THE CITY OF ALLENTOWN

LAND DEVELOPMENT AND SUBDIVISION

ADOPTED BY CITY COUNCIL
ORDINANCE 12369, AS AMENDED

TITLE FIVE
SUBDIVISION REGULATIONS

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1371.01 SHORT TITLE

This Article shall be known and may be cited as the "Land Development and Subdivision Ordinance of the City of Allentown." (12369 §1 7/18/79)

1371.02 POLICY

A. It is hereby declared to be the policy of the City to consider the development and/or subdivision of land as defined herein as subject to the control of the City pursuant to the official master plan of the City for the orderly, planned, efficient, and economic development of the City. (12369 §1 7/18/79)

B. Land to be developed shall be of such character that it can be safely used for building purposes without danger to health or peril from fire, flood, or other menace, and land shall not be developed until available public facilities and drainage, water, sewerage, and capital improvements such as schools, parks, recreational facilities and transportation facilities are deemed adequate. (12369 §1 7/18/79)

C. The existing and proposed public improvements shall conform to and be properly related to the proposals shown in the Comprehensive Plan of the City and the Capital Budget and Program of the City, and it is intended that these regulations shall supplement and facilitate the enforcement of the provisions contained in the building and housing codes, zoning ordinance, applicable engineering standards, comprehensive plan, and the Capital Budget and Program of the City. (12369 §1 7/18/79)

1371.03 PURPOSE

These regulations are adopted for the following purposes:

1. To provide and protect for the public health, safety, and general welfare of the community. (12369 §1 7/18/79)

2. To guide for future growth and development of the City in accordance with the Official Comprehensive Plan. (12369 §1 7/18/79)

3. To provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of the land and undue congestion of population. (12369 §1 7/18/79)

4. To protect the character and the social and economic stability of all parts of the City and to encourage the orderly and beneficial development of all parts of the City. (12369 §1 7/18/79)

5. To protect and conserve the value of the land throughout the City and the value of buildings and improvements upon the land; and to minimize the conflicts among the uses of land and buildings. (12369 §1 7/18/79)

6. To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation, and other public requirements and facilities. (12369 §1 7/18/79)

7. To provide the most beneficial relationship between the uses of land and building, the circulation of pedestrian and vehicular traffic throughout the City, having particular regard to the avoidance of congestion in the streets and highways, and to provide for the proper location and width of streets and building lines. (12369 §1 7/18/79)

8. To establish reasonable standards of design and procedures for land development in order to further the orderly layout and use of the land; and to insure proper legal descriptions and monumenting of land developments. (12369 §1 7/18/79)

9. To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision and/or land development. (12369 §1 7/18/79)

10. To prevent the pollution of air, streams, and ponds; to insure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources throughout the City in order to preserve the integrity, stability, and the beauty of the community and the value of the land. (12369 §1 7/18/79)

11. To insure the natural beauty and topography of the City and to insure appropriate development with regard to these natural features. (12369 §1 7/18/79)

12. To provide for adequate open space through the most efficient design and layout of the land. (12369 §1 7/18/79)

1371.04 JURISDICTION, APPLICATION

A. Regulation of the development of land and the attachments of reasonable conditions to land development is an exercise of valid police power delegated by the State to the City. The developer has the duty of compliance with reasonable conditions laid down by the Planning Commission for the use of the land so as to conform to the Comprehensive Plan and the various ordinances and regulations adopted by the City for the orderly and beneficial development of the City. The developer has a further responsibility to protect and provide for the safety and general welfare of the future plot owners in the development and of the community at large. (12779 §1 7/15/87)

B. This Article shall apply to all land development as defined herein, located wholly or partially within the corporate limits of the City of Allentown. (12779 §1 7/15/87)

C. No building permits shall be issued by the City for any parcel or plot of land created by land development until final approval has been granted by the Planning Commission and the Land Development Agreement has been approved and signed by the developer and appropriate City officials. All land development must be in accordance with the provisions set forth in the Land Development and Subdivision Ordinance. (12779 §1 7/15/87)

D. No certificate of occupancy shall be issued by the City until land development improvements are substantially completed as certified by the City Engineer or his designee. (12779 §1 7/15/87)

E. This Section shall apply in addition to any other requirements set forth in the City building codes and any other City Ordinances relating to Certificates of Occupancy. It shall be the responsibility of the owner/developer to obtain the Certificate of Occupancy. (12779 §1 7/15/87)

1371.05 INTERPRETATION, CONFLICT, SEPARABILITY

A. In their interpretation and application, the provisions of this Article shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. (12369 §1 7/18/79)

B. Conflict with Public and Private Provisions

1. Public Provisions

These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provisions of law. Where any provisions of these regulations impose restrictions different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, whichever provision is more restrictive or imposes higher standards shall control. (12369 §1 7/18/79)

2. Private Provisions

These regulations are not intended to abrogate any easement, covenant, or any other private agreement or restriction, provided that where the provisions of these regulations are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction impose duties and obligations more restrictive, or higher standards than either the requirements of these regulations or the determinations of the Planning Commission or the City in approving a land development or in enforcing these regulations, and such private provisions are not inconsistent with these regulations or determinations thereunder, then such private provisions shall be operative and supplemental to these regulations and determinations made thereunder. (12369 §1 7/18/79)

C. Separability

Should any section, subsection, clause, or provision of these regulations be declared invalid by a court, such action shall in no way effect the validity of the regulations as a whole, or any part thereof, except the part so declared invalid. (12369 §1 7/18/79)

1371.06 SAVING PROVISION

These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing land development or subdivision regulations or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the City under any section or provision existing at the time of adopting of these regulations, or as vacating or annulling any rights obtained by any person, firm, or corporation, by lawful action of the City except as shall be expressly provided for in these regulations. (12369 §1 7/18/79)

1371.07 AMENDMENTS

For the purposes of providing for the public health, safety, and general welfare, City Council, may from time to time amend the provisions imposed by these subdivision regulations. Public hearings on all proposed amendments shall be held by City Council. (12369 §1 7/18/79)

1371.08 VARIANCES

A. Physical Hardship

Where it is found that unique physical conditions are creating undue hardship, the Planning Commission may vary these regulations so that substantial justice may be done and the public interest secured; provided that such variation will not have the effect of nullifying the intent and purpose of these regulations. (12369 §1 7/18/79)

B. Conditions

In granting variances and modifications, the Planning Commission may require such condition as will, in its judgment, secure substantially the objectives of the standards or requirements as varied or modified. (12369 §1 7/18/79)

C. Extraordinary Hardships

Where extraordinary hardships, practical difficulties or unnecessary information for review purposes may result from the strict compliance to Section 1377.04, the Planning Director may vary these requirements provided that such variances shall not have the effect of nullifying the intent and purpose of these regulations. (12369 §1 7/18/79)

1371.09 ENFORCEMENT, VIOLATION AND PENALTIES

A. General

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

2. Enforcement Remedies

a. Any person, partnership or corporation who or which has violated the provisions of this Subdivision and Land Development Ordinance enacted under Act 170 of 1988 or prior enabling laws shall, upon being found liable therefore in a civil enforcement proceeding commenced by the City, pay a judgment of not more than $500 plus all court costs, including reasonable attorney fees incurred by the City as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the City may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

b. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

c. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the City the right to commence any action for enforcement pursuant to this section.

3. Any owner, or agent of the owner, of any land located within a land development, who sells, transfers, or leases any land by reference to, or exhibition of, or by other use of a plan of a subdivision, before the same has been approved by the Planning Commission shall upon being found liable, pay a judgment consistent with Section 1371.09(a)(2).

4. The description of such lot or parcel by metes and bounds in the instrument of transfer, or other document used in the process of selling or transferring, shall not exempt the transaction from such penalties, or from the remedies herein provided. The City may also enjoin such transfer or sale or agreement by action for injunction brought in any court of equity, in addition to the penalty herein provided.

5. Any owner, or agent of the owner, or land developer who fails to comply with the provisions set forth in this Article or fails to proceed with the development in accordance with the provisions and stipulations of the final plan as approved by the Planning Commission, shall upon being found liable therefore in a civil enforcement proceeding commenced by the City pay a judgment of not more than $500 plus all court costs consistent with Section 1371.09(a)(2).

B. Civil Enforcement

Appropriate actions and proceedings may be taken by law or in equity to prevent any violation of these regulations, to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation to prevent illegal occupancy of a building, structure or premise, and these remedies shall be in addition to the penalties described above. (12369 §1 7/18/79)

ARTICLE 1373
DEFINITIONS

1373.01 Usage
1373.02 Words and Terms Defined

1373.01 USAGE

A. For the purpose of these regulations, certain numbers, abbreviations, terms and words used herein shall be used, interpreted, and defined as set forth in this Section. (12369 §1 7/18/79)

B. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense, words used in the plural number include the singular; the word "herein" means "in these regulations"; the word "regulations" means "these regulations". (12369 §1 7/18/79)

C. A "person" includes a corporation, a partnership, and an incorporated association of persons such as a club; "shall" is always mandatory; a "building" includes a "structure"; a "building" or "structure" includes any part thereof; "used" or "occupied" as applied to any land or buildings shall be construed to include the words "intended, arranged, or designed to be used or occupied". (12369 §1 7/18/79)

1373.02 WORDS AND TERMS DEFINED

1. **Alley (Public)**: A minor right-of-way providing secondary access to the side or rear of one (1) or more properties but which shall have a maximum right-of-way width of twenty-four (24') feet. (12779 §2 7/15/87)

Alley (Private): A minor right-of-way providing secondary access to the side or rear of one or more properties but which shall have a minimum right-of-way width of sixteen (16') feet. (12779 §2 7/15/87)

2. **Applicant**: A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns. (13014 §2 11/7/90)

3. **Application** (Application for Approval): Every application, whether preliminary, tentative or final, required to be filed and approved prior to the start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan. (13014 §2 11/7/90)

4. **As Built Plant**: A plan in final detail with appropriate computations of location and dimensions of completed improvements, final grades and building elevations. (12779 §2 7/15/87)

5. **Block**: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, municipal boundary lines, or other easements or definite barriers. (12779 §2 7/15/87)

6. **Building**: Any structure built for the support, shelter, enclosure of persons, animals, chattels, or moveable property of any kind and includes any structure. (12779 §2 7/15/87)

7. **Building Line**: A line which is a specified distance from, and generally parallel to, the street, right-of-way line or lines, upon which the lot abuts. Between the building line (or setback) and the right-of-way line or lines, enclosed structures are prohibited. (12779 §2 7/15/87)

8. **Capital Improvements Program**: A proposed schedule of all future projects listed in order of construction priority together with cost estimates and the anticipated means of financing each project. All major projects requiring the expenditure of public funds, over and above the City's annual operating expenses, for the purchase, construction, or replacement of the physical assets for the City are included. (12779 §2 7/15/87)

9. **Cartway**: That portion of a street between the curb faces/lines available for vehicular traffic. (12779 §2 7/15/87)

10. **City**: The City of Allentown, Pennsylvania. (12779 §2 7/15/87)

11. **City Council**: The City Council of Allentown, Pennsylvania. (12779 §2 7/15/87)

12. **City Engineer**: The word "City Engineer" shall mean the engineer or his responsible representative as designated by the City and shall be consistent with the definition of municipal engineer as defined in Act 170 of 1988. (13014 §2 11/7/90

13. **Cross-over**: That portion of a sidewalk area which provides a transition between a street and a driveway for the purpose of providing ingress and/or egress to an adjacent property. (12779 §2 7/15/87)

14. **Developer**: Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development. (13014 §2 11/7/90)

15. **Development Plan**: The provisions for development, including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the development plan" when used in this Ordinance shall mean the written and graphic materials referred to in this definition. (13014 §2 11/7/90)

16. **Easement**: Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of the owner's property. (12779 §2 7/15/87)

17. **Engineer, Architect and Surveyor**: A person licensed to practice in the Commonwealth of Pennsylvania as a registered professional engineer, architect or registered surveyor. (12779 §2 7/15/87)

