

File Number _____
Date Received _____
Meeting Date _____

BOROUGH OF VANDERGRIFT – PLANNING COMMISSION
151 LINCOLN AVENUE
VANDERGRIFT, PA 15690
(724) 567-7818
(724) 568-3018 (Fax)

SUBDIVISION APPLICATION

NOTICE TO APPLICANT: This is a preliminary document designed to assist the Vandergrift Borough Planning Commission in determining whether the action that you propose may, or is likely to have, effect on the environment. Please complete the entire form. Completion of this form does not relieve you of responsibility for providing any additional information that the Planning Commission may require.

Applicant Information

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE () _____ FAX () _____

CELLULAR () _____ PAGER () _____

Property Owner Information

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE () _____ FAX () _____

CELLULAR () _____ PAGER () _____

Applicant's Interest in Subject Property _____

Exact Location of Property _____

Present Use of Subject Property _____

Present Zoning of Subject Property _____

Size of Subject Property _____

Acreage to be Developed _____

REQUEST TO BE PLACED ON PLANNING COMMISSION AGENDA OF _____

Subdivision Name _____

Engineer of Surveyor _____

Address _____

City _____ State _____ Zip _____

Phone () _____ Fax () _____

Cellular () _____ Pager () _____

A. DESCRIPTION OF PROJECT SITE

1. Project size _____ Number of Lots _____ Smallest Lot Size _____

2. General Character of the Land (Use appropriate percentage)

	Presently	After Completion
Meadow or Brushland	_____ %	_____ %
Forested	_____ %	_____ %
Agricultural	_____ %	_____ %
Wetland	_____ %	_____ %
Flood Plain	_____ %	_____ %
Water Surface	_____ %	_____ %
Unvegetated (Rock, Earth, etc.)	_____ %	_____ %
Impervious Services (Roads, Paved Surfaces, Buildings)	_____ %	_____ %
Other	_____ %	_____ %
Totals	_____ %	_____ %

3. Pertinent Information Attached: Yes _____ No _____

TYPE: Covenants _____

Sanitary Sewer Permit _____

Soil Erosion Permit _____

Septic System _____ Soil Profile/Percolation Tests Completed _____

Electric Service _____ Underground: Yes _____ No _____

Gas _____

Oil Heat _____

Water _____ Municipal _____ Well _____

Telephone _____

Cable TV _____

4. What is the dominant land use and zoning within a ¼ mile radius of the project area? _____

5. Do Hunting and Fishing Opportunities Exist in the Adjacent Area? Yes _____ No _____
6. List present soil erosion problems, if any: _____

7. Is the area stripmined? Yes _____ No _____ If Yes, Was it Restored? Yes _____ No _____
 If it was restored, when? _____

B. PROJECT DESCRIPTION

1. What, if any, attempt will be made to minimize removal of vegetation and/or mature trees? _____

2. Are there any plans to replace vegetation removed during construction? Explain: _____

3. List Type of Construction
 Conventional _____ Modular (Prefab) _____ Other _____
4. What is the purpose of this project? Sale _____ Rental _____ Personal _____

C. UTILITIES

1. Water Source: Municipal _____ Well _____ Other _____
2. Sanitary Sewer: Municipal _____ Septic _____

Additional Information:

Tap-in to existing sewer lines: Yes _____ No _____

Extension of Municipal System: Yes _____ No _____, If Yes, D.E.P. No. _____

Conventional Septic System: Yes _____ No _____, Alternate Septic System Type: _____

3. Utility Providers (Company Name):
 Gas _____ Electric _____ Telephone _____
4. Will utilities be underground? Yes _____ No _____

D. STORMWATER DRAINAGE IMPACT

List method of collecting and transporting runoff, including type of pipe, catch basins, etc. _____

E. EROSION AND SEDIMENTATION IMPACT:

1. What is the steepest slope (%) in the project area? _____
2. What is the steepest slope in the project area that is to be graded or have construction take place?

3. Is any grading proposed? Yes _____ No _____
 - a. Maximum fill depth _____ Quantity _____
 - b. Maximum depth of cut _____ Quantity _____
 - c. Identify source of fill and disposal area of excess soil. _____
 - d. If not benching, identify finished slope ratio. _____
 - e. Has an erosion and sedimentation control plan been prepared and reviewed? Yes _____
No _____. If yes, attach two copies.

F. SCHOOL IMPACT

1. How many school age children do you anticipate will be in the project area? _____
Elementary _____ Junior High School _____ High School _____

G. SOCIO/ECONOMIC EFFECTS

1. Closest Main Road? _____
2. Closest Fire Station? _____
3. Closest Fire Hydrant? _____

H. INFORMATIONAL DETAILS

Attach any additional information as may be needed to clarify your project. If there are, or may be, any adverse impacts associated with the proposal, please discuss such impacts and the measures which can be taken to mitigate or avoid them. **This application will not be considered accepted until all requisite fees are paid in full to the Borough of Vandergrift and all documents required for consideration are submitted to the Borough of Vandergrift Code Official.**

PREPARER'S SIGNATURE _____

TITLE _____

REPRESENTING _____

DATE _____

CHAPTER XXII

SUBDIVISION AND LAND DEVELOPMENT

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- Section 6. Applicability of Regulations
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Part 1

General Provisions

Section 1. Adoption of Regulations. There is hereby adopted by the Council of the Borough of Vandergrift for the purpose of creating conditions favorable to the health, safety, morals and general welfare of the citizens of the Borough of Vandergrift through the provisions of regulations that will insure the harmonious development of the community, the whole of that certain Subdivision Regulations¹ prepared by Candeub, Cabot & Associates, Planning Consultants, for the Borough of Vandergrift dated July, 1964, save and except such portions as are hereafter deleted, modified or amended, of which not less than three (3) copies have been and now are filed in the office of the Secretary of the Borough of Vandergrift and the same are hereby adopted and incorporated as fully as if set out at length herein,² and from the date on which this ordinance shall take effect,³ the provisions thereof shall be controlling in the subdivision of all land within the corporate limits of the Borough of Vandergrift.⁴ (Ordinance 15-1964, August 20, 1964, Section 1)

Section 2. Administration of Regulations. The Vandergrift Planning Commission is hereby designated as the official agency to administer the land subdivision regulations.⁵ (Ordinance 15-1964, August 20, 1964, Section 2)

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1. See Sections 21 to 125 of this chapter.
 2. In this ordinance, Sections 1 to 7 of this chapter.
 3. Section 8 of this ordinance stated that the ordinance was to take effect and be in force from and after its approval as required by law.
 4. The preamble to this ordinance stated that the General Assembly of the Commonwealth of Pennsylvania provides for the adoption of land subdivision regulations by boroughs and considerable study was given toward preparation of land subdivision regulations by Vandergrift Planning Commission; the Commission recommended to Council the adoption of subdivision regulations; and a public hearing was held for the purpose of informing citizens of the purpose and content of the land subdivision regulations. Section 7 of this ordinance repealed all inconsistent ordinances and parts of ordinances.
 5. Sections 21 to 125 of this chapter.

