTICLE VI
Design Standards

§ 280-44. Applicability.

Any application for development shall conform to the standards set forth in this article, unless a modification is granted under the provisions of Article VIII of this chapter. The standards specified in this article are minimum design requirements.

§ 280-45. Review by Township Engineer.

In reviewing any application for development, the Planning Commission and Township Council shall refer the application for development to the Township Engineer for a recommendation concerning technical compliance with accepted engineering practices, these design standards and the Construction Standards referred to in Article V.¹⁹

§ 280-46. Coordination with Township long range development plan.

A proposed subdivision or land development shall conform to the Township's Long Range Development Plan, General Plan of Streets and Highways, and General Plan of Park and Recreation Areas officially adopted by the Township.

§ 280-47. Coordination with adjacent development.

All proposed subdivisions shall be coordinated with existing nearby neighborhoods so that the community, as a whole, may develop harmoniously.

§ 280-48. Preservation of community assets.

In proposing a development, the developer shall give due consideration to preservation of natural features, including large trees, groves, waterways, scenic and historic points and other community assets and landmarks.

§ 280-49. Site development.

- A. Slope of land. No land shall be graded, cut or filled so as to create a slope exceeding a vertical rise of one foot for each two feet of horizontal distance between adjoining lots without proper erosion control approved by the Township Engineer.
- B. Stripping of topsoil. No person shall strip, excavate or otherwise remove topsoil, dirt or slag for sale, or for use other than on the lot from which it is taken, except in connection with the construction or alteration of a building on that lot and the excavation or grading incidental to that construction.
- C. Major excavation grading and filling. Any major cuts, excavation, grading, and filling which materially change the drainage characteristics of the site and the site's relationship with surrounding properties shall not be permitted unless first approved by the Township Engineer in accordance with an application submitted under the provisions of the Township of Hampton Grading Ordinance, Chapter 161, Grading and Excavation. The Township Engineer shall not approve any plan in which any such excavation, grading and filling will result in a slope exceeding a vertical rise of one foot for

19. Editor's Note: The Standards of Construction are on file in the office of the Township Manager and available for public inspection upon request.

each two feet of horizontal distance between adjoining lots or tracts of land, except where adequate provision is made to prevent slides and erosion, as approved by the Township Engineer, based on information submitted by the developer's geotechnical engineer in accordance with Chapter 161, Grading and Excavation. All lot areas which slope towards streets or adjacent lots shall be required to provide adequate and varied cover vegetation so as to prevent washing and erosion and to be aesthetically pleasing.

- D. Removal of debris during construction. During construction, the developer shall remove and dispose of all uprooted trees, stumps, brush, rubbish, unused building materials and debris promptly in the interest of public safety.
- E. Flood-prone areas. Land which is naturally poorly drained or subject to periodic flooding shall not be used for residential development or for any uses which may involve danger to health, safety and general welfare of the community. Land identified as flood-prone on maps issued by the Federal Insurance Administration (FIA) or the Federal Emergency Management Agency (FEMA) shall be subject to the regulations of the National Flood Insurance Program and Chapter 155, Flood Damage Prevention, as amended.
- F. Soil erosion control. All plans shall be submitted to the Allegheny County Conservation District, or an accepted approval agency, for review and report, to minimize erosion and sediment pollution and/or to alert the developer to any foreseeable soil and site development problems.
- G. All unpaved or otherwise unimproved areas within the public rights-of-way, public use areas or areas of severe cut and exposure shall be graded and seeded or sodded, as determined by the Township Engineer to be necessary to retain soil and prevent damage to finished streets or lots. In all cases where sod or other natural ground cover is removed, such areas shall be reseeded immediately upon completion of grading (weather permitting) with perennial rye grass or better.

§ 280-50. Streets.