18. **Final Plan**: The map or plan or record of a land development and any accompanying material, as described in these regulations. (12779 §2 7/15/87)

19. **Frontage**: The width of a lot at the building setback line on a public street. (12779 §2 7/15/87)

20. **Grade**: The inclination, with the horizontal, or of a road, unimproved land, etc., which is generally expressed by stating the vertical rise or fall as a percentage of the horizontal distance. (12779 §2 7/15/87)

21. **Grade Plan**: A map showing the horizontal and vertical geometry of existing and proposed curbs. (12779 §2 7/15/87)

22. **Improved Street**: An existing street which conforms to City's surface paving standards. (12779 §2 7/15/87)

23. **Improvements**: Physical changes made to the raw land and structures placed on or under the land in order to improve the land for certain specified uses. Typical improvements would include grading, paving, curbs, buildings, gutters, storm sewers, sanitary sewers, water works, street name signs, shade trees, sodding, seeding, and monuments. (12779 §2 7/15/87)

24. **Individual Sewage Disposal System**: A septic tank, seepage tile sewage disposal system, or other approved sewage disposal system. (12779 §2 7/15/87)

25. **Joint Ownership**: Joint ownership among persons shall be construed as the same owner; "constructive ownership" for the purpose of imposing land development regulations. (12779 §2 7/15/87)

26. **Land Development**

a. The improvement of one (1) lot or two (2) or more contiguous lots, tracts, or parcels of land for any purpose involving:

1. A group of two (2) or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots regardless of the number of occupants or tenure; or

2. The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

b. A subdivision of land. (12779 §2 7/15/87)

c. The following activities are specifically excluded from this definition:

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

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

3. The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this subclause, an amusement park is defined as a tract of area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by proper authorities. (13014 §2 11/7/90)

27. **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. (13014 §2 11/7/90)

28. **Markers**: A metal pipe or pin of at least three-quarters (3/4") inch and at least thirty (30") inches in length, set at all points where lot line intersect curves, at all angles in property lines of lots and all other lot corners. (12779 §2 7/15/87)

29. **Minor Land Development**: A proposed single-lot, single-structure land development where, in the opinion of the Planning Director, the impact and intensity of the land development does not warrant review by the Allentown City Planning Commission. (13014 §2 11/7/90)

30. **Master (or Comprehensive) Plan**: A comprehensive plan composed of the mapped and written proposals recommending the physical development of the City which shall have been duly adopted by the Planning Commission. (12779 §2 7/15/87)

31. **Monument**: A stone or concrete monument with a flat top at least four (4") inches in diameter or square containing a brass dowel (plug) which establishes a point of intersection which is at least thirty (30") inches in length located at the intersections of all lines forming angles in the boundary of the land development or at the beginning and ending of all curves and street intersections along street property lines. (12779 §2 7/15/87)

32. **Official Map**: A map showing existing and proposed streets approved by the Planning Commission and adopted by City Council. Such a map shall be deemed to be conclusive with respect to the location, width, and size of the streets, public parks, and playgrounds. (12779 §2 7/15/87)

33. **Ordinance**: Any legislative action, however, denominated, of a local government which has the force of law, including any amendment or repeal of any Article. (12779 §2 7/15/87)

34. **Owner**: Any individual, firm, association, syndicate, co-partnership or corporation having sufficient proprietary interest in the land to be developed to commence and maintain proceeding to develop the same under these Regulations. The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land. (13014 §2 11/7/90)

35. **Plat**: A map representing a tract of land, showing the boundaries and location of individual properties and streets. (12779 §2 7/15/87)

36. **Planning Commission**: Allentown City Planning Commission (ACPC). (12779 §2 7/15/87)

37. **Planning Director**: The Planning Director of the City of Allentown. (12779 §2 7/15/87)

38. **Preliminary Plan**: The preliminary drawing or drawings, described herein, indicating the proposed manner or layout of the land development to be submitted to the Planning Commission for approval. (12779 §2 7/15/87)

39. **Record Plan**: The copy of a Final Plan which is intended to be recorded with the County Recorder of Deeds. (12779 §2 7/15/87)

40. **Regional Planning Commission**: The Joint Planning Commission of Lehigh-Northampton Counties. (12779 §2 7/15/87)

41. **Reverse Frontage Lots**: A lot between and having frontage on two (2) generally parallel streets, with vehicular access solely from one (1) street. (12779 §2 7/15/87)

42. **Right-of-Way**: The width of a strip of land between property lines set aside for public use or ownership as a street, alley, crosswalk, easement, or other facility. (12779 §2 7/15/87)

43. **Same Ownership**: Ownership by the same person, corporation, firm, entity, partnership, or unincorporated association, or ownership by different corporations, firms, partnerships, or unincorporated associations, in which a stockholder, partner, or associate or a member of his family owns an interest in each corporation, firm, entity, partnership, or unincorporated association. (12779 §2 7/15/87)

44. **Shade Tree**: Includes all trees, shrubs, and woody vegetation in the public right-of-way. (12779 §2 7/15/87)

45. **Sketch Plan**: A sketch preparatory to the preparation of the preliminary plan (or final plan in the case of Minor Land Developments) to enable the developer to save time and expense in reaching general agreement with the Planning Commission as to the form of the plan and the objectives of these regulations. (12779 §2 7/15/87)

46. **Slope**: Ratio of horizontal to vertical. (12779 §2 7/15/87)

47. **Streets, Public**: A right-of-way dedicated to the public for the movement of traffic with space for utilities and providing access to abutting properties. May also be referred to as avenue, road, boulevard, expressway, court or lane with a right-of-way width greater than twenty-four (24') feet. (12779 §2 7/15/87)

48. **Street, Arterial**: Providing for large volumes of through traffic movement between areas and across the City, and direct access to abutting property subject to necessary control of entrances, exits, and curb use. (12779 §2 7/15/87)

49. **Street Collector**: Providing for traffic movement between arterial and minor local streets, and direct access to abutting property. (12779 §2 7/15/87)

50. **Street, Cul-de-Sac**: A local street with only one (1) outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement. (12779 §2 7/15/87)

51. **Street, Local**: Providing for local traffic movement and direct access to abutting property. (12779 §2 7/15/87)

52. **Streets, Marginal Access:** A minor street which is parallel to or adjacent to an arterial street which provides access to abutting property by reducing the number of access points to the arterial street. Sidewalks shall be installed on only one (1) side of the marginal access street. (12779 §2 7/15/87)

53. **Street, Perimeter:** Any existing street to which the parcel of land to be developed abuts on only one (1) side. (12779 §2 7/15/87)

54. **Street, Private:** A private street shall be any street or road not dedicated for public use but which shall have a minimum cartway width of twenty-four (24') feet. (12779 §2 7/15/87)

55. **Street, Service:** A minor right-of-way providing secondary access to the side or rear of two (2) or more properties for public use. (12779 §2 7/15/87)

56. **Subdivider:** Any individual, firm, association, syndicate, co-partnership or corporation, trust or any other legal entity commencing proceedings under these Regulations to effect a subdivision of land hereunder for himself or another. (12779 §2 7/15/87)

57. **Subdivision:** The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted. (13014 §2 11/7/90)

a. **Major Subdivision**: All subdivision not classified as minor subdivisions, including but not limited to the subdivision of five (5) or more lots, or any size subdivision requiring any new street or extension of the local government facilities, or the creation of any public improvements. (12779 §2 7/15/87)

b. **Minor Subdivision**: Any subdivision creating a net increase of not more than four (4) lots fronting on an existing opened street or road which does not involve the substantial extension of municipal facilities and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Master Plan, Official Map, Zoning Ordinances, or these regulations. (12779 §2 7/15/87)

58. **Subdivision Agent:** Any person who represents, or acts for or on behalf of a subdivider, or developer, in selling, leasing, or developing, or offering to sell, lease, or develop any interest, lot, parcel, unit, site, or plot in a land development, except an attorney-at-law whose representation of another person consists solely of rendering legal services. (12779 §2 7/15/87)

59. **Substantially Completed:** Where, in the judgment of the City Engineer, at least 90% (based on the cost of the required improvements for which financial security was posted pursuant to Article 1375) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

60. **Surety:** A legal instrument under which one (1) party agrees to answer to the City for the debt, default, or failure to perform of the developer. For the purposes of this Ordinance all sureties shall be posted with a bonding company or Federal or Commonwealth chartered lending institution authorized to conduct such business within the Commonwealth. (13014 §2 11/7/90)

61. **Topographic Plan (Grade Plan):** A map showing the elevation of the ground by contours or elevations, existing and proposed as required herein. (12779 §2 7/15/87)

62. **Watercourse:** Includes creeks, stream channel, ditch, drain, dry run, spring and river. (12779 §2 7/15/87

ARTICLE 1375
LAND DEVELOPMENT APPLICATION PROCEDURE AND APPROVAL PROCESS

1375.01 General Procedure
1375.02 Sketch Plan-Optional
1375.03 Preliminary Plan
1375.04 Final Development Plan
1375.05 Completion of Improvements or Guarantee
1375.06 Release From Improvement
1375.07 Remedies To Effect Completion of Improvements
1375.08 Final Development Plan - Minor Subdivision - And Minor Land Development

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1375.01 GENERAL PROCEDURE

No subdivision or land development of any lot, tract or parcel of land shall be made, no street, sanitary sewer, storm sewer, water main or other improvements in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Ordinance. (13014 §14 11/7/90)

A. Required Approval

Whenever any development and/or subdivision of land is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of a structure in such proposed development shall be granted, the owner, or his authorized agent, shall apply for and secure approval of such proposed development. (13014 §3 11/7/90)

(1) Preliminary/Final Plan Submission Authorized. At the election of the applicant, an application for a combined preliminary/final plan approval may be made. In such an instance, the application will be reviewed pursuant to both the preliminary and final plan requirements contained herein. (15001 §3 6/20/12)

B. Plans

Plans shall be prepared by a registered professional engineer, registered surveyor or architect as defined herein except final Utility Plans which shall be prepared by a registered professional engineer, unless this requirement is waived by the City Engineer for minor extensions. Surveys shall be certified by a person duly authorized to do so by the Commonwealth of Pennsylvania. (12779 §3 7/15/87)

C. Consultation

Before preparing a Plan for a land development, the applicant should discuss with the Planning Director, the City Engineer, and all other interested parties the procedure for adoption of a land development plan and the requirements as to general layout of streets and for reservation of land, street improvements, drainage, sewerage, fire protection, and similar matters, as well as the availability to existing services. (12779 §3 7/15/87)

D. Classification

If the plan is classified as a major subdivision and/or land development subject to the requirements of these regulations, the Planning Director and City Engineer shall approve or disapprove the sketch plan, if submitted. Preliminary and Final or Preliminary/Final subdivision and/or land development plans shall be approved or disapproved by the Planning Commission. If the plan is classified as a minor subdivision, the developer may proceed directly to Final Plan Application, Article 1375.05, and no Preliminary Plan approval shall be required. (12779 §3 7/15/87 § 150016/20/12)

1375.02 SKETCH PLAN

A. Application Procedure and Requirements

Prior to developing or subdividing land, an owner of the land, or his representative has the option to file an application for approval of a sketch plan. A sketch plan is mandatory for all major subdivisions containing ten (10) or more lots. The application shall:

1. Be made on forms made available at the office of the Planning Director. (12779 §4 7/15/87)

2. Include all contiguous holdings of the owner including land in the "same ownership" as defined herein, with an indication of the portion that is to be developed or subdivided, accompanied by a deed indicating ownership. (12779 §4 7/15/87)

3. Be accompanied by a minimum of ten (10) copies of the sketch plan as described in these regulations and complying in all respects with these regulations. (12779 §4 7/15/87)