D. Required Improvements

- Section 61. Introduction
- Section 62. Monuments and Markers
- Section 63. Street Pavement, Curbs, and Sidewalks
- Section 64. Street Signs
- Section 65. Water Supply
- Section 66. Sanitary Sewer System
- Section 67. Storm Sewers
- Section 68. Other Utilities
- Section 69. Procedure for Installation of Required Improvements
- Sections 70 to 80. Reserved to accommodate future ordinances

E. Plan Requirements

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F. Modification and Variances

- Section 91. Hardship
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- Section 93. Reconsideration
- Section 94. Procedure for Applying
- Section 95. Recording a Modification or Variance
- Sections 96 to 110. Reserved to accommodate future ordinances

G. Definitions

- Section 111. Inclusions
- Section 112. Definition of Terms
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H. Administration

- Section 121. Revision and Amendment
- Section 122. Commission Records
- Section 123. Penalties
- Section 124. Validity
- Section 125. Interpretation

(XXII, sec. 3)

Section 3. Validity. Should any section, subsection or provision of the land subdivision regulations⁶ be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the land subdivision regulations as a whole, or of any other part thereof. (Ordinance 15-1964, August 20, 1964, Section 3)

Section 4. Amendments. The subdivision regulations⁷ may be revised, modified or amended as prescribed by local and State laws. (Ordinance 15-1964, August 20, 1964, Section 4)

Section 5. Records of Planning Commission. The Vandergrift Planning Commission shall keep a record of its findings, decisions and recommendations relative to all subdivision plans filed with it for review. (Ordinance 15-1964, August 20, 1964, Section 5)

Section 6. Applicability of Regulations. In the interpretation and the application of the provisions of the land subdivision regulations,⁸ they shall be held to be the minimum requirements for the promotion of the health, safety, morals and general welfare. In general the provisions contained therein shall apply to residential subdivisions. Standards applying to commercial and industrial subdivisions shall be subject to individual review and determination in each case. (Ordinance 15-1964, August 20, 1964, Section 6)

Section 7. Penalty for Violation. Any person, partnership, or corporation who or which being the owner or agent of the owner of any lot, tract or parcel of land shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes or for the common use of occupants of buildings abutting thereon, or who sells, transfers or agrees or enters into an agreement to sell any land in a subdivision or land development whether by reference to or by other use of a plat of such subdivision or land development or otherwise, or erect any building thereon, unless and until a final plat has been prepared in full compliance with the provisions of this ordinance⁹ and of the regulations adopted hereunder¹⁰

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6. Sections 21 to 125 of this chapter.
 7. Sections 21 to 125 of this chapter.
 8. Sections 21 to 125 of this chapter.
 9. Sections 1 to 7 of this chapter.
 10. See Sections 21 to 125 of this chapter.

and has been recorded as provided herein,¹¹ shall be guilty of a misdemeanor, and upon conviction thereof, such person, or the members of such partnership, or the officers of such corporation, or the agent of any of them, responsible for such violation shall pay a fine not exceeding one hundred dollars (\$100.00) per lot or parcel or per dwelling within each lot or parcel. (Ordinance 15-1964, August 20, 1964, Section 9, as amended by Ordinance 10-1970, May 6, 1970, Section 1)

11. In Section 34 (1-i) of this chapter.

Part 2

Subdivision Regulations

A. Authority; Purpose; Jurisdiction; Short Title

Section 21. Authority.¹²

1. Legislative Authority

(a) The Borough of Vandergrift, Westmoreland County, Pennsylvania, under authority of Sections 501 through 516 of the Pennsylvania Municipalities Planning Code (1968 P.L. -- No. 247), hereby adopts the following regulations¹³ governing the subdivision and development of land within the Borough.

(b) All plans for subdivision shall be submitted to the Borough Planning Commission and approved by it and the Borough Council before they shall be recorded.¹⁴

(Subdivision Regulations, Section 1.100, as adopted by Ordinance 15-1964, August 20, 1964, Section 1, and as amended by Ordinance 10-1970, May 6, 1970, Section 1)

Section 22. Purpose. This ordinance¹⁵ has been adopted in order to create conditions favorable to the health, safety, morals and general welfare of the citizens of the Borough of Vandergrift through the provision of regulations that will insure the harmonious development of the community. (Subdivision Regulations, Section 1.200, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

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12. This heading and the headings of Sections 22 to 125, except Section 31, are a part of the Subdivision Regulations, as adopted.
13. Sections 22 to 125 of this chapter.
14. Section 8.600 of these regulations repealed all conflicting ordinances and parts of ordinances. Section 8.700 stated that the ordinance and regulations were to become effective from the date of final passage.
15. Ordinance 15-1964, of which these regulations are a part; see Section 1 of this chapter.

(XXII, sec. 23)

Section 23. Jurisdiction. The provisions contained herein¹⁶ shall apply to all land within the Borough limits of the Borough of Vandergrift. (Subdivision Regulations, Section 1.300, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

Section 24. Short Title. This ordinance¹⁷ shall be known and may be cited as The Subdivision Ordinance of the Borough of Vandergrift. (Subdivision Regulations, Section 1.400, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

16. In these regulations, Sections 21 to 125 of this chapter.

17. Ordinance 15-1964, of which these regulations are a part; see Section 1 of this chapter.

B. Procedures

Section 31. Application of Regulations. The following procedures¹⁸ shall be observed by all subdividers. (Subdivision Regulations, Introductory Section, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

Section 32. Submission of Plans.

1. General Procedure.

(a) Preliminary and final plans for all proposed subdivisions of land lying within the Borough limits shall be filed with the Commission for approval.

(b) Subdivision plans and supporting data submitted to the Planning Commission will be considered at the Commission's next regularly scheduled meeting, provided that they are received at least ten (10) calendar days in advance of said meeting.

(c) The initial plan filed with the Commission for review shall be considered the official preliminary plan. However, the Commission may proceed to final action at the first consideration of a plan for a small subdivision containing no new streets, if the plan and supporting data comply with all of the requirements for final plans (Article V).¹⁹

(d) The subdivider may prepare a sketch plan for informal discussion with the Commission prior to submitting the official preliminary plan for review. This plan shall be for the purpose of establishing in advance, if possible, the extent to which the proposed subdivision conforms with the design standards of this ordinance.²⁰

(Subdivision Regulations, Section 2.100, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

Section 33. Preliminary Plan.