- A. Layout. Streets shall be planned to conform with the layout of existing and planned streets and so located as to allow proper development of surrounding properties. Local streets shall be laid out so as to discourage through traffic. Collector streets should be designed to provide adequate flow of traffic from local streets to major community facilities and to arterial streets. If the subdivision abuts an existing or proposed arterial street, either marginal interceptor streets running parallel to the arterial street or reverse frontage lots shall be utilized.
- B. Continuation of existing streets. The continuation of streets into and from adjoining areas shall be required. All existing or proposed streets shall be continued at not less than their existing or planned width. Suitable access and street openings shall be provided for adjacent undeveloped property.
- C. Topography. Proposed streets shall be planned to conform to the contour of the land, to provide buildable lots, to have a suitable alignment and grade, and to allow proper drainage.
- D. Grading. The shoulders shall be graded to the full width of the right-of-way, and provisions shall be made for protection of slopes beyond the right-of-way.
- E. Street grades. Minimum grades on all streets shall be at least 1%. Center-line grades shall not exceed the following:
 - (1) Local street: 12% for a distance of no more than 1,200 feet.
 - (2) Collector street: 8%.

- (3) Arterial street: 5%.
- (4) Vertical curves shall be installed on all street grade changes exceeding 1%.

F. Right-of-way and cartway widths. Minimum street rights-of-way and cartway widths shall be as follows:

	Minimum Right-of- Way (feet)	Minimum Cartway (feet)
Arterial street	60	24
Collector street	50	24
Local street (including marginal access streets)	50	21

Berms shall be graded to a slope of one on 10 and seeded on each side of the cartways on all types of streets.

G. Additional right-of-way widths. When a proposed subdivision or land development abuts an existing public street which has less than the required right-of-way width, the Township shall require the dedication of the additional right-of-way necessary to bring the existing street right-of-way width into compliance with the requirement of this chapter.

H. Street specifications. All streets shall be constructed in accordance with the requirements of the Township Construction Standards.

I. Intersections. Intersections involving the crossing of more than two streets or the junction of more than four streets shall be prohibited. Right-angle intersections shall be used whenever practical, particularly where local streets intersect collector or arterial streets; however, in no case, shall the angle of intersection be less than 75 1/2°. Intersections of local streets with major streets shall be kept to a minimum, and no such intersection shall be closer than 150 feet to another such intersection. Local streets shall not intersect the same side of a collector street at intervals of less than 600 feet. Where the grade of any street at the approach to an intersection exceeds 5%, a leveling area shall be provided with a transitional grade not to exceed 3% for a distance of 50 feet from the nearest right-of-way line of the intersection. Where two collector streets or a local and collector street cross at grades in excess of 10%, the profiles of the more traveled road shall be reduced across the intersection with two vertical curves to achieve a grade of 8% or less for the width of the paving of the intersecting less traveled road. This requirement may be modified, upon approval by the Township Engineer, depending on the design speed of the involved roads. The street pavement edge shall be rounded at the intersections by an arc with a minimum radius of 25 feet on local streets intersecting with local or collector streets and 30 feet for local streets intersecting with arterial streets. Right-of-way lines shall be rounded by an arc which is concentric with the curbline.

J. Street alignment.

- (1) The minimum center-line radius for horizontal curves on arterial streets shall be 700 feet; for collector streets, 250 feet; and for local streets, 125 feet. On culs-de-sac proposed for dedication, the minimum horizontal curves may be reduced, on review of the site conditions, plan and traffic flow, by the Township Engineer. Between reverse curves, a tangent of not less than the following dimensions shall be provided.