4. Be accompanied by a fee which shall be established administratively. (12779 §4 7/15/87)

B. Notification

Within ten (10) days after the final discussion of the Sketch Plan with appropriate City staff, the Planning Director or his designated representative shall inform the developer in writing as to the reasons that the Sketch Plan and data as submitted or as modified do or do not meet the requirements of these Regulations. If the Sketch Plan and data as submitted or as modified are not approved, the developer has the option to appeal to the Planning Commission. The appeal must be submitted to the Planning Commission in writing within ten (10) days after receipt of the City's refusal to accept the proposed Sketch Plan. The developer will then be heard at the next regular meeting of the Planning Commission following receipt of said appeal. (12779 §4 7/15/87)

1375.03 PRELIMINARY PLAN

A. Application Procedure and Requirements

Based upon the approval of the Sketch Plan, if applicable, the applicant shall file in duplicate an application for approval of a Preliminary Plan. The application shall:

1. Be made on forms available at the Office of the Planning Director together with a fee which shall be established administratively. (12779 §5 7/15/87)

2. Include all land which the applicant proposes to develop and all land immediately adjacent extending one hundred (100') feet therefrom, or that directly opposite thereto, extending one hundred (100') feet from the street frontage of such opposite land, with the names of the owners as shown in the County Assessor's files. (12779 §5 7/15/87)

3. Be accompanied by a minimum of ten (10) copies of the preliminary plan as described in these regulations. (12779 §5 7/15/87)

4. Comply in all respects with the sketch plans as approved. (12779 §5 7/15/87)

5. Be presented to the Planning Director at least four (4) weeks prior to a regular meeting of the Commission. (12779 §5 7/15/87)

B. Official Submission

The submission of an application for Preliminary Plan approval, when dated and signed by the owner and the Planning Director (or his authorized agent) shall constitute official submission of the Preliminary Plan to the City. (12779 §5 7/15/87)

C. Review

The Planning Director shall transmit the Preliminary Plans, or appropriate portions thereof, to appropriate officials or agencies of the local government, adjoining counties or municipalities, school or special districts, and other official bodies as is deemed necessary or as mandated by law, including any review required by regional, state, or federal bodies under applicable state or federal law. The Planning Director shall require that all officials and agencies, to whom a request for a review has been made, submit their report to the Planning Bureau within twenty (20) days after receipt of the request, except the County Planning agency which shall submit their report within thirty (30) days. (12779 §5 7/15/87; 13014 §5 11/7/90)

D. Public Meeting

The Planning Commission shall hold a public meeting on the Preliminary Plan. The Planning Director will submit an advertisement for publication in one (1) newspaper of general circulation to be published at least five (5) days prior to the public meeting. The City shall place at least one (1) sign on each side of the property to be developed fronting on a public thoroughfare. Specifications for said plan shall be provided by the Planning Director. All signs shall conform with applicable City Ordinances. (13014 §5 11/7/90)

E. Decision Time Frame

The Planning Commission shall render its decision and communicate it to the applicant not later than ninety (90) days following the date of the regular meeting of the Commission next following the date the application is filed. Should the next regular meeting occur more than thirty (30) days following the filing of the application, the ninety (90) day period shall be measured from the thirtieth (30th) day following the day the application has been filed. (13014 §5 11/7/90)

F. Effective Period of Preliminary Plan Approval

The approval of a Preliminary Plan shall be effective for a period of six (6) months, at the end of which time application for Final Plan approval must have been submitted. Such applications shall be made within six (6) months after approval of the Preliminary Plan. Otherwise, unless an extension of time (not exceeding an additional six (6) months is applied for and granted in writing by the Planning Commission, such approval shall become null and void. (12779 §5 7/15/87)

G. Notification

The Commission's decision shall be relayed to the developer within fifteen (15) days after the date of the regular meeting of the Planning Commission at which public testimony is closed. (13014 §5 11/7/90)

H. Effects of Changes in Governing Regulations

When an application for approval of a plan, whether preliminary or final, has been approved or approved subject to conditions acceptable to the applicant, no subsequent change or amendment in the zoning, subdivision 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 (5) years from such approval. Where final

approval is preceded by preliminary approval, the 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 provisions of the governing ordinances or plans as they stood at the time when the application for such approval was duly filed. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations. (12779 §5 7/15/87)

I. Reference to and Conformance with Related Ordinances

In addition to required conformance with regulations promulgated in existing ordinance, the developer of land within the City of Allentown shall take cognizance of, and conform with the following related ordinances:

1. Land Development Controls Ordinance (12009 3/21/73)

2. Curb and Sidewalk Ordinance (12484 12/21/81 as amended)

3. Shade Tree Ordinance (12241 4/6/77)

4. Flood Control Ordinance (12507 4/21/82; 12779 §5 7/15/87)

J. Conditioned Approvals

The Planning Commission may condition preliminary plan approval upon the satisfaction of outstanding requirements, upon acceptance by the applicant of the conditions within fifteen (15) days of their receipt. The applicant's failure to accept or reject the conditions within the fifteen (15) day receipt period, shall automatically rescind the approval.

1375.04 FINAL DEVELOPMENT PLAN

A. Application Procedure and Requirements

Upon completion of modifications required by any outstanding requirements of the Planning Commission or applicable City staff, the developer may apply for approval of the Final Plan. The application shall be filed in duplicate and shall:

1. Be made on forms available at the Office of the Planning Director together with a fee which shall be established administratively. (12779 §6 7/15/87)

2. Include the entire development, or section thereof, which derives access from an existing state, county and/or city highway. (12779 §6 7/15/87)

3. Be accompanied by a minimum of ten (10) copies of the development plan as described herein. (12779 §6 7/15/87)

4. Comply in all respects with the Preliminary Plan as approved. (12779 §6 7/15/87)

5. Be accompanied by all formal, irrevocable offers of dedication to the public of all streets, utilities, parks, and easements on the Land Development agreement approved by the City Solicitor; and the Final Plan shall be marked with a notation indicating said dedications in a form specified in Appendix A of this Article. (12779 §6 7/15/87)

B. Submission of Plans

All plans for final subdivision and land development shall be complete with supporting documentation and shall be submitted two (2) weeks prior to the Planning Commission meeting.

C. Review

When a Final Plan has been officially submitted, such plan shall be placed on the agenda of the Planning Director, City Engineer, the Joint Planning Commission of Lehigh and Northampton Counties, and applicable individuals or agencies. (12779 §6 7/15/87)

D. Planning Commission Action

After completion of the review procedures required by these Regulations, the Planning Commission shall approve, conditionally approve, or disapprove, the Final Plan within ninety (90) days following Official Submission of the Final Plan at its regular meeting. The decision of the Planning Commission shall be relayed to the developer within fifteen (15) days after the decision is rendered. The Planning Commission shall render its decision and communicate it to the applicant not later than ninety (90) days following the date of the regular meeting of the Commission next following the date the application is filed. Should the next regular meeting occur more than thirty (30) days following the filing of the application, the ninety (90) day period shall be measured from the thirtieth (30th) day following the day the application has been filed. The Commission's decision shall be relayed to the developer within fifteen (15) days after the date of the regular meeting of the Planning Commission at which public testimony is closed. (13014 §16 11/7/90)

1. Conditioned Approvals: Conditioned final approval shall be subject to the requirements of Subsection 1375.03(J). (13014 §1 6 11/7/90)

E. Developer's Obligations

Upon final approval of the Land Development by the Planning Commission, the developer/owner shall submit final cost estimates prepared by a professional engineer for review and approval by the City indicating those improvements shown on the final land development plan and to be installed by the developer. The cost estimates shall include but are not limited to the following:

1. Monuments and Markers

Monuments and markers shall be placed by a registered professional pursuant to Section 1375.01 (b) so that scored or marked point shall coincide exactly with the intersection of lines to be marked and shall be set so that the top of the monument or marker is level with the finished grade of the surrounding ground. (12779 §6 7/15/87)

2. Streets

Streets and alleys shall be graded, surfaced and improved to the dimensions required by the cross-sections and the work shall be performed in the manner prescribed in the standard specifications for road construction of the City Bureau of Engineering. (12779 §6 7/15/87)

3. Curbs

Curbs shall be installed along both sides of the street. Curb size and material shall be required in accordance with the specifications of the City Bureau of Engineering. The City Engineer may waive the requirement of curbs for public or private alleys pursuant to the provisions of the Curb and Sidewalk Ordinance No. 12618, Section 907.01 or by the approval of the Curb Appeals Committee Ordinance No. 12484, Section 907.04. (12779 §6 7/15/87)

4. Sidewalks

Sidewalks with a minimum width of five (5') feet shall be installed on both sides of all streets except that where previously agreed upon, sidewalks shall be installed on only one (1) side of the marginal access streets, and no sidewalk shall be required along service streets. Wherever sidewalks are required, curbs shall also be required. The Planning Commission can waive sidewalk requirements and the City Engineer may waive the requirements of sidewalks for public or private alleys pursuant to the provisions of the Curb and Sidewalk Ordinance No. 12484, Section 907.01 and Ordinance No. 12618, Section 907.04. (12779 §6 7/15/87)

5. Water

The developer shall provide the land development with a complete water main supply system which shall be connected to the City water supply. The plans for the installation of a water main system shall be prepared by the subdivider in cooperation with the City Bureau of Engineering. (12779 §6 7/15/87)

6. Fire Hydrants

Wherever a City or private water supply system is provided, fire hydrants shall be installed in accordance with City standards. (12779 §6 7/15/87)

7. Sanitary Sewers

The developer shall provide the land development with a complete sanitary sewer system to be connected to the City sanitary sewer system as specified by the City Engineer. The plans for the installation of a sanitary sewer system shall be prepared by the developer and approved by the City Engineer as well as the Pennsylvania State Department of Environmental Resources. (12779 §6 7/15/87)

8. Storm Sewers

The developer shall provide the land development with an adequate storm water sewer system which may require detention and shall be connected to an outlet approved by the City Engineer. When the proposed land development cannot accommodate a detention facility, the developer shall pay a prorated fee to the City. Such fee shall be established by the City Engineer and said fee shall be included in the cost estimates. (12779 §6 7/15/87)

9. Landscaping and Shade Trees

A landscape plan shall be prepared in accordance with the standards and specifications of the Shade Tree Ordinance No. 12241. (12779 §6 7/15/87)

10. Traffic Signs

Street name and regulatory signs shall be approved by the City Traffic Engineer. (12779 §6 7/15/87)

11. Contingency Fee

A contingency fee of ten (10%) percent of the total cost of all improvements shall be included in the cost estimates. (12779 §6 7/15/87)

12. Inspection

The cost of all City inspections shall be calculated at five (5%) percent of the actual cost to the developer of the improvements required by the City and shall be paid directly to the City. (13014 §6 11/7/90)

13. Street Lights

In cooperation with the Pennsylvania Power and Light Company and the City, a street lighting plan shall be prepared for the developer prior to final plan approval. Operating costs for a three (3) year period shall be deposited by the developer with the City. (12779 §6 7/15/87)

14. The Developer is Required to Furnish the City As Built Plans: In order to assure the City that such plans shall be submitted, two (2%) percent of the total cost of all improvements shall be included in the cost estimates for said plans. (12779 §6 7/15/87)

F. Surety

Upon approval of the cost estimates by the City, the developer shall furnish surety in an amount equal to the approved cost estimate and in a form satisfactory to the City Solicitor. (12779 §6 7/15/87)

G. Land Development Agreement

A Land Development Agreement shall be prepared and executed by the developer and the City. The Land Development Agreement shall include but not be limited to the following:

1. Final Plan
2. Improvements Plan (color coded)
3. Approved Cost Estimates
4. Accepted Surety
5. Landscape Plan
6. Erosion, Sedimentation and Control Plan in accordance with Land Development Controls Ordinance No. 12009, March 31, 1973. (12779 §7 7/15/87)

H. Signing and Recording

1. The approval of a Final Plan by the Planning Commission shall be conditioned upon the developer entering into a land subdivision agreement and providing surety as set forth above. Upon completion of said conditions by the developer, the appropriate certifications and signatures shall be affixed. (13014 §6 11/7/90)