1. General Procedure.

(a) Preliminary plans and supporting data shall comply with the provisions of Article IV of this ordinance.²¹

(b) Seven (7) copies of the preliminary plan shall be submitted to the Commission by the subdivider.

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18. In Sections 32 to 34 of this chapter.
19. Sections 81 and 82 of this chapter.
20. Sections 41 to 45 of this chapter.
21. Sections 61 to 69 of this chapter.

(c) Fees to defray the cost of subdivision review shall be paid (to order of the Borough of Vandergrift) at filing of the preliminary plan: ten dollars plus one dollar per lot or parcel shown on the plan.

(d) The Commission secretary shall transmit copies of the preliminary plan to:

1. Borough Council -- two (2) copies
2. Borough Engineer -- one (1) copy
3. Westmoreland County
Planning Commission -- two (2) copies

(e) Within thirty (30) days after the meeting at which the preliminary plan is reviewed, the Commission shall notify the subdivider of the changes and modifications, if any, which must be incorporated on the final plan before it shall be approved.

(f) Approval of the preliminary plan, subject to conditions, revisions and modifications as stipulated by the Commission, shall constitute conditional Commission approval of the subdivision as to the character and intensity of the development and the general layout and approximate dimensions of streets, lots, and other proposed features.

(Subdivision Regulations, Section 2.200, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

Section 34. Final Plan

1. General Procedure.

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

(b) The final plan shall conform in all important respects with the preliminary plan as previously reviewed by the Commission and shall incorporate all modifications and revisions specified by the Commission in its conditional approval of the preliminary plan. Otherwise, the plan shall be considered as a revised preliminary plan.

(c) The Commission may permit submission of the final plan in sections each covering a portion of the entire proposed subdivision as shown on the preliminary plan.

(d) The final plan and supporting data shall comply with the provisions of Article IV and V of this ordinance.²² Failure to do so shall be cause for tabling the plan.

(e) Seven (7) copies of the final plan with supporting data shall be submitted to the Commission. The Commission secretary shall transmit copies of the plan to:

1. Borough Council -- two (2) copies
2. Borough Engineer -- one (1) copy
3. Westmoreland County
Planning Commission -- two (2) copies

(f) Within fourteen (14) days after the meeting at which the final plan is reviewed, the Commission shall notify the Council in writing of its approval or disapproval. Reasons for disapproval shall be explicitly stated. A copy of the said notification to Council shall be sent to the subdivider.

(g) Upon receipt of the final plan from the Commission the Council may arrange for a public hearing after giving proper public notice, or may take final action on the plan at a regularly scheduled meeting. Disapproval of the final plan by Council shall be by resolution, giving the reasons therefor. Failure of the Council to take final action on the plan within thirty (30) days of receipt from the Commission shall constitute Council approval of the plan.

(h) When both the Planning Commission and the Council have approved the final plan, the Borough Secretary and the Commission secretary shall endorse two copies of the final plan to that effect. One copy of the endorsed final plan shall be kept in the Commission files and the other returned to the subdivider.

(i) The subdivider shall record the final plan in the office of the Recorder of Deeds of Westmoreland County within ninety (90) days after the date of approval by the Borough Council. The copy of the final plan filed for recording shall be clear and legible white print on linen, bearing the approval of the Borough Planning Commission and the Borough Council.

(Subdivision Regulations, Section 2,300, as adopted by Ordinance 15-1964, August 20, 1964, Section 1, and amended by Ordinance 10-1970, May 6, 1970, Section 2)

22. Sections 61 to 69, 81 and 82 of this chapter.

C. Design Standards

Section 41. Application.

1. Standards to be Applied. The design standards and requirements outlined in this article²³ will be applied by the Borough Planning Commission in evaluating plans for all proposed subdivisions.

(Subdivision Regulations, Section 3.100, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

Section 42. General Standards Applicable to All Types of Development.

1. Land Requirements. Land shall be suited to the purpose for which it is to be subdivided. Land subject to periodic flooding or other hazards to life, health or property, shall not be subdivided for residential purposes unless adequate safeguards against such hazards are provided by the plan.

2. Community Facilities and Master Plan Requirements. The Commission will consider the adequacy of the existing or proposed community facilities to serve the uses proposed in the subdivision. Where a proposed park, playground, school or other public use shown in the Master Plan is located in whole or in part in a subdivision, the Commission may require the provision or reservation of such area as may be deemed reasonable; provided, that such provision or reservation is acceptable to the municipality.

(a) Areas provided or reserved for such community facilities should be adequate to provide for building sites, landscaping and off-street parking as appropriate to the use proposed.

(b) The layout of the proposed subdivision shall be in general conformity with the features or developments proposed in the Master Plan.

3. On-Lot Sewage and Water Supply. Where evidence indicates that the minimum lot size requirements specified in other sections of this ordinance²⁴ or in the Borough Zoning

23. Sections 41 to 45 of this chapter.

24. See Table 3 in Section 43 of this chapter.

(XXII, sec. 43(3), cont'd)

Ordinance²⁵ are not adequate to permit the installation of individual on-lot water supply and/or sewage disposal facilities, the Commission shall request the Bureau of Environmental Health, Division of Sanitation, of the Pennsylvania Department of Health, to make such tests as are necessary to determine the adequacy of the proposed facilities in relation to the proposed lot size, existing grade and soil conditions. The Planning Commission shall review the findings of the Department of Health, and of any other competent registered engineer or authority on this matter, and shall make a final determination on the adequacy of the proposed facility.

4. Easements

(a) Easements with a minimum width of ten (10) feet plus the width of any required pipe or other improvements shall be provided as necessary for utilities.

(b) To the fullest extent possible, easements shall be centered or adjacent to rear or side lot lines.

(c) Where a subdivision is traversed by a watercourse, there shall be provided a drainage easement or right of way conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural drainage.

5. Blocks

(a) The length, width and shape of blocks shall be determined with due regard to the following:

1. Provisions of adequate sites for buildings of the type proposed.
2. Zoning requirements
3. Topography
4. Requirements for safe and convenient vehicular and pedestrian circulation

(b) Pedestrian interior walks may be required to assist circulation or provide access to community facilities in blocks over twelve hundred (1200) feet or to provide pedestrian walk-way continuity within a given subdivision. Such crosswalks shall have a width of not less than ten (10) feet and a paved walk of not less than four (4) feet.

6. Storm Drainage. Lots shall be laid out to encourage positive drainage away from proposed building areas and, wherever desirable, natural drainage courses shall be maintained.

25. SEE Chapter XXVIII.

7. Design Standards for Streets

(a) Street Right-of-Way Widths. Minimum right-of-way widths for all proposed streets shall conform to the requirements set forth in Table 1.