- (a) Arterial streets: 350 feet.
 - (b) Collector streets: 150 feet.
 - (c) Minor streets: 100 feet.
- (2) For compound circular curves, one of the following shall be provided:
- (a) The radius of the flatter circular area should not be more than 50% greater than the radius of the sharper circular area.
 - (b) The transition to sharp curves may be attained through a several-step compound curve, such as a three-centered compound curve.
- K. Vertical curves. Vertical curves for collector and local streets shall be as follows:
- (1) Vertical curves shall be used in all changes of grades. The minimum vertical curve shall be 150 feet in length for arterial streets, 100 feet in length for collector streets, and 50 feet in length for local or marginal access streets. Vertical curves shall be increased 20 feet for each 1% of grade change exceeding 3%.
 - (2) Vertical sag or crest curves at intersections of local streets may be as short as 100 feet in length, provided that the construction plans show grading that provides minimum unobstructed distance in all streets as viewed from the intersection.
- L. Culs-de-sac. A cul-de-sac will not be approved when a through street is practical and shall not be more than 800 feet in length, unless a modification or exception to this requirement is granted under Article VIII of this chapter. A cul-de-sac shall be provided at the closed end with a turnaround which has a paved inside curved diameter of 80 feet and a right-of-way diameter of 100 feet.
- M. Dead-end streets. Dead-end streets shall be prohibited, except as streets to permit future extensions into adjoining tracts or when designed as culs-de-sac. Any road temporarily dead-ended because of approved staged development or other reasons shall provide a suitable all-weather temporary turnaround in accordance with Subsection N below.
- N. Temporary turnarounds. An all-weather temporary turnaround shall be required where a road is constructed to an adjoining property line. The right-of-way width required for a temporary turnaround shall be a minimum of 50 feet, and the outer paving radius of the temporary turnaround shall be 20 feet. The use and maintenance of the temporary turnaround shall be guaranteed to the public by the developer until such time as the road is accepted by the Township.
- O. Half streets. Whenever a tract to be subdivided borders on an existing half or partial street, the other part of the street shall be provided within the proposed subdivision.
- P. Visibility. No fence, hedges, shrubbery, walls, planting (other than trees and grass), banks or similar obstructions shall be located within the right-of-way, and no such obstruction shall obscure visibility at any intersection. A clear sight triangle, as defined by this chapter, shall be maintained free of any obstructions for a height of 3 1/2 feet above the finished pavement at the center line of the right-of-way, with a minimum clear sight triangle of 75 feet measured along the center line from the points of intersection.
- Q. Street names. All new street names shall be approved by the Township. Names of new streets shall be sufficiently different in sound and spelling from existing names of streets in the Township so as not to cause confusion. A street which is planned as a continuation of an existing street shall bear the

same name. Street signs shall be provided in accordance with § 280-42 of this chapter.

- R. Curbs. All curbs shall be constructed of wedge-type asphaltic concrete. Curbs shall be installed in accordance with the Township Construction Standards.
- S. Sidewalks. Paved sidewalks may be required in the vicinity of schools, along heavily traveled streets, large residential developments and in other locations where the Planning Commission recommends them for public safety. The width of sidewalks shall be a minimum of four feet. Sidewalks shall be located in line with existing sidewalks on adjacent lots or, where none exists, shall be located adjacent to the curb or, where no curb exists, within one foot of the edge of paving. Sidewalks shall be constructed in accordance with the Township Construction Standards.

§ 280-51. Shared access lane. [Added 10-9-2002 by Ord. No. 617]

Any developer or owner of property in any commercial, office, research and development, or industrial district who proposes to construct a new building or enlarge an existing building, or any developers or owners of property situate in a commercial, office, research and development, or industrial district who desire to use a common entrance from a public street for purposes of ingress, egress and regress, may, upon the submission of an appropriate site plan in accordance with the provisions of this chapter and Chapter 310, Zoning, obtain such approval, provided that such shared access driveway shall:

- A. Extend in length no further than 800 feet;
- B. Be no less than 35 feet in width, containing a paved cartway of no less than 24 feet in width;
- C. Not allow parking spaces within 10 feet of the paved cartway;
- D. Be recorded with the appropriate irrevocable right-of-way agreement in the office of the Recorder of Deeds of Allegheny County; and
- E. Meet all of the provisions of this section and of this chapter that are not in conflict with the provisions of this section.

§ 280-52. Service streets.

Service streets, as defined by this chapter, shall not be permitted in residential developments. Service streets may be provided in commercial and industrial developments where needed for loading, unloading or secondary access. Where authorized, the minimum right-of-way for service streets shall be 50 feet, and the paved cartway shall be a minimum of 26 feet.

§ 280-53. Blocks and crosswalks.