2. A Recorded Plan from the endorsed original ink tracing of the land development shall be filed with the Lehigh County Recorder of Deeds Office, for all land developments involving the subdivision of land, and such other Land Development as may be required by the Planning Director. (12779 §6 7/15/87)

3. Two (2) reproducible mylars (or equivalent material) copies to drawn to scale approved by the City Engineer and the size approved by the Recorder of Deeds Office and three (3) prints of the Final Plan, containing Deed, Book, Volume and Page Numbers and signature of the County Recorder of Deeds shall be returned to the Planning Director. (12779 §6 7/15/87)

4. Copies of approved Final Plan shall be made part of the Land Development Agreement. No building permit shall be issued until the Land Development Agreement has been approved and signed by the developer and appropriate City officials. (12779 §6 7/15/87)

5. Failure to record the Final Plan and return copies as specified above within ninety (90) days after Plan approval to the Planning Director with all appropriate signatures affixed will cause the action of the Planning Commission to become null and void. (12779 §6 7/15/87)

6. If, subsequent to the signing of the Land Development Agreement either the developer or owner should be replaced, or if part of the property changes hands, the conditions of the original signed agreement still govern. If, however, the new developer or owner wishes to change the plans, he must reapply to the Planning Commission for approval within sixty (60) days of the transfer. (12779 §6 7/15/87)

I. Sectionalizing Land Development Plans

Prior to granting final approval of a Land Development Plan, the Planning Commission may permit the plan to be divided into two (2) or more sections and may impose such conditions as it may deem necessary to assure the orderly development of the approved plan. In the event of approval of sectionalizing, each section shall be recorded with the Lehigh County Recorder of Deeds in accordance with Article 1375.04(i) Signing and Recording. The development of each Section of the Plan shall require a separate Land Development Agreement and necessary surety to be approved by the City. (12779 §6 7/15/87)

J. Expiration of Final Approval

All approved final plans are to be completed, including but not limited to, the provision of financial security for improvements and the filing and recording of the final approved plan within two (2) years of the Planning Commission's approval date. (13014 §16 11/7/90)

1375.05 COMPLETION OF IMPROVEMENTS OR GUARANTEE

A. No plat shall be finally approved unless the streets shown on such plat have been improved to a mud-free or otherwise permanently passable condition, or improved as may be required by this Ordinance and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers and other improvements as may be required by Section 1375.04 (e) of this Ordinance have been installed in accordance with the Ordinance. In lieu of the completion of any improvements required as a condition for the final approval of a plat, including improvements or fees required under this Ordinance, the developer or subdivider shall deposit with the City a financial surety in an amount sufficient to cover the costs of such improvements or common amenities including, but not limited to, roads, storm water detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements, or buffer or screen plantings which may be required.

B. Without limitation as to other types of financial surety which the City 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.

C. Financial surety shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chose by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth.

D. The surety shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements.

E. The amount of financial surety to be posted for the completion of the required improvements shall be equal to 110% of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer. Annually, the City may adjust the amount of the financial surety comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the City may require the developer to post additional surety in order to assure that the financial security equals said 110%. Any additional surety shall be posted by the developer in accordance with this subsection.

F. The amount of financial surety 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 the Commonwealth and certified by the engineer to be a fair and reasonable estimate of such cost. The City Engineer may refuse to accept such estimate for good cause shown. If the applicant or developer and the City are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the City and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of the third engineer shall be paid equally by the City and the applicant or developer.

G. If the applicant posting the financial security requires more than one year from the date of posting of the financial surety to complete the required improvements, the amount of financial surety may be increased by an additional 10% for each one-year period beyond the first anniversary date from posting of financial surety or to an amount not exceeding 110% of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one-year period by using the above bidding procedure.

H. In the case where development is projected over a period of years, the Planning Commission may authorize submission of final plats by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.

I. As the work of installing the required improvements proceeds, the applicant posting the financial security may request the release, from time to time, of portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the City Engineer. The City Engineer shall have forty-five (45) days from the receipt of such request within which to certify, in writing, that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification the City Engineer shall authorize release by the bonding company or lending institution of an amount as estimated to fairly represent the value of the improvements completed. The development agreement may, prior to final release at the time of completion and certification by the City Engineer, specify the retention of 10% of the estimated cost of the aforesaid improvements.

J. Where the City Engineer accepts dedication of all or some of the required improvements following completion, the developer shall be required to post financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a term not to exceed eighteen (18) months from the date of acceptance of dedication. The financial surety shall be of the same type as otherwise required in this section with regard to installation of improvements, and the amount of the financial surety shall be 10% of the actual cost of installation of said improvements. (13014 §18 11/7/90)

1375.06 RELEASE FROM IMPROVEMENT

A. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the City Engineer, in writing, by certified or registered mail, of the completion of the improvements. The City Engineer shall, thereupon, file a report, in writing, with the Planning Commission, and shall promptly mail a copy of the same to the developer by certified mail. The report shall be made and mailed within thirty (30) days after receipt by the City Engineer of the request from the developer; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in

part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the City Engineer, the report shall contain a statement of reasons for such nonapproval or rejection.

B. The City Engineer shall notify the developer, within forty-five (45) days of receipt of the developer's request, in writing by certified or registered mail, of his determination.

C. If any portion of the said improvements shall not be approved or shall be rejected by the City Engineer, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.

D. Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the City Engineer. (13014 §19 11/7/90)

1375.07 REMEDIES TO EFFECT COMPLETION OF IMPROVEMENTS

In the event that any improvements which may be required have not been installed as provided in the subdivision and land development Ordinance or in accord with the approved final plat the City will enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond, or other security, are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the City 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 monies necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose. (13014 §11/7/90)

1375.08 FINAL DEVELOPMENT PLAN - MINOR SUBDIVISION - AND MINOR LAND DEVELOPMENT

A. Application Procedure and Requirement

A Minor Subdivision and Minor Land Development may be submitted as a Final Plan and shall comply with the requirements of these regulations, including all that application and plan detail (Article 1377.03 in the case of Minor Land Developments and Article 1377.04 in the case of Minor Subdivisions) and any necessary supporting documentation, and procedures for signing and recording, and shall be recorded in the Office of the Recorder of Deeds for Lehigh County. Minor Land Development plans are not required to be recorded unless so directed by the Planning Director. Each submission shall be accompanied by a minimum of ten (10) copies of the development plan.

B. Planning Commission Approval

A Minor Subdivision Plan or Minor Land Development shall not be required to have Planning Commission approval unless so requested by the City staff or other review agency. A Minor Subdivision or Minor Land Development may be referred to the Planning Commission for review and approval if requested by either the City staff or other review agency.

C. Identification of Potential Adjacent Subdivision

Where lots are intended for or adaptable to further subdivision, or where a series of minor subdivisions are developed or proposed immediately adjacent to one another, the Planning Director, or other review agency, may require the developer to comply with the procedures for Major Subdivision Review.

D. Minor Subdivisions Involving the Combining of Lots

1. When the intent of the applicant is to combine two or more lots into one lot and when no new lot lines or easements or change to existing easements are proposed, the applicant in lieu of a Minor Subdivision plan may submit a proposed lot changes, to the Planning Office for City review and approval. (13014 §17 11/7/90)

2. The applicant must record the deed within ninety (90) days of written approval by the City. Failure to record the deed as specified above will cause the action of the Planning Commission to become null and void. (13014 §17 11/7/90)

3. Upon review of the proposed deed, the Planning Director, or other review agency, may require the applicant to submit a plan and comply with the procedure for Minor Subdivision Review. (12779 §7 7/15/87)

4. The fee shall be the same as is charged for a Minor Subdivision. (12779 §7 7/15/87; 13014 §17 11/7/90)

ARTICLE 1377
SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED

1377.01 Sketch Plan
1377.02 Preliminary Plan
1377.03 Final Plan
1377.04 Final Plan - Minor Subdivision
1377.05 As Built Plans

1377.01 SKETCH PLAN

Sketch Plans submitted to the Planning Director, prepared in pencil or pen, shall be drawn to the scale and sheet size specifications indicated in Article 1377.02(a) for Preliminary Plans. The Sketch Plan shall contain at least the following information, legibly drawn to scale.

A. Location

1. Tract boundaries

2. Location of that portion which is to be developed in relation to the entire tract.

3. A vicinity map showing the streets and other general development of the surrounding area. (12779 §8 7/15/87)

B. Existing Features

1. Ownership: The name(s), address(es), and telephone number(s) of the legal agent(s) or owner(s) of the property. (12779 §8 7/15/87)

2. Tax Map Information: The tax map sheet, block and lot numbers. (12779 §8 7/15/87)

3. Approximate scale, north point and date. (12779 §8 7/15/87)

4. Location of property lines, existing easements, watercourses, wooded areas, and other significant physical features and names and locations of public streets within one hundred (100') feet of the boundaries of the development: names of abutting property owners from the most recent assessment roles of any perimeter boundary of the development. (12779 §8 7/15/87)

5. Significant topographical conditions. Contours shall be indicated at intervals of not more than ten (10') feet. (12779 §8 7/15/87)

6. Lot, Street, and Existing Utility Layout. The proposed pattern of lots, streets, recreation areas, drainage systems, sanitary sewers, and water supply facilities within the development layout. (12779 §8 7/15/87)

1377.02 PRELIMINARY PLAN

A. Format

The Preliminary Plan of a proposed Land Development shall be clearly and legibly drawn to a scale of one (1") inch equals one hundred (100') feet or one (1") inch equals fifty (50') feet unless otherwise approved by the City Engineer. The original drawing, and all submitted prints thereof shall be made on a sheet size not more than twenty-four (24") inches by thirty-

six (36") inches except where special approval is obtained from the City Engineer. Utility plans shall be prepared at a minimum scale of one (1") inch equals fifty (50') feet and shall be on sheet sizes listed below:

1. Storm Sewer - 12" x 21"

2. Sanitary Sewer - 18" x 24"

3. Water Lines - 24" x 36" (12779 §9 7/15/87)

B. Plan Details

The Preliminary Plan shall contain five (5) groups of information: Title block, location map, existing conditions, development design and engineering drawings. The specifications for each group are as follows:

1. Title Block

a. Name of the development, and the notation "Preliminary Plan." (12779 §9 7/15/87)

b. Name(s) and address(es) of the record owner(s) of the tract, and the name, address, registration number and seal of the registered professional who prepared the plan pursuant to Section 1375.01(b). All Final Utility Plans shall be prepared by a registered professional engineer unless this requirement is waived by the City Engineer for minor extensions. (12779 §9 7/15/87)

c. North point, graphic scale, written scale, and date, including the month, day and year that the original drawing was completed, and the month, day and year that the original drawing was revised, for each revision. (12779 §9 7/15/87)

d. The name of the municipality, the ward, and the tax map sheet, block, and lot number corresponding to the development. (12779 §9 7/15/87)

e. The recorded Deed Volume and Page Number of the land to be subdivided. (12779 §9 7/15/87)

2. Location Map

A location map shall be placed on the Preliminary Plan, for the purpose of locating the property being developed, differentiated by tone or pattern, and drawn at a scale large enough to show the development's relationship to existing community facilities and features such as traffic arteries, schools, recreation area, shopping areas, and industrial areas. (12779 §9 7/15/87)