TABLE 1
Street Right-of-Way Widths

<u>Type of Street</u>	<u>Right-of-Way Width (Feet)</u>
Major traffic	80
Collector	60
Minor	50
Marginal Access	40
Alley	30

(b) Geometric Standards. Geometric design standards for all proposed streets shall conform to the requirements set forth in Table 2.

TABLE 2
Geometric Standards for Streets

<u>Standard</u>	<u>T y p e o f S t r e e t</u>			
	Major ^c Traffic	Collector	Minor and Marginal Access	Alley
Maximum grade ^a	5%	8%	10%	10%
Minimum grade	0.5%	0.5%	0.5%	0.5%
Minimum sight distance	600	400	150	- -
Minimum centerline radius for horizontal curves ^b	500	300	100	- -

- (a) Vertical curves shall be required at changes of grade exceeding one (1) percent and shall be designed in relation to the extent of the grade change and to provide the minimum sight distance listed above.
- (b) Whenever street lines are deflected in excess of five (5) degrees, connection shall be made by horizontal curves, and a tangent shall be required between reverse horizontal curves.
- (c) Major traffic streets which are State highways shall conform to the applicable requirements of the Pennsylvania State Highway Department.

8. Street System Layout

(a) Proposed streets shall be properly related to such street plans or parts thereof as have been officially prepared and adopted by the municipality and they shall further conform to such County and State road and highway plans as have been prepared, adopted and/or filed as prescribed by law.

(b) The proposed street layout shall provide for the continuation or projection of existing streets in the surrounding area unless the Commission deems such extension undesirable for specific reasons of topography or design.

(c) Streets shall be logically related to the topography to produce usable lots and reasonable grades.

(d) Minor streets shall be laid out to discourage through traffic, but provision for street connections into and from adjacent areas will generally be required.

(e) Proposed streets shall be extended to provide access to adjoining property where necessary.

(f) Adequate street rights-of-way shall be provided as necessary where lots in the proposal are large enough to permit resubdivision, or if a portion of the tract is not subdivided.

(g) New half or partial streets will not be permitted, except where essential to reasonable subdivision of a tract in conformance with the other requirements, and standards contained herein and where, in addition, satisfactory assurance for dedication of the remaining part of the street can be secured.

(h) Wherever a tract to be subdivided borders an existing half or partial street, the other part of the street shall be plotted within such tract.

(i) Dead-end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts, or when designed as culs-de-sac to serve residential areas.

(j) New reserve strips, including those controlling access to streets, shall be avoided.

9. Street Intersections

(a) Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than sixty (60) degrees.

(b) Multiple intersections involving junction of more than two streets shall be avoided. Where this proves impossible, such intersections shall be designed with extreme care for both pedestrian and vehicular safety.

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

(d) To the fullest extent possible, intersections with major traffic streets shall be located not less than eight hundred (800) feet apart, measured from center line to center line.

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

(f) Minimum curb radii at street intersections shall be fifteen (15) feet for intersections involving only minor streets, twenty-five (25) feet for intersections involving other type streets, or such greater radius as is suited to the specific intersection.

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

(h) Where a subdivision abuts or contains an existing street or inadequate right-of-way width, additional right-of-way width in conformance with Table 1 will be required.

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

10. Uses Fronting on Major Traffic Streets

(a) Service Streets. Where a subdivision fronts or abuts a major street as defined in Article I²⁶ the Commission may require any of the following measures.

26. The definition of "major street" is contained in Section 112(1)(a-21) of this chapter.

(XXII, sec. 42(10-a), cont'd)

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

2. Marginal access streets, rear service alleys, reverse frontage lots or such other treatment as will provide protection for abutting properties, reduction in the number of intersections with the major street, and separation of local and through traffic.

(b) Controlled Access. Entrances and exists to non-residential subdivisions shall be designed so as not to interfere with through traffic. In general, entrance and exit points shall not be located closer to one another than fifty (50) feet, and when combined, shall be restricted to one combined access point per one hundred feet. Access points shall not exceed twenty-four (24) feet in width at any such point.

(c) Building Setback Line. Unless otherwise regulated by appropriate ordinances, nonresidential structures shall be set back not less than forty (40) feet from the property line fronting on the major street. Rear setback lines shall be such that no nonresidential structure shall be any closer to the rear property line than twenty (20) feet.

(Subdivision Regulations, Section 3.200, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

Section 43. Residential Design Standards.

1. Application. All subdivisions proposed for residential use, except mobile home courts, shall conform with the provisions of this section.

2. Residential Lot Sizes. Lot dimensions, areas, yards and building setback lines shall be not less than specified by the provisions of the Zoning Ordinance²⁷ except that the provision of Section 3.203²⁸ shall apply in all cases. Where such a Zoning Ordinance is not in force, the requirements listed in Table 3 below and in Section 3.203 shall apply.

27. See Chapter XXVIII.

28. Subsection 3 of this section.

TABLE 3

Lot Standards for Residential Subdivisions			
Lot Area and Dimensions	Lots Served with Public Water and Public Sewer	Lots Served with Either Public Water or Public Sewer	Lots not Served with Public Water or Public Sewer
Minimum Area (square feet)	7,000	10,000	20,000
*Minimum Width (feet)	70	75	100
Minimum Depth (feet)	125	125	125
Minimum Front Yard (feet)	25	25	25
Minimum for One Side Yard (feet)	7	10	15
Minimum for Both Side Yards Combined (feet)	14	20	30
Minimum Rear Yard (feet)	30	50	50

*Measured at the building line

3. Design of Residential Lots

(a) All lots shall front upon a public street, existing or proposed.

(b) Side lot lines shall be substantially at right angles or radial to street lines.

(c) If remnants of land exist after subdividing, they shall be incorporated in existing or proposed lots, or dedicated to public use, if acceptable to the municipality.

(d) Double frontage lots are prohibited, except where employed to prevent vehicular access to major traffic streets.

(e) Depth and width of parcels laid out or reserved for nonresidential use shall be sufficient to provide satisfactory space for off-street parking and unloading.

4. Residential Blocks

(a) Blocks shall have a maximum length of twelve hundred (1200) feet. In the design of blocks longer than one thousand (1,000) feet, special consideration shall be given to the requirements of satisfactory fire protection.

(b) Residential blocks shall be of sufficient depth to accommodate two (2) tiers of lots, except where reverse frontage lots bordering a major traffic street are used.

5. Cul-de-sac Street

(a) Cul-de-sac streets permanently designed as such shall not exceed eight hundred (800) feet in length and shall furnish access to not more than twenty (20) dwelling units. This requirement may be waived where the Planning Commission determines the physical features of the site deem it necessary.

(b) Cul-de-sac streets shall be provided at the closed end with a paved turnaround having a minimum radius to the outer pavement edge or curb line of forty (40) feet.

(c) Unless future extension is clearly impractical or undesirable, a turnaround right-of-way of the same width as the street shall be carried to the property line in such a way as to permit future extension of the street into the adjoining tract.