- A. The length, width, and shape of blocks shall be determined with due regard to provisions of adequate sites for buildings of the type proposed, zoning requirements, and topography.
- B. Blocks shall have a maximum length of 1,600 feet and a minimum length of 500 feet.
- C. Residential blocks shall be of sufficient depth to accommodate two tiers of lots, except where reverse frontage lots are used.
- D. Crosswalks shall be provided on blocks in excess of 1,000 feet in length or, where necessary in the judgment of the Planning Commission, to assist circulation or provide access to community facilities. Crosswalks shall have a right-of-way width of not less than 10 feet and a paved width of not less than

four feet. On slopes of more than 10%, steps, step ramps, landings and suitable railings shall be provided.

§ 280-54. Easements.

If due to the topography of the ground an easement must traverse a lot, the easement shall be dimensioned with the appropriate ties, bearings and distances. Easements shown on the final plat shall note specifically the intended use for the easement (i.e., storm, sanitary, water sewer, electric, etc.).

- A. Utility easements. Sewer and utility easements shall be required to have a minimum width of 20 feet and shall be provided either across lots or centered on rear or side lot lines.
- B. Storm drainage easements. A storm sewer easement or drainage right-of-way shall be required where necessary for proper drainage within, through or beyond a subdivision. Where a subdivision is, or will be, traversed by a watercourse, there shall be provided a stormwater easement or drainage right-of-way of a width sufficient for the purpose, but not less than 20 feet.
- C. Transmission line easements. There shall be a minimum distance of 25 feet, measured in the shortest distance, between any proposed dwelling unit and any petroleum, petroleum products or natural gas transmission or high-pressure line which may traverse the subdivision.
- D. Aerial easements. Aerial easements shall be a minimum of 15 feet.

§ 280-55. Lots.

The following standards shall apply to all lots proposed to be subdivided or developed in accordance with this chapter.

- A. Area. Minimum lot areas and dimensions shall conform to the requirements of Chapter 310, Zoning. Remnants of land shall not be permitted and shall be included in the area of proposed or existing lots, if not intended for dedication as a parcel for permanent open space or parkland.
- B. Frontage. All lots created by a subdivision shall have frontage along the right-of-way of a public street, unless approved as a planned residential development or modified under the provisions of Article VIII of this chapter. The width of the lot frontage shall conform to the requirements of Chapter 310, Zoning.
- C. Double frontage. On arterial streets, either a marginal access street, as defined by this chapter, or double frontage lots shall be provided. Where double frontage lots are provided, a building line of 75 feet shall be required, measured from the right-of-way of the arterial street. Except along arterial streets, double frontage lots shall be avoided; however, where a double frontage lot is the only practical alternative, vehicular access shall be limited to only one street, and that street shall be the street with the lower volume of traffic, if physically feasible. The final plat shall contain a notation restricting vehicular access to one frontage.
- D. Side lines. Whenever practicable, the side lines of a lot shall be at right angles or radial to the street right-of-way lines.
- E. Building lines. Building lines of lots shall conform to the minimum requirements of Chapter 310, Zoning, and shall be shown on the final plat.
- F. Division of lots. No lot shall be divided by the Township boundary line.

- G. Grading. Lots shall be graded to provide drainage away from buildings and, where practical, water shall be drained to the street rather than to adjoining property. The developer shall be required to provide drains or other drainage facilities, as approved by the Township Engineer, to drain off surface water within the development.
- H. Driveways. Driveways serving single-family and two-family dwellings are not required to be paved; however, in lieu of paving, the driveway shall have a covering of slag at least two inches thick for a distance of 30 feet from the right-of-way of the street. All other driveways shall be paved with a surface of at least two inches binding and wearing courses of an asphaltic mix acceptable to the Township over at least six inches of well-compacted and choked base course of crushed limestone. No driveway shall have a slope of more than 15%. Driveways may extend from the right-of-way line of the street to the cartway of the street, but shall not change the grade or contour of the street right-of-way, nor shall any person cut into, fill, or in any way alter any gutter, curbing, drainage ditch or storm sewer within the right-of-way of a street or easement for the purpose of extending a driveway or for any other purpose without first obtaining a permit therefor from the Township Building Inspector.
- I. Accessibility. Every lot shall be accessible to emergency and public safety vehicles.
- J. House numbers. House numbers shall be assigned by the Township Secretary or the local post office and must be posted at each house so as to be easily visible and readable from the street.