3. Existing Conditions in the Development Design

The existing conditions which shall be shown on the design scheme include:

a. The location and dimensions of all property lines of the property with appropriate bearings, angles and references, and a statement of the total acreage of the property. (12779 §9 7/15/87)

b. Contour lines at vertical intervals of no more than two (2') feet for land with average natural slopes of three (3%) to ten (10%) percent, and at intervals of no more than five (5') feet for land with average natural slope exceeding ten (10%) percent. For slopes of less than one (1%) percent, the City Engineer may require spot elevations at all high and low points and/or a designated survey grid. Existing contours should be represented by dashed lines, proposed contours should be solid lines. Heavier solid lines should be at ten (10') foot intervals. All contour lines shall be based on City datum. (12779 §9 7/15/87)

c. All existing streets, easements, water bodies, tree masses, streams, and other pertinent features such as flood plain areas, railroads, buildings, parks, cemeteries, drainage ditches, bridges, and other significant natural or man-made features within one hundred (100') feet of the boundaries of the proposed development. (12779 §9 7/15/87)

d. Zoning district and proposed changes, if any. (12779 §9 7/15/87)

e. The name of the record owner(s) and all current adjoining property owners. (12779 §9 7/15/87)

f. All dedicated streets and easements including streets of record (recorded but not constructed) within or adjacent to the proposed development, including names, right-of-way widths, cartway widths, and approximate grades. (12779 §9 7/15/87)

g. No plat requiring access to a highway under the jurisdiction of the Pennsylvania Department of Transportation shall be approved unless the plat contains the following note: "A highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), before driveway access to State highway is permitted." (13014 §21 11/7/90)

h. All sewer lines, water lines, fire hydrants, utility transmission lines, and other underground installations which exist within or adjacent to the proposed development. (12779 §9 7/15/87)

4. Proposed Development Design Scheme

a. The tentative location and width of all proposed streets and easements, alleys, and other public ways, and right-of-way and building set back lines. Proposed street names shall also be shown. (12779 §9 7/15/87

b. The tentative location of lots, including approximate lot dimensions and lot numbers, a statement of the total number of lots and parcels, and a statement of the intended use of all nonresidential lots and parcels. (12779 §9 7/15/87)

c. The general location of all proposed water mains, fire hydrants, storm and sanitary sewers, detention facilities, and where possible, public utility and private easement locations. (12779 §9 7/15/87)

1. If water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the Planning Commission, that the subdivision or development is to be supplied by a certified public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area, as appropriate shall be acceptable evidence. (13014 §21 11/7/90)

d. The location and dimensions of all property to be set aside, dedicated, or reserved for public use including, but not limited to parks, playgrounds, and school sites, or other public or private reservation, with designation of purpose thereof, and conditions, if any, of the dedication or reservation. (12779 §9 7/15/87)

e. Sufficient data acceptable to the City Engineer to, determine readily the location, bearing, and length of all lines, and to reproduce such lines upon the ground; the location of all proposed monuments. (12779 §9 7/15/87)

f. Sufficient data where the proposed Land Development lies partially or completely in a certified flood plain area, or where the proposed Land Development borders on a flood plain area. In this event, the Preliminary Plan shall include detailed information giving the tentative location and elevation of proposed roads, public utilities, and building sites. All such plans shall show contours at intervals of two (2') or five (5') feet depending on the slope of the land, and shall identify accurately the boundaries of the flood-prone areas. Additionally, information shall be submitted concerning the 100-year flood elevations, proposed lots and sites, fills, flood or erosion protective measures, and areas subject to special deed restriction. (12779 §9 7/15/87)

g. On the basis of standards promulgated by the Pennsylvania Department of Environmental Resources, the Developer's Engineer shall submit, as part of the Preliminary Plan, tentative computations of the average daily quantity and quality of sanitary sewage flow. Additionally, the developer's engineer shall submit data indicating the ability of the sanitary sewage system to accommodate discharge from the development to be City treatment plant. (12779 §9 7/15/87)

h. Landscape plans. In accordance with the standards promulgated in the prevailing Shade Tree Ordinance.

i. A house numbering plan in accordance with the plans on file in the Office of the City Engineer. (12779 §9 7/15/87)

j. Existing and proposed buildings and appurtenances including parking areas, loading/unloading facilities, driveways, pedestrian ways, refuse disposal areas, etc. (13014 §21 11/7/90)

5. Engineering Drawings

The engineering drawings which shall be submitted on appropriate supplementary sheets are:

a. Tentative street cross-section drawing(s), at intervals approved by the City Engineer, for all proposed streets. (12779 §9 7/15/87)

b. Existing and proposed grades shall be shown along the curb lines of all streets. Grade plans shall be prepared at a scale of one (1") inch equals one hundred (100') feet. (12779 §9 7/15/87)

c. Tentative profiles for each street shown on the site plan, showing the location and typical cross-sections of street pavements, including curbs, rights-of-way, sidewalks, drainage easements, manholes, and catchbasins; the location and size of street trees and street signs; the location, size, and invert elevations of existing and proposed sanitary sewers, storm water drains, and fire hydrants, showing connection to any existing or proposed utility systems, and exact location and size of all water, gas, C.A.T.V., electric, telephone, or other underground or overhead utilities. (12779 §9 7/15/87)

d. A tentative plan for the surface drainage of the tract to be developed, including the upstream watershed contribution and downstream watershed contribution and downstream watershed impact area. Such plan shall include preliminary storm water runoff calculations for the entire area being developed, including adjacent areas within the watershed and shall show the proposed method of accommodating the proposed runoff and indicating individual lot flow direction from the site itself. (12779 §9 7/15/87)

e. Preliminary designs of any bridges or culverts (catchbasins) which may be required. (12779 §9 7/15/87)

1377.03 FINAL PLAN

A. Format

The Final Plan of a proposed Land Development shall be clearly and legibly drawn in ink to a scale of one (1") inch equals one hundred (100') feet or one (1") inch equals fifty (50') feet unless otherwise approved. Reproducible mylar (or equivalent material) shall be the only acceptable material as a base for the Final Plan. If the Final Plan requires more than one (1) sheet, a key diagram showing the relative location of the several sections shall be shown on each sheet. The original drawing and all submitted prints thereof shall be made on a sheet size not more than twenty-four (24") inches by thirty-six (36") inches except where special approval is obtained from the City Engineer. (12779 §10 7/15/87)

Utility plans shall be prepared at a minimum scale of one (1") inch equals fifty (50') feet and shall be on sheet sizes listed below:

1. Storm Sewer - 12" x 21"
2. Sanitary Sewer - 18" x 24"
3. Water Lines - 24" x 36" (12779 §10 7/15/87)

B. Plan Detail

The Final Plan shall contain five (5) groups of information: Title block, location map, development design, engineering drawings, and certifications. Where noted, or where appropriate, data shall be on supplementary sheets. The specifications for each group are as follows:

1. Title Block

a. The name of the development and the notation "Final Plan." (12779 §10 7/15/87)

b. Name(s) and address(es) of the record owner(s) of the tract, and the name, address, registration number and seal of the registered professional pursuant to Section 1375.01(b) who prepared the plan. All Final Utility Plans shall be prepared by a registered professional engineer unless this requirement is waived by the City Engineer for minor extensions. (12779 §10 7/15/87)

c. North point, graphic scale, written scale, and date; including month, date, and year that the original drawing was completed, and the month, date, and year that the original drawing was revised, for each revision. (12779 §10 7/15/87)

d. The name of the municipality, the ward, and the tax map sheet, block, and lot number corresponding to the development. (12779 §10 7/15/87)

e. The total acreage, street acreage, residential lot acreage, acreage in other uses, lineal feet of streets, number of lots, number of dwelling units, and average lot size (residential acreage divided by the number of lots). (12779 §10 7/15/87)

f. The recorded Deed Volume and Page Number of the land to be subdivided. (12779 §10 7/15/87)

2. Location Map

A location map shall be placed on the Final Plan, for the purpose of locating the property being developed, differentiated by tone or pattern and drawn at a scale large enough to show the development's relationship to existing community facilities and features such as traffic arteries, schools, recreation areas, shopping areas, and industrial areas. (12779 §10 7/15/87)

3. Development Design Scheme

The proposed development shall be shown on the design scheme as follows:

a. Total tract boundary lines of the area being developed with accurate distance to hundredths of a foot. Relative error of traverse closure, based on measurements taken in the field, shall have no more than one lineal unit between beginning and ending points for each 20,000 units of the traverse distance (that is, a closure of one (1') foot in twenty thousand (20,000') feet or better. (12779 §10 7/15/87)

b. Location, elevation, and description of all monuments in reference to existing monuments or landmarks or the nearest established street line, including true angles and distances to such reference points or monuments. (12779 §10 7/15/87)

c. The name, cartway and right-of-way width, and accurate location of all existing and proposed streets, within and adjacent to the proposed land development. Whenever a developer proposes to establish a street or streets which shall not be offered for public dedication, such street(s) shall fully conform to City specifications. (12779 §10 7/15/87)

d. Building setback lines along each street, with dimensions showing setback for the street right-of-way. (12779 §10 7/15/87)

e. Name of record owner and all adjoining property owners. (12779 §10 7/15/87)

f. Blocks and lots shall be properly dimensioned and numbered. (12779 §10 7/15/87)

g. A statement of the intended use of all nonresidential lots. (12779 §10 7/15/87)

h. A statement of such current or previously imposed deed restrictions, including building setback lines, as may be imposed upon the property as a condition to sale. (12779 §10 7/15/87)

i. All easements or rights-of-way where provided for or owned by public utilities or services and any limitations on such easements or rights-of-way. (12779 §10 7/15/87)

j. Location, size, and invert elevations of all sanitary and/or storm sewers and location of all manholes, inlets, and catchbasins, other appurtenances and detention facilities (when required by the City Engineer). (12779 §10 7/15/87)

k. Existing and proposed contours at five (5') foot intervals on slopes averaging ten (10%) percent or greater, at two (2') foot intervals for land of ten (10%) percent to three (3%) percent, and one (1') foot intervals for land of less than three (3%) percent. All contour elevations shall be based on City data. Existing contours should be represented by dashed lines, proposed contours should be solid lines, Heavier solid lines should be at ten (10') foot intervals. (12779 §10 7/15/87)

l. Existing City zoning regulations, including district designations, requirements for lot sizes and front yards, and any zoning district boundary lines traversing the proposed development. (12279 §10 7/15/87)

m. Any changes in the existing zoning requested by the developer. (12779 §10 7/15/87)

n. Sufficient data where the proposed Land Development lies partially or completely in a certified flood plain area, or where the proposed Land Development borders on a flood plain area. In this event, the Final Plan shall include detailed information giving the final location and elevation of proposed roads, public utilities and building sites. All such plans shall show contours at intervals of two (2') or five (5') feet, depending on the slope of the land, and shall identify accurately the boundaries of the flood-prone area(s). Additionally, information shall be submitted concerning the 100-year flood elevations, proposed lots and sites, fills, flood or erosion protective measures, and areas subject to special deed restriction. (12779 §10 7/15/87)

o. On the basis of standards promulgated by the Pennsylvania Department of Environmental Resources, the developer shall submit, as part of the Final Plan, final computations of the average daily quantity and quality of the sanitary sewage flow. Additionally, the developer shall submit data indicating the ability of the sanitary sewage system to accommodate discharge from the development to the City treatment plant. (12779 §10 7/15/87)

p. Landscape Plans. In final form, in accordance with the standards promulgated in the prevailing Shade Tree Ordinance. (12779 §10 7/15/87)

q. A house numbering plan in accordance with the plans on file in the Office of the City Engineer. (12779 §10 7/15/87)

r. Delineate City boundary lines where the development is adjacent to or divided by the City Line. (12779 §10 7/15/87)

4. Engineering Drawings

The engineering drawings, in the final form, which shall be submitted on supplementary sheets are:

a. Typical street cross-section drawing(s) for all proposed streets. (12779 §10 7/15/87)

b. Existing and proposed grades shall be shown along curb lines of all existing and proposed streets at a scale of one (1") inch equals one hundred (100') feet. (12779 §10 7/15/87)

c. Profiles along both rights-of-way lines and along the center line of each street. Such profiles shall include the location of all street trees and street signs, all existing and proposed sanitary sewer mains, inlets, manholes and catchbasins, and the exact location and size of all underground and overhead utilities and structures. (12779 §10 7/15/87)

d. Surface drainage facilities for the tract to be developed shall be sized to accommodate potential flows generated within the watershed. Plans shall include final storm water runoff calculations for said area, and the proposed method for accommodating anticipated runoff. (12779 §10 7/15/87)

e. Design of bridges, catchbasins, storm sewers, curbs, paving, crossovers, water mains, sanitary sewers, etc. where provided. (12779 §10 7/15/87)

f. Prior to signing the final record plan, a grade plan mylar (or equivalent material) drawn to scale of one (1") inch equals one hundred (100') feet shall be approved by the City Engineer and recorded in that office. (12779 §10 7/15/87)