(Subdivision Regulations, Section 3.300, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

Section 44. Mobile Home Park Standards.

1. Application. All mobile home courts shall conform with the provisions of this section.

2. Site Location.

(a) All mobile home courts shall be located on high and well-drained lands and shall have not less than a total land area of five (5) acres.

(b) All mobile home courts shall have paved access roads to and from any such site and in no instance shall such sites be in conflict with any other ordinance of the Borough.

3. Minimum Site Improvements.

(a) Minimum site improvements for all mobile home courts shall include, but shall not be limited to the following:

1. Streets -- All streets within any mobile home court shall be not less than fifty (50) feet right-of-way with a paved width of not less than twenty-eight (28) feet and shall meet minimum paving thickness and

other requirements as set out in Article IV hereof²⁹ for minor streets. All streets shall be properly drained and shall be kept free of debris or other obstructions to provide clear access for fire, police or other emergency access.

2. Open Space -- All mobile home courts shall provide not less than ten (10) percent of the total land area for public open space purposes and such lands shall be improved whereby the same will be accessible to all families residing within said tract and whereby such open space may be used for recreational purposes.

3. Utility Improvements -- All mobile home courts shall provide to each lot line a continuing supply of safe and palatable water as approved by the Pennsylvania State Department of Health as well as a sanitary sewerage disposal system in accordance with, and as approved by, the Pennsylvania State Department of Health, all such systems being provided to the lot lines of all lots in any such mobile home court.

4. Other Site Improvements -- There shall be provided in each mobile home court such other improvements as the Commission may require whereby such requirements shall at all times be in the best interests of the public's health, safety and general welfare and may include, but shall not be limited to, garbage and trash collection and disposal facilities as approved by the Pennsylvania State Department of Health, and adequate park lighting systems.

4. Minimum Lot and Area Requirements

(a) Lot Size -- No lot in any mobile home court shall be less than thirty (30) feet wide and have less than three thousand (3,000) square feet of total lot area exclusive of easements or rights-of-way.

(b) Setback Requirements -- No structure located on lot in any mobile home court shall be closer to any front lot line than twenty-five (25) feet; to any side lot line than eight (8) feet; nor to any rear lot line than twenty feet (20).

(c) Lot Requirements -- All lots in any mobile home court shall be well drained and graded to a point where trailers or mobile homes may be parked so that the parking of the same shall result in safety to all concerned. In all instances as much natural growth as is reasonably possible shall be preserved by any mobile home court developer.

(Subdivision Regulations, Section 3.400, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

29. Sections 61 to 69 of this chapter.

(XXII, sec. 45)

Section 45. Commercial and Industrial Subdivision Design Standards.

1. Application. All commercial and industrial subdivisions shall conform with the provisions of this section.

2. Size. Approval of lot or parcel size will be determined by the following factors:

(a) The total area shall be sufficient to provide adequate space for off-street parking and loading, landscaping and other facilities. In no instance shall there be less than four (4) square feet of off-street parking for each one (1) square feet of building use.

(b) Whenever possible, commercial parcels should include enough land to provide for a group of commercial establishments, planned, developed, owned and managed as a unit. In no case will narrow, highway ribbon developments be approved.

3. Street System

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

(b) The design of streets, service drives and pedestrian ways should provide for safe and hazard free internal circulation.

4. Front Yard

(a) Building setback lines shall be as specified by the local Zoning Ordinance.³⁰ If no such ordinance is in force, setback lines shall be not less than thirty (30) feet.

5. Utilities

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

6. Location

(a) In general, commercial and industrial subdivisions should be located adjacent or close to major highways and transportation facilities.

30. See Chapter XXVIII.

(b) Commercial and industrial subdivisions may not be located in predominately residential areas or areas that are better suited to residential development. Provided, that a commercial parcel designed as an intergral part of a residential subdivision will be permitted and provided that said site shall be in conformance with any Zoning Ordinance adopted by the Borough.

(Subdivision Regulations, Section 3.500, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

D. Required Improvements

Section 61. Introduction. Minimum improvements and construction standards required of all subdivisions shall be as set forth in this article,³¹ and as listed in Table 4.³² Where not set forth, they shall be in accordance with the prevailing standards as established by the Commission engineer. Alternate improvement standards may be permitted if the Commission deems them equal or superior in performance characteristics to the specified improvements. Additional or higher-type improvements may be required in specific cases where the Commission believes it necessary to create conditions essential to the health, safety, morals and general welfare of the citizens of Vandergrift. (Subdivision Regulations, Section 4.100, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

Section 62. Monuments and Markers. Monuments shall be placed so that the scored or marked point shall coincide exactly with the intersection of the lines to be marked, and shall be set so that the top of the monument or marker is level with the surface of the surrounding ground.

(1) Monuments shall be readily visible and shall be set at the intersection of all lines forming angles in the boundary of the subdivision. Monuments may be of the following two types:

(a) Cut stone 6" x 6" x 4'-0" long with a drill hole in the center.

(b) Concrete 6" x 6" x 4'-0" long with a ½" round brass pin in the center.

(c) The proposed replacement of any existing monuments shall be clearly indicated on the final plan.

(2) Iron pin markers shall be set at the beginning and ending of all curves along street property lines, at all points where lot lines intersect curves, either front or rear; at all angles in property lines of lots; at all corner lots, markers shall consist of steel pipe at least twenty-four (24) inches long and not less than three-quarter (¾) inches in diameter.

(Subdivision Regulations, Section 4.200, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

31. Sections 61 to 69 of this chapter.

32. See Table 4, following Section 62, of this chapter.

TABLE 4

Standards and Required Improvements for Streets, Curbs and Sidewalks^a

Type of Street	Width of Right-of-Way	Street Design and Construction		Surface Type	Pavement Type	Curb Type	Sidewalk Design and Construction Width (Feet) Type	Min. Center-line Radii for Horizontal Curves (in feet) ^c	Maximum Grades ^d %	Minimum Sight Distances ^e (in feet)
		Base Course Thickness (in inches)	Base Course Thickness (in inches)							
Major Traffic	80	A	B	A	48	C	6	500	5	600
Collector	60	A	B	A	40	C	5	300	8	400
Minor	50	A	B	A	33	C	4	100	10	150
Marginal Access	40	A	B	A	26	C	4	100	10	100
Alleys	30	A	B	A	20	-	-	-	10	-

(a) Letters refer to the following proposed construction standards:

- A -- Two and one-half (2-1/2) inch ID-2 or six (6) inches of reinforced concrete surface course in accordance with the latest edition of the Pennsylvania Department of Highways Specifications.
 - B -- Stone base course in accordance with the Pennsylvania Department of Highways Specifications.
 - C -- Plain cement concrete to be eight (8) inches at the top, nine (9) inches at the bottom and twenty-four (24) inches high with slope to the street side.
 - D -- Concrete, four (4) inches in thickness.
- (b) Whenever reinforced concrete is used as the surface course, the base course is not required.
- (c) Whenever street lines are deflected in excess of five (5) degrees, connection shall be made by horizontal curves, except on minor streets, a tangent shall be required between curves.
- (d) To provide for adequate drainage, minimum grades shall be not less than one-half of one percent (0.5%).
- (e) Vertical curves shall be used at changes of grade exceeding one (1) percent and shall be designed in relation to the extent of the grade change and to provide the above minimum sight distances.