§ 280-56. Stormwater management.

Stormwater management facilities shall be provided in all plans of subdivision and land developments in accordance with the requirements of Article VII of this chapter.

§ 280-57. Storm sewers and drainage facilities.

- A. Size and grade. Storm drains shall be designed to accommodate the anticipated runoff from a twenty-five-year storm when the area is fully developed, subject to the additional requirements of Article VII of this chapter. The minimum diameter of storm sewers shall be 15 inches and the minimum grade shall be 1%, unless approved by the Township Engineer.
- B. Manholes. For pipe sizes of 24 inches or less, manholes shall be spaced at a maximum of 400 feet, and for larger pipe sizes, the maximum distances between manholes shall be 600 feet. In addition, manholes shall be installed at all points of abrupt changes in alignment and grade. Inlets may be substituted for manholes where practical.
- C. Inlets. Inlets of the type shown in the Township Construction Standards shall be installed. Inlets at street intersections shall be placed on the tangent and not on the curved portions. If possible, inlets shall be placed at property lines to avoid conflicts with driveways. Inlets shall be spaced at a maximum of 300 feet, with exception made based on the preceding conditions.
- D. Castings. Manholes and inlet castings shall be as indicated in the Township Construction Standards.²⁰
- E. Stormwater roof drains. Stormwater roof drains shall extend to the paved gutter and, where accessible, shall connect to the storm drainage system. Where the runoff from the house is not directed to a stormwater management facility, sumps shall be installed in each lot for detention of the

20. Editor's Note: The Standards of Construction are on file in the office of the Township Manager and available for public inspection upon request.

water from roof drains.

- F. Unnatural drainage. Whenever construction stops or concentrates the natural flow of storm drainage in such a way as to affect adjoining properties, approval of the owners shall be obtained in writing. Approval of plans by the Township does not authorize or sanction drainage affecting adjoining properties.
- G. Watercourses. Open watercourses will not be permitted within the rights-of-way of streets. The stopping, filling up, confining or other interference with, or changing the course of, drains, ditches, streams and watercourses in the Township will not be permitted unless approval, in writing, is obtained from the Township Council. A permit must be obtained from the Pennsylvania Department of Environmental Protection (PA DEP) for construction or changes in a watercourse which drains an area of more than 100 acres or any other cases where PA DEP requires a permit.
- H. Bridges and culverts. All bridges and culverts shall be designed to support expected loads and to carry expected flows and shall be constructed to the full width of the right-of-way. They shall be designed to meet current standards of the Pennsylvania Department of Transportation and the Pennsylvania Department of Environmental Protection.

§ 280-58. Sanitary sewers.

- A. Installation. Installation of sanitary sewers shall be in accordance with the requirements of the Township/Environmental Services Director. All installations, including house connections, shall be made prior to the paving of the street. **[Amended 9-25-2013 by Ord. No. 764]**
- B. Minimum size and grade. The minimum diameter of sanitary sewers shall be eight inches and the minimum grade shall be 1%.
- C. Laterals. Lateral connections, where required, shall be installed to the right-of-way line of the street prior to road paving. Each building shall have a separate connection to the Township sewer, except that garages accessory to dwellings may be connected to the dwelling line. Laterals shall not be connected to manholes.
- D. In areas where fill exceeds 12 feet over a proposed sanitary sewer, ductile iron pipe or another pipe material approved by the Township Engineer shall be used.

§ 280-59. Water system.

- A. Water drains. All water mains shall have a minimum diameter of six inches, unless written approval is obtained from the Hampton Township Municipal Authority. All water mains shall be extended and connected to existing water mains to provide a circulatory system where required by the Hampton Township Municipal Authority.
- B. Installation. All installations shall be made in accordance with the requirements of the Hampton Township Municipal Authority. All water mains and house connections shall be made prior to paving the street.
- C. Hydrants, gate valves and meters. Fire hydrants, gate valves and meters shall be of the type and design required by the Township. Fire hydrants shall be located at accessible points and located to give adequate fire protection as outlined by the Board of Underwriters. Gate valves shall be located as directed by the Hampton Township Municipal Authority.