5. Certifications

The following certifications (see Appendix A) shall be inscribed and signed on the Final Plan:

a. Certification of Ownership of Record and Dedication. (12779 §10 7/15/87)
b. Surveyor's Certification. (12779 §10 7/15/87)
c. Certification of Planning Commission Approval. (12779 §10 7/15/87)
d. Certification of Other Affected Municipality (if necessary). (12779 §10 7/15/87)
e. Certification of Review by the Joint Planning Commission of Lehigh and Northampton Counties. (12779 §10 7/15/87)

f. Proof of Recording. (12779 §10 7/15/87)
g. Certification of City Engineer. (12779 §10 7/15/87)
h. Notarized Signature. (12779 §10 7/15/87)

1377.04 FINAL PLAN MINOR SUBDIVISION

A. Format

The Final Plan of a proposed Minor Subdivision shall be clearly and legibly drawn in ink to a scale of one (1") inch equals one hundred (100') feet or more (1") inch equals fifty (50') feet unless otherwise approved. Reproducible mylar (or equivalent material) shall be the only acceptable material as a base for the Final Plan. The original drawing and all submitted prints thereof shall be made on a sheet size not more than twenty- four (24") inches by thirty-six (36") inches except where special approval is obtained from the City Engineer. (12779 §11 7/15/87)

Utility plans shall be prepared at a minimum scale of one (1") inch equals fifty (50') feet and shall be on sheet sizes listed below:

1. Storm Sewer - 12" x 21"
2. Sanitary Sewer - 18" x 24"
3. Water Lines - 24" x 36" (12779 §11 7/15/87)

B. Plan Detail

The Final Plan shall contain the following information:

1. Title Block

a. The name of the development and the notation "Final Minor Subdivision Plan." (12779 §11 7/15/87)

b. Name(s) and address(es) of the record owner(s) of the tract, and the name, address, registration number and seal of the registered professional who prepared the plan pursuant to Section 1375.01(b). (12779 §11 7/15/87)

c. North point, graphic scale, written scale, and date; including month, date and year that the original drawing was completed, and the month, date and year that the original drawing was revised, for each revision. (12779 §11 7/15/87)

d. The name of the municipality, the ward, and the tax map sheet, block and lot number corresponding to the development. (12779 §11 7/15/87)

2. Tract boundary lines, right-of-way lines of streets, street names, easements, existing and proposed and other rights-of-way, all lot lines, existing and proposed, with accurate dimensions, bearings, or deflection angles, radii arcs, and central angles of all curves shall be referenced to the nearest intersecting public street. (12779 §11 7/15/87)

3. If a subdivision abuts a Pennsylvania Department of Transportation highway, the following note shall be added to the plan: "A highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), before driveway access to a State highway is permitted." (13014 §22 11/7/90)

4. The purpose of any easement or land reserved or dedicated to public use shall be designated. (12779 §11 7/15/87)

5. Minimum front, side and rear building setback lines on each lot and on all other sites in the proposed subdivision. (12779 §11 7/15/87)

6. Location and description of all monuments. (12779 §11 7/15/87)
7. Names of adjoining landowners. (12779 §11 7/15/87)

8. Acreage of the tract to be subdivided to nearest tenth of an acre. (12779 §11 7/15/87)

9. Existing zoning shall be noted on the plan. (12779 §11 7/15/87)

10. Existing and proposed surface drainage including contours. (12779 §11 7/15/87)

11. Existing and proposed water, sanitary sewer, storm sewer, curb, sidewalks, and streets abutting or required to serve property in question. (12779 §11 7/15/87)

12. Existing and proposed structures. (12779 §11 7/15/87)

1377.05 AS BUILT PLANS

Upon completion of a Land Development or upon completion of an approval stage of sectionalized Land Development, the developer shall prepare and submit a mylar (or equivalent material) copy of the As-Built Utilities Plan of the land development, in Final Plan detail with appropriate computations of locations and dimensions of completed improvements. The submission of the As-Built Utilities Plan shall be regarded as prerequisite to final City inspection of the site, and as prerequisite to the developer's release from surety. The developer shall pay all City inspection fees incurred which shall be included as part of the Land Development Agreement. (12369 §1 7/18/79)

ARTICLE 1379
REQUIREMENTS FOR IMPROVEMENT AND DESIGN

1379.01 General Improvements
1379.02 Lot Improvements
1379.03 Streets
1379.04 Storm Drainage System
1379.05 Sanitary Sewage Facilities
1379.06 Water Supply and Fire Hydrants
1379.07 Curbs and Sidewalks
1379.08 Easements
1379.09 Preservation of Natural Features and Amenities

1379.01 GENERAL IMPROVEMENTS

A. Conformance to Applicable Rules and Regulations

The following standards are the minimum requirements for the promotion of public health, safety, general welfare and City beauty and shall be applied as such by the Planning Commission in evaluating all development plans. Whenever other municipal regulations impose more restrictive standards and requirements than those contained herein, those municipal regulations shall control. In addition to the requirements established herein, all Land Development Plans shall comply with the following laws, rules and regulations:

1. All applicable State statutes and regulatory provisions.

2. The prevailing City zoning, housing, building and health codes.

3. The official Master Plan, Public Utilities Plan, and Capital Improvements Program of the City.
4. The regulations of the Pennsylvania Department, of Transportation (PennDOT) if the development, or any lot contained herein abuts a State highway or connecting street.

5. Standards and regulations promulgated by the City Engineer, and appropriate City staff and officials.

6. Plan approval may be withheld if a development is not in conformity with the above guides or policy and purpose of these regulations established in Articles 1371.02 and 1371.03 of this Ordinance. (12369 §1 7/18/79)

B. Monuments

The developer shall place permanent reference monuments in the development as required herein and as approved by the City Engineer.

1. Monuments shall be located on street right-of-way lines, at street intersections, angle points of curve and block corners. They shall be spaced so as to be within sight of each other, the sight line being wholly contained within the streets limits.

2. Monuments shall be located at the intersection of all lines in the internal and external boundaries (perimeters) of all property being developed.

3. All such monuments shall be set flush with the ground and planted in such a manner that they will not be removed by frost. (12369 §1 7/18/79)

C. Character of the Land

Land which the City finds to be unsuitable for development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the development or its surrounding areas, shall not be developed unless adequate methods are formulated by the developer and approved by the Planning Commission, upon recommendation of applicable reviewing agencies to solve the problems created by the unsuitable land conditions. Such land shall otherwise be set aside for uses as shall not involve such a danger. (12369 §1 7/18/79)

1379.02 LOT IMPROVEMENTS

A. Lot Arrangement

The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions in securing building permits to build on all lots in compliance with the Zoning Ordinance and Health Regulations and in providing access to buildings on such lots from approved streets. (12779 §12 7/15/87)

B. Lot Dimensions

Lot dimensions shall comply with the minimum standards of the Zoning Ordinance as to area and dimensions, adequacy of space and grade. The shape of the lots shall avoid excessive depth in relation to width. Pointed or very irregular shaped lots shall be avoided, and the Planning Commission may refuse approval of a plan where such are proposed. In general, site lot lines shall be at right angles to street lines (or radial to curving street lines) unless a variation from the rule will give a better street or lot plan. Where feasible, lot lines shall follow municipal boundaries, such boundaries preferably coinciding with rear property line, and in all cases, so that the building will be wholly within one municipality. The depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated, as established in the Zoning Ordinance. (12779 §12 7/15/87)

C. Lot Frontage and Access to Lots

1. Double or reverse frontage lots shall be prohibited except, where essential, to provide separation or residential development from arterial streets or to overcome specific disadvantages of topography or orientation. (12779 §12 7/15/87)

2. Lots shall not, in general, derive access exclusively from an arterial street. Where a driveway access from an arterial or collector street may be necessary for several adjoining lots, the Planning Commission may request that such lots be served by a combined access street in order to limit possible traffic hazards on such street. Where possible, driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic on arterial or collector streets. (12779 §12 7/15/87)

3. Where land has been dedicated for a widening of existing streets, lots shall begin at such new street line (right-of-way) and all setbacks shall be measured from such line. (12779 §12 7/15/87)

4. All new lots shall have frontage on a public street which connects to other existing public streets. (12779 §12 7/15/87)

D. Lot Grading

All lots shall be graded toward the frontage road beginning at the front wall of the dwelling structure. No openings to buildings shall be less than one (1') foot above the curb elevation. This procedure shall prevail in all cases except where topography or the saving of trees makes this undesirable in the opinion of the City. (12779 §12 7/15/87)

E. Protection Devices

Each developer shall be required to furnish and install protective devices such as but not limited to: fences, guard rails, walls and street barricades whenever the Planning Commission or the City Engineer determines that a hazardous condition may exist. Such protective devices shall be constructed to standards established by the City Engineer and shall be noted as to height and material on the Final Plan. No certificate of occupancy shall be issued until said improvements are duly installed. (12779 §12 7/15/87)

F. Off-Street Parking

All subdivisions and land developments involving new residential lots other than those for single-family detached residences, shall be designed so as to provide for rear-yard parking. Exceptions may be granted in cases where the requirement would impose unnecessary hardship due to existing physical or topographical conditions. The Planning Commission shall grant exception for Major Subdivisions. A committee composed of the City Engineer, the Traffic Engineer and the Planning Director shall grant exceptions for Minor Subdivisions. (12779 §23 7/15/87)

1379.03 STREETS

A. General Requirements

1. Streets

The location and width of all streets shall conform to City Ordinances, Block Plans and Plans of Record. (12779 §13 7/15/87)

2. Grading and Improvements Plan

Materials and construction standards for streets, curbs, gutters, storm and sanitary sewers and sidewalks shall conform to City standards, and construction and installation of facilities shall conform to City specifications and be subject to inspection by the City Engineer. (12779 §13 7/15/87)

3. Topography and Arrangement

a. Streets shall be logically related to the topography so as to produce reasonable grades. All streets shall be arranged so as to obtain as many building sites as possible at, or above, the grades of the streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided. (12779 §13 7/15/87)

b. The proposed street system shall extend existing or recorded streets at the same width or wider as deemed necessary by the City, but in no case at less than the required minimum width. (12779 §13 7/15/87)

c. All thoroughfares shall be properly related to special traffic generators such as industries, business districts, schools, churches, and shopping centers to population densities; and to the pattern of existing and proposed land uses. (12779 §13 7/15/87)

d. New half, or partial, streets shall not be permitted except where essential to reasonable development of a tract, and where, in addition, satisfactory assurance for dedication of the remaining part of the street shall be secured. (12779 §13 7/15/87)

e. Whenever a proposed development borders on existing half or partial street, the other part of the street shall be plotted within the proposed development. (12779 §13 7/15/87)

f. Where a development abuts an existing street of improper width or alignment, the City may require the dedication of land within the subject development sufficient to widen the street or correct the alignment. (12779 §13 7/15/87)

g. Where, in the opinion of the City Engineer, it is desirable to provide for street access to adjoining property, street stubs shall be extended by dedication to the boundary of such property. (12779 §13 7/15/87)

h. In business or industrial developments, the streets and other accessways shall be planned in connection with the grouping of buildings, location of rail facilities, and the provision of alleys, truck loading and maneuvering areas, and walks and parking areas so as to minimize conflict of movement between the various types of traffic, including pedestrian. (12779 §13 7/15/87)