Section 63. Street Pavement, Curbs, and Sidewalks.

1. Basic Improvement Requirements. The provision of street pavement, curbs, and sidewalks on all proposed or required public streets shall be as shown on Table 4.³³ All streets shall be graded, surfaced, and improved to the grades and dimensions shown on plans, profiles and cross-sections submitted by the subdividers and approved by the Commission.

Table 4 specifies those improvements which are the responsibility of the subdivider. In the case of major traffic streets the State Highway Department or the Borough may provide additional improvements over and above those required to be installed by the subdivider.

(Subdivision Regulations, Section 4.300, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

Section 64. Street Signs.

1. Standards. Street signs shall be provided at the intersections of all streets. Their type, height and design shall be approved by the Commission.

(Subdivision Regulations, Section 4.400, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

Section 65. Water Supply.

1. Provision of Water Supply. Where public water supply, in the opinion of the Commission, is reasonably accessible, the subdivision shall be provided with a complete water distribution system, including a connection for each lot and appropriately spaced fire hydrants which shall not be greater than one thousand (1,000) feet apart. Where public water supply is not in reasonable distance, an alternate supply, approved by the State Department of Health, shall be furnished.

2. Location of Water Lines. Where public water lines are installed all such water lines shall be located between the curb line and the property line within any street right-of-way.

(Subdivision Regulations, Section 4.500, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

33. See Table 4, following Section 62 of this chapter.

Section 66. Sanitary Sewer System.

1. Public Sewer System. Where the public sanitary sewer system, in the opinion of the Commission, is reasonably accessible, sanitary sewers shall be installed to adequately serve all lots with connections to the public system. The public sewer system shall conform with the following: Where lots cannot be served by the extension of an existing public sanitary sewer, the subdivider shall obtain approval of lot sizes as provided in Table 3.³⁴

2. Capped Sewers. Where the Borough has a plan for extending the public sanitary sewer system into an area that is being subdivided, and it is reasonably expected that the area will be served by the public system within a period of five (5) years, capped sewers shall be installed to adequately serve all lots in the proposed subdivision as well as provisions set forth in Section 4.601, above.³⁵

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

4. Type of Sewer System. No combined sanitary and storm sewer system will be permitted.

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

(Subdivision Regulations, Section 4.600, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

Section 67. Storm Sewers.

1. Provision of Storm Sewers. Storm sewers shall be installed when, in the opinion of the Commission, it is deemed necessary to provide adequate drainage for the subdivision.

34. See Table 3 in Section 43 of this chapter.

35. Subsection 1 of this section.

2. Purpose of Storm Sewers. When storm sewers, culverts and related installations are provided, they shall be designed:

(a) To permit unimpeded flow of natural water-courses.

(b) To insure adequate drainage of all low points along the line of streets.

(c) To intercept storm water run-off along streets at intervals reasonably related to the extent and grade of the area drained, and at all intersection streets.

3. Special Problems. In the design of storm sewage installations, special consideration shall be given to avoidance of problems which may arise from concentration of storm water run-off over adjacent properties.

4. Construction Standards. All drainage structures, culverts, boxes, grates, etc., shall conform to the current specifications of the Pennsylvania Department of Highways, as approved by the Commission engineer.

(Subdivision Regulations, Section 4.700, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

Section 68. Other Utilities.

1. Power, Telephone and Community Television Antenna Lines. All subdivisions shall have easements provided for the installation of power and telephone utility lines to serve each and every lot, and provision shall be made, when necessary, for the location of community television antenna lines to be installed in said easements.

2. Gas Transmission Lines. When any subdivider proposes to provide gas transmission lines within a subdivision, said gas transmission lines shall be installed between the curb line and the property line of any street right-of-way.

(Subdivision Regulations, Section 4.800, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

Section 69. Procedure for Installation of Required Improvements.

1. Methods to be Followed. After approval of the preliminary plan, the subdivider shall install the required improvements under the supervision of the Commission engineer. The subdivider may elect to carry out minimum improvements by any of the following methods:

(XXII, sec. 69(1), cont'd)

(a) By installing the required improvements, and obtaining from the Borough a certificate stating that all improvements have been installed in accordance with the standards and specifications contained in this article.³⁶

(b) By posting with the Commission a certified check or bond running to the Borough in an amount sufficient to cover the full cost of installing the required improvements as estimated by the Commission engineer. In case of a bond filed, it shall also:

- (1) Be with surety satisfactory to the Commission,
- (2) specify the time for the completion of the improvements and installations, such time to be satisfactory with the Commission.

2. Maintenance Bond. In submitting the final plan to the Commission, the subdivider shall submit a maintenance bond to guarantee maintenance and repair of the streets in the subdivision for one year after the construction thereof has been approved by the Commission engineer, and acceptance of improvements has been consummated by the Borough.

(Subdivision Regulations, Section 4.900, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

36. Sections 61 to 69 of this chapter.

E. Plan Requirements

Section 81. Preliminary Plan.

1. Scale

(a) The preliminary plan shall be at a scale of not more than one hundred (100) feet to the inch.

2. Plan Information

(a) The preliminary plan shall show or be accompanied by the following information:

1. Proposed subdivision name or identifying title
2. North point, scale and date
3. Name of the owner of the property
4. Name of the registered engineer, surveyor or architect responsible for the plan
5. Tract boundaries with bearings and distances
6. Contours at vertical intervals of five (5) feet or, in the case of relatively level tracts, at such lesser interval as may be necessary for satisfactory study and planning of the tract
7. Datum to which contour elevations refer. Where reasonably practicable, data shall refer to known, established elevations.
8. All existing watercourses, tree masses and other significant natural features
9. All existing buildings, sewers, water mains, culverts, petroleum or petroleum product lines, fire hydrants and other significant man-made features
10. All existing streets on or adjacent to the tract, including name, right-of-way width and pavement width
11. All existing property lines, easements and rights-of-way, and the purpose for which the easements or rights-of-way have been established
12. Location and width of all proposed streets, alleys, rights-of-way and easements; proposed lot lines with approximate dimensions; playgrounds, public buildings, public areas and parcels of land proposed to be dedicated or reserved for public use.