§ 280-60. Testing.

All construction materials used in sewers, streets, sidewalks and other required improvements shall be tested by a qualified testing laboratory, if required by the Township Engineer. Required tests shall be as specified in the Township Construction Standards. The cost for such tests shall be borne by the developer.

§ 280-61. (Reserved)²¹

21. Editor's Note: Former § 280-61, Forestry, as amended, was repealed 11-28-2018 by Ord. No. 816. See now Ch. 291, Tree Protection and Timber Harvesting.

ARTICLE VII
Stormwater Management
[Amended 9-25-2013 by Ord. No. 764]

§ 280-62. Stormwater regulations.

For stormwater management provisions, refer to Chapter 266, Stormwater Management.

ARTICLE VIII
Modifications and Exceptions

§ 280-63. Simple subdivisions.

A. Simple subdivisions.

- (1) Compliance with preliminary subdivision application procedures specified in §§ 280-13, 280-14 and 280-15 shall not be required in the case of a simple subdivision, as defined by this chapter, or consolidation of land involving no more than two lots for the purpose, whether immediate or future, of constructing single-family or two-family dwellings and where no new streets or other improvements are required, provided the plan is in strict compliance with Chapter 310, Zoning.
- (2) Applications for a simple subdivision shall follow the final subdivision application procedure specified in § 280-16A, B and C, and the plan shall be prepared in accordance with the content requirements of §§ 280-15A and 280-19A through D.
- (3) The developer shall be required to provide public water service to all new lots created by the simple subdivision, whether along a private or public street.

B. Other small subdivisions. In other small subdivisions of more than two lots, where existing conditions are well-defined, a developer may submit a joint application requesting preliminary and final subdivision approval from the Township Council. The application will be reviewed in accordance with the final subdivision application procedure outlined in § 280-16 and shall contain the information required in § 280-18, where appropriate. The Township Council shall reserve the right, for any reason, to only grant preliminary subdivision approval, at which time the developer will have to resubmit a new application for final subdivision approval. The developer shall be required to provide public water service to all new lots created by the subdivision, whether along a private or public street.

C. Revisions to previously recorded plans. In the case of lot line adjustments involving no more than two lots of record in plans previously approved by the Township and recorded in the Recorder of Deeds office, the preliminary and final application requirements of Article III shall be waived, and the approval of the revised plat for recording shall be granted by the Township Manager, subject to the recommendation of the Township Engineer, provided all lots comply with the minimum requirements of Chapter 310, Zoning.

§ 280-64. Cases of physical hardship.

In any particular case where the developer can show by plan and written statement that, by reason of exceptional topographic or other physical conditions, strict compliance with any of the design standards contained in Article VI of this chapter would cause practical difficulty or exceptional and undue hardship, the Township Council may relax such requirements to the extent deemed just and proper so as to relieve such difficulty or hardship, provided that such relief may be granted without detriment to the public good and without impairing the intent and purpose of this chapter of the desirable general development of the neighborhood and the community in accordance with the Township's Long Range Development Plan. The modification granted shall be the minimum necessary to provide reasonable relief. In the event that engineering standards are requested to be modified, Township Council shall not grant the modification without a recommendation from the Township Engineer.

§ 280-65. Criteria for approving private streets.