4. Blocks

In general, intersection streets determine block length. The size and pattern of blocks shall be designed to meet the following:

a. The length, width, and shape of blocks shall be determined with due regard to the provision of adequate sites for buildings of the type proposed, existing patterns, zoning requirements, topography, and the requirements for safe and convenient vehicular and pedestrian circulation. (12779 §13 7/15/87)

b. Blocks shall not exceed, normally one thousand (1,000') feet in length nor be less than five hundred (500') feet in length. In the design of blocks longer than one thousand (1,000') feet, special consideration shall be given to the requirements of satisfactory fire protection. Where practicable, blocks along arterial and collector streets shall not be less than one thousand (1,000') feet long. (12779 §13 7/15/87)

c. Pedestrian crosswalks may be required to facilitate pedestrian circulation and give access to community facilities. Such crosswalks shall conform to City standards. (12779 §13 7/15/87)

d. Blocks in commercial and industrial areas may vary from the elements or design detailed above as the City finds necessary for the protective use, including adequate provision for off-street parking and loading areas as well as for traffic circulation and parking for employees and customers. (12779 §13 7/15/87)

5. Street Names

Street names shall not duplicate or closely approximate, phonetically, the names of existing streets in the City, except that streets which are in obvious alignment with existing streets shall generally bear the name of the existing street. (12779 §13 7/15/87)

6. Street Regulatory Signs

Street signs are to be placed within the development, the type and location of which are to be approved by the City Traffic Engineer. (12779 §13 7/15/87)

7. Street Lights

Street lights shall be required in accordance with design and specification standards promulgated by the Pennsylvania Power and Light Company (P.P.& L.). (12779 §13 7/15/87)

8. Reserve Strips

The creation of reserve strips shall not be permitted adjacent to a proposed street in such a manner as to deny access from adjacent property to such street. (12779 §13 7/15/87)

B. Design Standards

1. General

In order to provide for roads of suitable location, width and improvement to accommodate prospective traffic and afford satisfactory access to police, firefighting, snow removal, sanitation, and road maintenance equipment, and to

coordinate roads so as to compose a convenient system and avoid undue hardships to adjoining properties, the following design standards for roads are hereby required except where standards may be waived at the discretion of the City Engineer.

a. Street Width and Grade

1. Street right-of-way and cartway width shall not be less than as follows and street grades, in general, shall not exceed the following, with due allowance for reasonable vertical curves:

Classification	Street Width (feet) R/W	Cartway No.	Traffic Lanes No.	Width (feet)	Maximum Grade (%)
Arterial	80	48	4	12	5
Collector	60	36	2	10	10
Local	50	34	2	10	10
Service	33	24	2	12	10
Alley					
(Public)	24	16	8	10	
(Private)	16	16	2	8	10
Street	24	24	12	10	

(12779 §13 7/15/87)

2. Additional right-of-way and cartway widths may be required by the City Engineer for the purposes of promoting the public safety and convenience or to provide parking in commercial and industrial developments. (12779 §13 7/15/87)

3. Streets at a grade of 10% shall not exceed three hundred (300') feet in length. (12779 §13 7/15/87)

4. Minimum grade on any street shall not be less than .75%. (12779 §13 7/15/87)

b. Street Alignment: The horizontal and vertical alignment on all streets shall be as follows:

1. Horizontal curves: The minimum radius at the center line of the street and the super-elevation design where applicable for horizontal curves shall be:

Classification	**Superelevation (mph) Max = 0.06**	**Radius (feet)**
Arterial	45	575
Collector	35	325
Local	--	250

(12779 §13 7/15/87)

2. Sight Distance: Adequate sight distance shall be provided with respect to both horizontal and vertical curves.

Classification	**Distance (feet)**
Arterial	350
Collector	275
Local	200

(12779 §13 7/15/87)

3. Vertical Curves: At all changes in street grades where the algebraic difference exceeds one (1%) percent vertical curves shall be provided to permit the following minimum sight distances:

Classification	**Distance (feet)**
Arterial	600
Collector	300

Local	200

(12779 §13 7/15/87)

c. Street Intersections: Intersections shall be planned to meet the following:

1. Streets shall intersect at an angle of ninety (90) degrees, or as nearly as possible at right angles. The angle of intersection shall be measured at the intersection of street center lines. (12779 §13 7/15/87)

2. Multiple intersections involving the junction of more than four (4) streets shall be prohibited. (12779 §13 7/15/87)

3. At street intersections, street right-of-way lines shall be parallel to curb arcs with a minimum radius shown as follows:

Street curb intersections or roadway intersections shall be rounded with curve having radius in accordance with the following tabulation:

Intersecting Streets	**Minimum Curb Radius**
Arterial with collector or local	35 feet
Collector and local	12 feet
Local and local	8 feet
Local/service and existing service	6 feet

(12779 §13 7/15/87)

The radii shown above may be increased to suit field conditions if deemed necessary by the City Engineer. Intersections occurring at angles other than 90 shall be rounded with a curb having a radius length acceptable to the City Engineer. (12779 §13 7/15/87)

4. Intersections with arterial or collector streets shall be not less than one thousand (1,000') feet apart, measured from centerline to centerline along the centerline of the arterial or collector street. Local streets intersecting with collector or service streets shall be at least three hundred (300') feet apart. (12779 §13 7/15/87)

5. Streets entering opposite sides of another street shall be laid out either directly opposite each other or with a minimum offset of one hundred fifty (150') feet between their centerlines. (12779 §13 7/15/87)

6. Intersections shall be approached on all sides by a straight leveling area, the grade of which shall not exceed five (5%) percent within fifty (50') feet from the intersection of street centerlines. Vertical curves shall then be used to connect the intersecting grades. (12779 §13 7/15/87)

7. Clear sight triangles shall be provided at all street intersections. Within such triangles, no vision obstructing object shall be permitted which exceeds a height of thirty (30") inches above the elevation of the intersecting streets. Such triangles shall be established from a distance of seventy-five (75') feet from the point of intersection of the centerlines to all streets. (12779 §13 7/15/87)

8. Tangential distances between reverse curves shall be a minimum of five hundred (500') feet for arterial three hundred fifty (350') feet for collector and one hundred (100') feet for a local street. The tangent distance between the curve at a right angle intersection and a street curve shall be not less than thirty (30') feet. (12779 §13 7/15/87)

d. Cul-de-sac Streets: Dead-end streets shall be planned to meet the following:

1. Dead-end streets are prohibited, unless designed as a cul-de-sac or other acceptable geometry designed for access exclusively to adjoining properties. (12779 §13 7/15/87)

2. Any street dead-ended for access to an adjoining tract or because of authorized stage development shall be authorized stage development shall be provided with a temporary, all-weather turnaround, within the subdivision, and the use of such turnaround shall be guaranteed to the public until such time as the street is extended. (12779 §13 7/15/87)

3. Cul-de-sac, permanently designed as such, shall not exceed five hundred (500') feet in length. The closed end, whether for permanently or temporarily designed cul-de-sac streets as such, shall have a fully paved turnaround; its minimum radius to curb line shall be fifty (50') feet. (12779 §2113 7/15/87)

4. The centerline grade on a cul-de-sac street shall not exceed ten (10%) percent, and the grade of the diameter of the turnaround shall not exceed five (5%) percent. (12779 §13 7/15/87)

e. Service Streets: Except where other adequate provision is made for off-street loading and parking consistent with the use proposed, service streets shall be required in commercial and industrial districts and shall have a minimum right-of-way of thirty-three (33') feet and a paved width of twenty-four (24') feet. (12779 §13 7/15/87)

f. Alleys shall be planned to meet the following:

1. Alleys are prohibited in subdivisions for single-family detached residences, except where required to avoid direct driveway access to arterial streets or collector streets. (12779 §13 7/15/87)

2. Where permitted, alleys in residential developments shall have a minimum paved width of sixteen (16') feet. (12779 §13 7/15/87)

3. Dead-end alleys are prohibited. However, where suitable turnaround provisions are provided, the City Engineer may grant exceptions. (12779 §13 7/15/87)

4. Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be rounded or cut back sufficiently to permit safe vehicular circulation. (12779 §13 7/15/87)

1379.04 STORM DRAINAGE SYSTEM

A. Purposes

Storm drainage systems shall be provided in order to:

1. Permit unimpeded flow of natural watercourses as modified by storm water detention facilities or open channels as provided for herein. (12779 §14 7/15/87)

2. Ensure adequate drainage of all low points along the line of streets. (12779 §14 7/15/87)

3. Intercept storm water runoff along streets at intervals related to the extent and grade of the area drained. (12779 §14 7/15/87)

4. Provide positive drainage away from on-site sanitary sewage disposal systems. (12779 §14 7/15/87)

5. Take surface water away from the bottom of vertical grades, lead water from springs and avoid excessive use of cross gutters at street intersections and elsewhere. (12779 §14 7/15/87)

6. Provide that the peak runoff rate at all points of discharge from the site, when developed, will not exceed the peak runoff rate at each of those points prior to development for a one (1), five (5), ten (10), twenty-five (25) and fifty (50) and one hundred (100) year storm. In cases where a proposed land development cannot accommodate a detention facility, or if a detention facility is not feasible in the opinion of the City Engineer, the developer shall pay a prorated fee to the City for storm water management in lieu of actual on-site detention. (12779 §14 7/15/87)

B. General Requirements:

1. A site drainage plan for the proposed development tract shall be prepared which illustrates the following information:

a. Mapping of the watershed area or areas including existing and proposed development is located. (12779 §14 7/15/87)

b. Calculations of runoff before and after development for all points of runoff concentration. (12779 §14 7/15/87)

c. Complete drainage systems for the development. All existing drainage features which are to be incorporated in the design shall be so identified. If the development is to occur in stages, a general drainage plan for the entire development shall be presented with the first stage and appropriate development stages for the drainage system shall be indicated. (12779 §14 7/15/87)

2. The existing points of natural drainage discharge onto adjacent property shall not be altered without the written approval of the affected landowners. (12779 §14 7/15/87)

3. No storm water runoff or natural drainage shall be so diverted as to overload existing drainage systems, or create flooding or the need for additional drainage structures on other private properties or public lands, without approved provisions being made by the developer for properly handling such conditions. (12779 §14 7/15/87)

4. Storm drainage facilities shall be designed to convey through the land development the peak runoff that will ultimately occur from the watershed. The calculation of this runoff shall take into account the potential land use and development including runoff controls in effect in a tributary area. (12779 §14 7/15/87)

5. Where a development is traversed by a watercourse, there shall be provided a drainage easement conforming substantially with the line of such watercourse, and of such width as will be adequate to provide for unimpeded flow of storm runoff based on calculations made in conformance with standards promulgated in this Article and to provide a free board allowance of one-half (½') foot above the design surface water level. The terms of the easement shall prohibit excavation, the placing of fill or structures, and any alterations which may adversely affect the flow of storm water within any portion of the easement. Also, periodic cutting of vegetation and maintenance in all portions of the easement shall be required. (12779 §14 7/15/87)

6. Drainage facilities that are located on State Highway rights-of-way shall be approved by the Pennsylvania Department of Transportation and a letter indicating such approval shall be directed to the City Engineer. (12779 §14 7/15/87)

7. All streets shall be so designed as to provide for the discharge of surface water away from their centerline. The slope of the crown on proposed streets shall conform to City standards. (12779 §14 7/15/87)

8. Where it is deemed necessary in the opinion of the City Engineer to prevent increased runoff from a property to be developed, on-site detention facilities shall be provided. The design of such facilities shall be attached to the plan and submitted to the City Engineer for review and approval. Such site detention facilities shall be owned, operated, and maintained by the owner. (12779 §14 7/15/87)

9. When it can be shown to the satisfaction of the City Engineer that, due to topographic conditions, natural drainage swales on the site cannot adequately provide for drainage, open channels may be constructed conforming substantially to the line and grade of such natural drainage swales. Capacities of open channels shall be calculated using the Manning equation or other acceptable engineering equation as approved by the City Engineer. (12779 §14 7/15/87)

10. Storm drainage facilities and appurtenances shall be so designed and provided as to minimize erosion in watercourse channels and at all points of discharge. (12779 §14 7/15/87)

11. Inlets shall be spaced to collect design flows from the catchment areas allowing 10% maximum bypass. In no instance shall inlet spacing be greater than four hundred (400') feet. (12779 §14 7/15/87)