13. Wherever practicable, the preliminary plan shall show the names of owners of all abutting unplot ted land and the names of all abutting subdivisions.

14. Where the preliminary plan covers only a part of the subdivider's entire holdings, a sketch shall be submitted of the prospective street lay-out for the remainder.

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

(Subdivision Regulations, Section 5.100, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

Section 82. Final Plan.

1. Plan Size and Legibility

(a) The subdivision plan submitted for final approval shall be a clear legible white print of an ink drawing.

(b) Final plans shall be on sheets not larger than 34 inches by 44 inches overall. It is recommended that as far as practicable, final plan sheets be held to the following overall sizes: 17 inches by 22 inches; 22 inches by 34 inches; 34 inches by 44 inches. Where necessary to avoid sheets larger than the maximum size prescribed above, final plans shall be drawn in two or more sections accompanied by a key diagram showing relative location of the sections.

2. Plan Scale and Required Information

(a) The final plan shall be at a scale of not more than one hundred (100) feet to the inch and shall include the following information:

1. Subdivision name or identifying title
2. North point, scale and date
3. Name of the record owner and subdivider
4. Name and seal of the registered professional engineer or surveyor responsible for the plan
5. Boundaries of the tract
6. Street lines, lot lines, rights-of-way, easements, and areas dedicated or proposed to be dedicated to public use
7. Sufficient data to determine readily the location, bearing and length of every street, lot, and boundary line and to reproduce such lines on the ground

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

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

10. The proposed building setback line for each street, or the proposed placement of each building

11. Location and width of all private driveways

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

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

14. Lot numbers

15. Names of streets within and adjacent to the subdivision

16. Permanent reference monuments shall be shown, and shall be as specified by the Commission engineer.

17. Wherever practicable, names of any adjoining subdivisions shall be shown.

18. Wherever practicable, names of the owners of any unplotted land shall be shown.

19. Certificate of dedication of streets and other public property

20. Certificate for approval by the Commission

(b) The final plan shall include thereon or be accompanied by:

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

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

(XXII, sec 82(2)b, cont'd)

3. Certification by the State Department of Health when individual sewage disposal or water systems are to be installed as required by Article IV of this ordinance.³⁷

4. Certification by the Commission engineer that the subdivider has met the requirements of Article IV of this ordinance.

5. Typical cross sections, street profiles and drainage details for all streets. Such profiles shall show at least the following: existing (natural) grade along the proposed street center line; existing (natural) grade along each side of the proposed street right-of-way; proposed finished center line grade or proposed finished grade at top of curbs; sanitary sewer mains and manholes; storm sewer mains, inlets, manholes and culverts.

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

(Subdivision Regulations, Section 5.200, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

37. Sections 61 to 69 of this chapter.

F. Modification and Variances

Section 91. Hardship.

1. Variances

(a) The Commission may grant a variance to the provisions contained herein³⁸ where by reason of the exceptional shape of a specific piece of property, or where by reason of exceptional topographic conditions, the strict application of this ordinance would result in extreme practical difficulties and undue hardship upon the owner of such property; provided, however, that such relief may only be granted without detriment to the public good and without substantially impairing the intent and purposes of this ordinance.

(b) In granting such variances or modifications, the Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

(Subdivision Regulations, Section 6.100, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

Section 92. Large-Scale Developments. The standards and requirements of this ordinance³⁹ may be modified by the Commission in the case of plans for complete communities or neighborhood units or other large-scale developments which, in the judgment of the Commission, achieve substantially the objectives of the regulations contained herein⁴⁰ and which are further protected by such covenants or other legal provisions as will assure conformity to and achievement of the plan. (Subdivision Regulations, Section 6.200, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

Section 93. Reconsideration. Any subdivider aggrieved by a finding, decision or recommendation of the Commission may request and receive opportunity to appear before the Commission, present additional relevant information, and request reconsideration of the original finding, decision or recommendation. Subdivision Regulations, Section 6.300, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

38. In these regulations, Sections 21 to 125 of this chapter.

39. Ordinance 15-1964, of which these regulations are a part; see Section 1 of this chapter.

40. In Sections 21 to 125 of this chapter.

Section 94. Procedure for Applying.

1. Application to be Submitted in Writing

(a) Applications for modifications and variances shall be submitted in writing by the subdivider at the time the preliminary plan is filed with the Commission. The application shall state fully the grounds and all facts relied upon by the applicant.

(b) Applications for reconsideration shall be submitted in writing by the subdivider not less than ten (10) calendar days in advance of the meeting at which reconsideration is desired.

(Subdivision Regulations, Section 6.400, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

Section 95. Recording a Modification or Variance. In granting a modification or variance, the Commission shall record its actions and the grounds for granting the modification or variance in its minutes. A statement showing the date that such modification or variance was granted shall be affixed to the final plan. (Subdivision Regulations, Section 6.500, as adopted by Ordinance 15-196 August 20, 1964, Section 1)

G. Definitions

Section 111. Inclusions.

1. General Terms

(a) As used in this ordinance,⁴¹ words in the singular include the plural and those in the plural include the singular. The word "person" includes a corporation, unincorporated association and a partnership, as well as an individual. The word "building" includes structure and shall be construed as if followed by the phrase "or part thereof." The word "street" includes avenue, boulevard, court, expressway, highway, lane, arterial, and road. The word "watercourse" includes channel, creek, ditch, drain, dry run, spring, and stream. The word "may" is permissive; the words "shall" and "will" are mandatory, subject, however, to the provisions of Section 6.101 hereof.⁴²

(Subdivision Regulations, Section 7.100, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

Section 112. Definition of Terms.

1. Specific Terms

(a) As used in this ordinance,⁴³ the following terms shall be defined as follows:

(1) Alley: a minor right-of-way providing secondary vehicular access to the side or rear of two or more properties.

(2) Block: an area bounded by streets.

(3) Pavement: the portion of a street or alley intended for vehicular use.

(4) 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 right-of-way lines.

(5) Commission: The Vandergrift Borough Planning Commission.

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41. In these regulations, Sections 21 to 125 of this chapter, which are a part of Ordinance 15-1964.
42. Section 91.1, of this chapter.
43. Sections 21 to 125 of this chapter, which regulations are a part of Ordinance 15-1964.

(6) Commission engineer: shall mean the Borough Engineer if said office exists, and if not, shall be the engineer or other qualified person designated by the Planning Commission to perform all administrative and/or supervisory duties required of the Commission engineer by the provisions of this ordinance.

(7) Council: The Vandergrift Borough Council.

(8) Cul-de-sac: a minor street intersecting another street at one end and terminated at the other by a vehicular turnaround.

(9) Dedication: the deliberate appropriation of land by its owner for any general and public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

(10) Easement: a right of way granted for limited use of private land for a public or quasi-public purpose.