- A. As to the development of simple subdivisions along private streets which are existing at the time of this chapter, the following shall be applicable:
- (1) No development shall be approved as an exception granted under the requirements of this chapter if the same shall exceed 10 acres in area or exceed two lots.
 - (2) The development shall be approved only upon the condition that the following requirements and conditions are observed:
 - (a) The property for development abuts or adjoins an existing private street, which private street was in existence as of the date of the adoption of this chapter.
 - (b) All specifications contained in Subsection B(1) through (9) relating to private streets shall be observed.
 - (c) The developer of such a plan shall meet all the requirements set out in Subsection C(2)(a), (b) and (c) hereafter.
 - (d) If suitable or reasonable access to the property is not available directly from a public street to the simple subdivision.
- B. In the case of the submission of a plan involving no more than two lots and the creation of a private street (connected directly to a public street only) to serve those lots, granting of an exception to the requirement of this chapter to dedicate and construct a public street shall require compliance with all of the following additional criteria:
- (1) The private street shall not be designed to permit through traffic circulation. A private street shall be permitted only when there is no possibility of the extension of such street to serve adjacent properties. In addition, private streets shall not be approved if the properties to be served by the same are of such a size in area or so geographically located so as to prevent or landlock the future use or development of properties adjacent to or in the proposed line or lines of such private street.
 - (2) The maximum length of a private street shall be 800 feet but, depending upon the topography, the features of the area in which the property is located, the amount of traffic presently generated in surrounding areas, the likelihood of future resubdivision, and all other pertinent and relevant circumstances relating to the development, the Township Council may allow the maximum length imposed herein to be exceeded. All private streets shall end in a cul-de-sac with a minimum turning radius of 20 feet.
 - (3) Approval of a private street shall be subject to the provision of the required right-of-way for a future public street. The required right-of-way referred to herein shall be in accordance with Township specifications set out in this chapter, and any streets shall conform to the same.
 - (4) The minimum width of the required right-of-way shall be 50 feet; however, the cartway may be reduced to not less than 16 feet.
 - (5) The maximum grade of a private street shall be 12%.
 - (6) The location and dimensions of the private street shall be recorded, including its connection to a public street and ownership of the property crossed by the private street. Approval of a private street shall be subject to a notation on the plan for recording that the street is private and that the Township has no maintenance responsibilities until such time as the street is improved by its

owners to meet all Township standards for a public street and has been accepted by the Township for maintenance.

- (7) The applicant requesting approval of a private street which includes the granting of an exception to the specifications for width and type of paving material shall submit alternate specifications and shall document the justification for the proposed specifications, all of which shall be on a drawing by an accredited surveyor or engineer and shall contain written reasons for the justification of the proposed specifications. At the minimum, the cartway shall be constructed of durable, dust-free materials.
 - (8) Neither the areas of the lots to be served by the private street, nor the area remaining of the original property from which the lot or lots were divided, shall be less than the minimum area required in the zoning district in which the property is located. The private street right-of-way shall not be included in the calculation of lot area. Such lots shall comply with all other applicable requirements of Chapter 310, Zoning, in effect for the district in which the property is located.
 - (9) All structures on lots created by a subdivision shall be set back from any private street the minimum distance required under the Chapter 310, Zoning, for the zoning district in which the lot is located, and all other set back requirements for such district shall be observed.
- C. In the case of a simple subdivision wherein a private street (connecting with an existing private street) is to be created to serve the subdivision, the following conditions shall be applicable:
- (1) The proposed subdivision shall consist only of two lots and no more, none of which presently connect with or to an existing private street, and provided the conditions set out in § 280-65B(1) through (9), inclusive, are observed.
 - (2) In the case of submissions of simple subdivisions of no more than two lots along a private street, the following conditions must be met by the applicant to justify the granting of an exception to the requirement of this chapter to dedicate and construct a public street:
 - (a) The approval of a private street shall be subject to the execution and recording of a private street agreement between the developer and all of the owners of record of all lots or properties situate along the private street to be constructed and the existing private street with which it connects. The private street agreement required hereunder shall contain covenants on the part of the developer and of all of the property owners owning property abutting or situate upon said private streets or property owners served by said private streets that the streets will be maintained; that snow and ice will be removed in a regular manner and promptly; that the streets are properly maintained and accessible to municipal vehicles, such as fire, ambulance and police and that such vehicles have a right to enter upon the same; that vehicles used by water or sanitary sewer authorities may use such private streets for access for the purpose of serving or maintaining any publicly owned water, storm and sanitary sewer lines; that the street and any developments situate along the same shall meet all stormwater and sanitary sewer requirements required by the Township Engineer or under the Township's Stormwater Management Plan in Chapter 266, Stormwater Management.
- [1] In addition, all owners of property situate along any such private street shall provide written consent to the submission of the application for a simple subdivision evidencing their acknowledgment of the right of the developer of such simple subdivision to use the private street for the purposes evidenced by the submission.