C. Storm Detention Facilities

The following design notes and provisions shall be adhered to on all storm water detention plans:

1. A letter from the Soil Conservation Service stating approval of the facility is to be received by the City. (12779 §14 7/15/87)

2. A subsurface soils investigation is to be done, with special emphasis on identifying sinkholes. (12779 §14 7/15/87)

3. The depth of the water table in the area of the detention pond shall be noted. (12779 §14 7/15/87)

4. The entire detention basin is to be stripped. (12779 §14 7/15/87)

5. The pond is to be crownvetched, including the bottom and all sides of the embankment. (12779 §14 7/15/87)

6. All earth fill shall be free from brush, roots and other organic material. (12779 §14 7/15/87)

7. Minimum top width of embankment shall be eight (8') feet. (12779 §14 7/15/87)

8. The bottom of the pond is to be sloped towards the outlet structure. (12779 §14 7/15/87)

9. Rip rap is to be installed below all inflow and outflow pipes to minimize erosion. (12779 §14 7/15/87)

10. There is to be reinforcement steel in all concrete structures. (12779 §14 7/15/87)

11. A concrete cradle is to be provided for the outlet pipe. (12779 §14 7/15/87)

12. All construction joints are to be watertight. (12779 §14 7/15/87)

13. An impervious central core is to be constructed in the embankment to be made of a compacted clay material. (12779 §14 7/15/87)

14. The cutoff trench in the embankment is to be excavated to impervious subsoil or bedrock. (12779 §14 7/15/87)

15. The contractor shall maintain the detention basin to design dimensions throughout construction, unless pond is to be used as a siltation basin during development of the site. If the pond is to be used as a siltation basin, it shall be returned to design dimensions following the completion of construction. (12779 §14 7/15/87)

16. Maintenance of the detention basin shall be made part of the Land Development Agreement between the developer and the City. (12779 §14 7/15/87)

17. Detail and section shall be provided for the outlet risers on the detention basin. Sectional view is also required for the spillway. (12779 §14 7/15/87)

18. Design calculations for the detention basin shall be submitted to the City Engineer's office. (12779 §14 7/15/87)

19. The developer shall demonstrate that such ponds are designed, protected and located to assure that public safety is maximized and health problems are prevented. All protective devices shall be adequately screened either by landscaping or another alternative method acceptable to the City Engineer. (12779 §14 7/15/87)

20. Overflow shall be controlled to prevent property damage. (12779 §14 7/15/87)

D. Calculations of Runoff and Design Storm Frequency

1. Storm drainage facilities required by this Article shall be designed to provide protection from a 10 to 100 year storm as determined by the City Engineer. A 10 year design storm would be appropriate where a storm in excess of the design storm would have minor impact such as inconvenience to traffic on local streets. A 100 year design storm would be appropriate where a storm in excess of the design storm would cause damage to existing or future structures or their contents. Detention ponds shall be designed for a 25 to 100 year storm as determined by the City Engineer to store all increased flows generated from development for storms of one (1), five (5), ten (10), twenty-five (25), fifty (50), and one hundred (100) year frequency as determined by the City Engineer. Outlet structures shall address the staged release of pre-development out flows for each storm aforementioned. (12779 §14 7/15/87)

2. Storm water runoff from watersheds of 200 or less acres shall be calculated by rational method as described in Manual Number 37 of the American Society of Civil Engineers. (12779 §14 7/15/87)

3. Rainfall intensity duration frequency shall be used as developed by Joint Planning Commission of Lehigh and Northampton Counties. (12779 §14 7/15/87)

4. Storm water runoff from watersheds of more than 200 acres shall be calculated using soil cover complex method developed by the Soil Conservation Service or other appropriate method acceptable to the City Engineer. (12779 §14 7/15/87)

5. Complete detailed drainage and detention calculations shall be submitted to the City Engineer, certified by a Registered Professional Engineer. (12779 §14 7/15/87)

6. All storm drainage calculations shall use equations, coefficients and other engineering data contained in Storm Drainage Runoff Calculation Standards of the City Engineer's Office. (12779 §14 7/15/87)

E. Improvement Specifications for Storm Drainage Systems

1. Storm drainage systems shall be installed in accordance with the design standards and requirements set forth in Article 1379.04 of this Article and standard City specifications. (12779 §14 7/15/87)

2. In streets, inlets shall normally be located along the curb line and at the end of the curb radius points. For the purpose of inlet location at corners, the depth of flow shall be considered for each gutter. At intersections, the depth of flow across through streets shall not exceed one (1") inch. The Manning Equation shall be used to calculate the capacities of gutters. Inlets shall be depressed two (2") inches below the grade of the gutter or ground surface. Manholes may be substituted for inlets at locations where inlets are not required to handle surface runoff. (12779 §14 7/15/87)

3. Storm sewers shall be required to have a minimum diameter of fifteen (15") inches and shall be made of reinforced concrete unless otherwise noted by the City Engineer. Sewers shall be installed in sufficient slopes to provide a minimum velocity of three (3') feet and a maximum of fifteen (15') feet per second. Where outlet velocities exceed five (5') feet per second, approved energy dissipators and/or outlet protection shall be designed and installed. (12779 §14 7/15/87)

4. Materials and construction requirements shall meet specifications and procedures acceptable to the City Engineer. (12779 §14 7/15/87)

1379.05 SANITARY SEWAGE FACILITIES

A. General Requirements

The developer shall install sanitary sewer facilities in a manner prescribed by City construction standards and specifications. All plans shall be designed in accordance with the rules, regulations, and standards of the City Engineer, the Pennsylvania Department of Environmental Resources (PA-DER), and other appropriate agencies. Plans shall be approved by the above agencies. The developer shall prepare all applications required for obtaining PA-DER Permits and pay all required fees. (12779 §15 7/15/87)

B. Individual Disposal System Requirements

If public sewer facilities are not available and individual disposal systems are proposed, minimum lot areas shall conform to the requirements of the Zoning Ordinance and percolation tests and test holes shall be made as directed by the city Sewage Enforcement Officer. The individual disposal system, including the size of the septic tanks and size of the tile fields or other secondary treatment device, shall also be approved by the Sewage Enforcement Officer. (12779 §14 7/15/87)

1379.06 WATER SUPPLY AND FIRE HYDRANTS

A. The developer shall install a water distribution system in a manner prescribed by City construction standards and specifications for materials and workmanship. The system shall be designed to furnish an adequate supply of water to each lot with adequate main sizes and fire hydrant locations to meet the requirements of the Insurance Services Office and City standards for a protected area. (12369 §1 7/15/79)

B. In commercial districts there will be one or more hydrants, dependent upon the required fire flow, at each street intersection with intermediate hydrants so that they are not over three hundred (300') feet apart. (12369 §1 7/18/79)

C. In residential districts there will be a hydrant at each street intersection with intermediate hydrants so that they are not over five hundred (500') feet apart. (12369 §1 7/18/79)

1379.07 CURBS AND SIDEWALKS

Curbs and sidewalks shall be installed in accordance with the specifications of the City Bureau of Engineering and applicable City specifications and ordinances. (12369 §1 7/18/79)

1379.08 EASEMENTS

A. Utility Easements

Easements shall be provided for all utility facilities, including but not limited to gas, electric power, telephone, and CATV cables as well as sewers, storm drains, and water mains. An easement of at least twenty (20') feet shall be provided along side of or in the rear of the lots, appropriately labeled GENERAL UTILITY EASEMENTS. (12779 §16 7/15/87)

B. Drainage Easement

Adequate easement shall be provided along every watercourse, swale, drainage channel, or stream within a land development. (12779 §16 7/15/87)

C. Slope Easement

Whenever a proposed development affects an existing street in such a way that present or future grading of such street's full right-of-way width will necessitate cuts and fills on adjoining property, a slope easement on such adjoining property shall be required. (12779 §16 7/15/87)

D. Minimum Distance between Utility Line and Building

There shall be a minimum distance of twenty-five (25') feet, wherever possible, measured in the shortest distance, between each proposed dwelling unit and all utilities or as otherwise approved by the City Engineer. (12779 §16 7/15/87)

1379.09 PRESERVATION OF NATURAL FEATURES AND AMENITIES

General: Existing features which would add value to residential development or to the City as a whole, such as trees, as herein defined, watercourses, historic spots, and similar irreplaceable assets, shall be preserved in the design of the development. The Preliminary Plan shall show the number and location of existing trees, as required herein and shall further indicate all those marked for retention, and the location of all proposed shade trees required along the street side of each lot as required by the Shade Tree Ordinance. (12369 §1 7/18/79)

APPENDIX A
CERTIFICATIONS REQUIRED FOR MAJOR SUBDIVISIONS AND LAND DEVELOPMENTS

Certification of Owner of Record and Dedication

I (we), the undersigned, being the owner(s) in peaceful possession of the land herein platted and being that there are no suits pending affecting the title of the same, do hereby adopt this plan of property situated in _____, Lehigh County, Pennsylvania, (and dedicated to the use of the public forever all land for public purposes shown hereon).

The foregoing adoption (and dedication) is made by me (us) with the full understanding and agreement that the approval by the Allentown City Planning Commission, if hereto attached, will become null and void unless this Plan is recorded in the Recorder of Deeds Office of Lehigh County, Pennsylvania, within ninety (90) days of the date of said approval.

_____

Signature of Owner

_____

Signature of Owner

NOTARIZATION

Sworn and subscribed before me this_____ day of _____, A.D. 19

(legible impression of notary seal)

_____
Notary Public

My Commission Expires: _____

SURVEYOR'S CERTIFICATION

I hereby certify that this plan has been compiled from a survey actually made, on the ground, that it is correct and at the time the survey was made, there were no easements or encroachments across property lines, other than those shown.

_____ _____Registered Surveyor Date
(Seal)

CERTIFICATION OF THE LEHIGH VALLEY PLANNING COMMISSION

Lehigh Valley Planning Commission. REVIEW

Reviewed by the Lehigh Valley Planning Commission

_____ _____Planner Date

PLANNING COMMISSION APPROVAL

The within plot or plan of land located in Allentown, Lehigh County, Pennsylvania, was approved by the Allentown City Planning Commission.

_____Chairman Date

_____Planning Director Date

_____Secretary Date

Approved: _____ Date
City Engineer

CERTIFICATION OF OTHER AFFECTED MUNICIPALITY (If Necessary)

At a meeting held on _____, the Council Supervisors of _____ ,

by Resolution/Ordinance No. _____ duly enacted, approved the Subdivision and/or Land Development Plan of the property of

_____ _____

as shown herein. (Record Owner)

APPENDIX B
CERTIFICATION REQUIRED FOR
MINOR SUBDIVISIONS

OWNER'S CERTIFICATION

We the undersigned being duly sworn according to law depose and say that we are the sole owners of the tract shown hereon in peaceful possession of the same and that there are no suits or actions pending or affecting the same.

NOTARIZATION

Sworn and subscribed before me this _____day of _____, A.D. 19_____.

(Legible impression of Notary Seal)

_____
Notary Public
My Commission Expires:

PLANNING APPROVAL

By authority vested in me by the City Planning Commission, I hereby certify that this subdivision meets its requirements.

_____
Director Date:_____

Approved:_____ Date:

_____
City Engineer

SURVEYOR'S CERTIFICATION

I hereby certify that this plan has been compiled from a survey actually made, on the ground, that it is correct, and at the time the survey was made, there were no easements or encroachments across property lines, other than those shown.

_____Date Registered
Surveyor

(SEAL)

CERTIFICATION OF LEHIGH VALLEY
PLANNING COMMISSION

Reviewed by the Lehigh Valley Planning Commission.

Reviewed by:_____
Planner Date

PROOF OF RECORDING

Plan recorded in the Office of the Recorder of Deeds of Lehigh County, Pennsylvania, in Docket ID_____on the _____ _____day of_____20_____.

Witness my hand and seal of office this _____day of _____20_____

_____
WITNESS

_____
Recorder of Deeds

_____
May 28, 2003

_____