(11) Half or partial street: a street, generally parallel and adjacent to a property line, having a lesser right-of-way width than normally required for satisfactory improvement and use of the street.

(12) Interior walk: a right-of-way for pedestrian use extending from a street into a block or across a block to another street.

(13) Lot: a tract or parcel of land intended for transfer of ownership, use or improvement.

(14) Plan, final: a complete and exact subdivision plan, prepared for official recording as required by statute, to define property rights and proposed streets and other improvements.

(15) Plan, preliminary: a tentative subdivision plan, in lesser detail than a final plan, showing approximate proposed streets and lot layout as a basis for consideration prior to preparation of a final plan.

(16) Plan, sketch: an informal plan, not necessarily to scale, indicating salient existing features of a tract and its surroundings and the general layout of the proposed subdivision.

(17) Reverse frontage lot: a lot extending between and having frontage on a major traffic street and a minor street, and with vehicular access solely from the latter.

(18) Right-of-way: land reserved for use as a street, alley, interior walk, or for other public purpose.

(19) Setback or building line: the line within a property defining the required minimum distance between any enclosed structure and the adjacent right-of-way.

(20) Sight distance: the maximum extent of unobstructed vision (in a horizontal or vertical plane) along a street from a vehicle located at any given point on the street.

(21) Street: a strip of land, including the entire right-of-way, intended for use as a means of vehicular and pedestrian circulation. Classes of streets are as follows:

(a) Major traffic streets are those serving large volumes of comparatively high-speed and long-distance traffic, and include facilities classified as main and secondary highways by the Pennsylvania State Highway Department, and include streets classified as expressways and major traffic streets in the Thoroughfare Plan adopted by the Borough Planning Commission.

(b) Collector streets are those which, in addition to giving access to abutting properties, intercept minor streets and provide routes, carrying considerable volumes of traffic, to community facilities and to major traffic streets, and include streets classified as collector streets in the Thoroughfare Plan adopted by the Borough Planning Commission.

(c) Minor streets are those used primarily to provide access to abutting property.

(d) Marginal access streets are minor streets, parallel and adjacent to major traffic streets, providing access to abutting properties and control of intersections with the major traffic streets.

(22) Street, public: a street dedicated to public use

(23) Subdivider: the owner, or authorized agent of the owner, of a subdivision

(24) Subdivision: shall mean the following:

(a) A division of any part, parcel or area of land by the owner or agent, either by lots or by metes and bounds, into lots or parcels two or more in number for the purpose, whether immediate or future, of conveyance, transfer, improvement or sale with appurtenant roads, streets, lanes, alleys and ways, dedicated or intended to be dedicated to public use, or for the use of purchasers or owners of lots fronting thereon. A subdivision as defined above includes division of a parcel of land having frontage on an existing street, into two or more lots having frontage on the existing street. However, for the purposes of this ordinance, division of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement, shall not be deemed a subdivision.

(b) Any development of a piece of land which involves installation of sanitary sewers, storm sewers, water mains, gas mains or pipes, or other facilities for the use, whether immediate or future, of the owners or occupants of the land, or of buildings abutting thereon.

(c) Any development of a parcel of land, (for example, as a shopping center or a multiple dwelling project), which involves installation of streets and/or alleys, even though the streets and alleys may not be dedicated to public use and the parcel may not be divided immediately for purposes of conveyance, transfer or sale.

(d) The term "subdivision" includes re-subdivision, and as appropriate in this ordinance, shall refer to the process of subdividing land or to the land subdivided.

(25) Yard: an open space as may be required by this ordinance of uniform width, or depth on the same lot with a building or group of buildings, which open space lies between the principal building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward.

(a) Yard, front: an open space extending the full width of the lot between a building and the front lot line, unoccupied and unobstructed from the ground upward.

(b) Yard, rear: an open space extending the full width of the lot between a building and the rear lot line, unoccupied and unobstructed from the ground upward.

(c) Yard, side: an open space extending from the front yard to the rear yard between a building and the nearest side lot line, unoccupied and unobstructed from the ground upward.

(Subdivision Regulations, Section 7.200, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

H. Administration

Section 121. Revision and Amendment. This ordinance⁴⁴ may, from time to time, be revised, modified or amended as prescribed by local and State laws. (Subdivision Regulations, Section 8.100, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

Section 122. Commission Records. The Commission shall keep a record of its findings, decisions and recommendations relative to all subdivision plans filed with it for review. (Subdivision Regulations, Section 8.200, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

Section 123. Penalties.

1. Penalties to be Applied

(a) Any person, partnership, or corporation who or which being the owner or agent of the owner of any lot, tract or parcel of land shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes or for the common use of occupants of buildings abutting thereon, or who sells, transfers or agrees or enters into an agreement to sell any land in a subdivision or land development whether by reference to or by other use of a plat of such subdivision or land development or otherwise, or erect any building thereon, unless and until a final plat has been prepared in full compliance with the provisions of this ordinance⁴⁵ and of the regulations adopted hereunder⁴⁶ and has been recorded as provided herein,⁴⁷ shall be guilty of a misdemeanor, and upon conviction thereof, such person, or the members of such partnership, or the officers of such corporation, or the agent of any of them, responsible for such violation shall pay a fine not exceeding one hundred dollars (\$100) per lot or parcel or per dwelling within each lot or parcel.

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44. These regulations, Sections 21 to 125 of this chapter, which are a part of Ordinance 15-1964.
45. Sections 1 to 7 of this chapter.
46. Under Section 1 of this chapter; see Sections 21 to 125 of this chapter.
47. In Section 34(1-i) of this chapter.

(XXII, sec. 123(1), cont'd)

(b) Each day that a violation is permitted to exist on each lot in violation, shall constitute a separate offense, and shall be punishable as such.

(Subdivision Regulations, Section 8.300, as adopted by Ordinance 15-1964, August 20, 1964, Section 1 and as amended by Ordinance 10-1970, May 6, 1970, Section 3

Section 124. Validity. Should any section, subsection or provision of this ordinance⁴⁸ be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole, or of any other part thereof. (Subdivision Regulations, Section 8.400, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

Section 125. Interpretation. In the interpretation and the application of the provisions of this ordinance⁴⁹ shall be held to be the minimum requirements for the promotion of the health, safety, morals and general welfare. In general, the provisions contained herein shall apply to residential subdivisions. Standards applying to commercial and industrial subdivisions shall be subject to individual review and determination in each case. (Subdivision Regulations, Section 8.500, as adopted by Ordinance 15-1964, August 20, 1964, Section 1)

48. These regulations, Sections 21 to 125 of this chapter, which are a part of Ordinance 15-1964.

49. These regulations, Sections 21 to 125 of this chapter, which are a part of Ordinance 15-1964.