- [2] Further, it shall be demonstrated by the developer that such property submitted for approval as a simple subdivision shall not impede future development of other properties adjacent to or beyond the properties sought to be developed and that it will not tend to landlock properties of other persons adjacent to or beyond the properties to be developed.
- (b) All structures on lots shall be set back from any private street the minimum distance required under the Chapter 310, Zoning, for the zoning district in which the lot is located, and all other setback requirements for such district shall be observed.
 - (c) Approval of a private street shall be subject to adequate provisions by the developer for controlling stormwater runoff and debris from washing onto public streets or adjacent private property.

ARTICLE IX
Administration and Enforcement

§ 280-66. Inspection and filing fees.

- A. Filing fees. In order to defray a part of the cost incurred by the Township in reviewing plans, filing fees shall accompany the filing of each preliminary and final application. Checks shall be made payable to the Township of Hampton. Township Council shall establish a schedule of filing fees by resolution. The schedule of fees shall be available to the public in the office of the Township Manager.
- B. Fees for revised applications. In the event that the developer submits a revised application, the revised application shall be accompanied by a filing fee in an amount determined by the Township Manager to cover the costs of review and processing the revised plan. This fee shall apply only to revisions initiated by the applicant but shall not apply to revisions required to complete an application or revisions requested by the Planning Commission which are not required to complete an application.
- C. Inspection fees. In order to cover the costs incurred by the Township in inspecting the installation of the improvements required by this chapter and to ensure compliance with this chapter, the developer shall, at the time the original tracing of the final plat of a development is filed, present a check or money order made payable to the Township in an amount equal to 2% of the estimated cost of the improvements used as a basis in establishing the amount of the completion bond, as determined by the Township Engineer or bona fide bids by the contractor or contractors selected to install the improvements.

§ 280-67. Public hearings.

Before acting on an application for approval, the Township Council or the Planning Commission may hold a public hearing thereon pursuant to public notice, as defined by this chapter.

§ 280-68. Records.

The Township shall maintain all records of findings, decisions and recommendations of the Planning Commission, Environmental Advisory Council and the Township Council which are related to the applications filed for review and approval.

§ 280-69. Certificates and approvals.

The format and wording of certificates and approvals to appear on the final tracing proposed for recording shall conform to the requirements of the Allegheny County Subdivision and Land Development Regulations. as now or hereinafter amended.

§ 280-70. Procedure for amendments.

Township Council may, from time to time, amend this chapter by appropriate action after a public hearing on the proposed amendments conducted pursuant to public notice. Public notice, as defined by this chapter, shall be given which includes the date, time and place of the public hearing together with a brief summary setting forth the principal provisions of the amendments, indicating the place or places where copies of the proposed amendments may be examined. In the case of an amendment other than that prepared by the Planning Commission or Environmental Advisory Council, Township Council shall submit the amendment to the Planning Commission and the Environmental Advisory Council for recommendations at least 40

days prior to the date fixed for the public hearing on the amendments.

§ 280-71. Appeal.

Any landowner aggrieved by the decision of the Township Council regarding a subdivision or land development plan may appeal such decision within 30 days of the date of the decision to the Allegheny County Court of Common Pleas. Any aggrieved party, other than the landowner, may appeal to the Township Zoning Hearing Board within 30 days of the date of Council's approval or disapproval of the plan.

§ 280-72. Violations and penalties.

Any person who shall violate any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be sentenced to imprisonment not exceeding two years or to pay a fine not exceeding \$1,000 per lot or parcel or per dwelling on each parcel, or both, in the discretion of the Court. In addition, Township Council may institute appropriate action at law or equity to restrain, correct or abate any violation of the provisions of this chapter. Each day that any person continues to violate this chapter shall be considered as a separate offense.

§ 280-73. Conflicts of laws.

- A. Whenever any provision of this chapter is at variance with another lawfully adopted rule, regulation, ordinance, restriction or covenant, that which imposes the most restrictive requirement shall govern.
- B. Whenever there is a difference between a minimum standard or dimension specified in this chapter and those contained in another official regulation, resolution or ordinance of the Township, the highest standard shall apply. If a question of conflict arises between various portions of this chapter, the most restrictive term shall apply.