

Appendix A: Bibliography of Key Reference Material

PENNSYLVANIA LAND USE CONTROLS

Center for Local Government Services Planning Series:

- Local Land Use Controls
- The Planning Commission
- The Comprehensive Plan
- Zoning
- The Zoning Hearing Board
- Special Exceptions, Conditional Uses, and Variances
- Subdivision and Land Development
- The Zoning Officer
- Reducing Land Use Barriers to Affordable Housing
- Technical Information on Floodplain Management

Each Planning Series guidebook provides an overview of important planning activities and legal powers established through the Municipalities Planning Code. They are posted on line at the DCED web site.

Montgomery County Planning Commission. 2006. Advisory Guidelines for the Montgomery County Comprehensive Plan.

As part of the implementation of the 2005 Montgomery County Comprehensive Plan, Design Guidelines have been provided to create a framework for zoning and subdivision and land development ordinances to be developed by local municipalities.

Coughlin, Robert E., Joanne Denworth, John C. Keene, John W. Rogers and Robert Brown. 1991. Guiding Growth: Building Better Communities and Protecting Our Countryside, Pennsylvania Environmental Council.

This handbook provides a vast array of critical information on the environment, design, legal, and practical aspects of growth management for local municipalities in Pennsylvania. It is a guide to good community development under existing laws with the use of currently available tools.

These publications can be accessed on the DCED website: <http://www.newpa.com/get-local-gov-support>

The guidelines and other MCPC publications are available at <http://www.montcopa.org/planning>

SUBDIVISION AND LAND DEVELOPMENT DESIGN

Hammer Center. 2007. Pennsylvania Standards for Residential Site Development, Pennsylvania Housing Research/ Resource Center

The Hammer Center produced this comprehensive resource guide to the development of residential subdivisions and land developments. It addresses site considerations and provides detailed design guidelines for residential streets, pedestrian and bicycle circulation, parking, stormwater facilities, wastewater facilities, potable water systems, and other utilities.

Arendt, Randall. 1996. Designing Open Space Subdivisions, Island Press.

This book uses various case studies to explain a 4-step subdivision process that can produce developments that are built upon conservation and open space considerations.

Ewing, Reid. 1996. Best Development Practices, Planners Press, American Planning Association.

Though originally written as a manual for development within Florida, this well illustrated guide provides simple straight forward design principles that could be applied to development projects in Pennsylvania. This book is particularly handy as a guide for large scale development.

Listokin, David and Carole Walker. 1989. The Subdivision and Site Plan Handbook, Center for Urban Policy Research at Rutgers University.

This handbook provides an overall description of various elements commonly addressed in subdivision and land development codes. It also includes a model subdivision and land development code.

Center for Watershed Protection. 1998. Better Site Design: A Handbook for Changing Development Rules in Your Community, Center for Watershed Protection, Ellicott City, MA (410.461.8323)

Twenty-two basic design principles are fully described in this volume. Case studies, references, cost data, and effectiveness are described for each principle.

This publication can be down loaded or ordered from the Pennsylvania Standards for Housing Research Center site: <http://www.engr.psu.edu/phrc>

This publication can be ordered from the American Planning Association at: <http://myapa.planning.org/apastore/>

This publication can be ordered from the American Planning Association at: <http://myapa.planning.org/apastore/>

This publication can be ordered from the Rutgers University Urban Policy Center at: Policy.Rutgers.edu

This publication can be ordered from the American Planning Association at: <http://myapa.planning.org/apastore/>

Kaiser, Ronald A. and James Mertes. 1986. Acquiring Parks and Recreation Facilities Through Mandatory Dedication: A Comprehensive Guide, Venture Publishing, Inc.

Mandatory dedication is an effective way to acquire parkland if done correctly. This book provides legal and practical guidance for mandatory dedication.

STREETS

American Association of State Highway and Transportation Officials (ASHTO). 2004. A Policy on Geometric Design of Highways and Streets, 5th Edition.

This edition of the “green book” is a universal engineering reference on a variety of highway design elements.

National Association of Homebuilders, American Society of Civil Engineers, Institute of Transportation Engineers, and Urban Land Institute. 2001. Residential Streets, 3rd Edition, Washington D.C.

This third edition takes a practical approach to planning and designing streets that is cost effective and enhances the livability of subdivisions and new urbanist communities. It offers a fresh look at street widths, geometrics, traffic flow, and other design considerations, as well as intersections, drainage systems, and pavement.

Bucks County Planning Commission. 1980. Performance Streets.

Performance Streets presents a unique approach to establishing roadway standards that are derived from expected usage.

PADOT. 2002. Design Manual Part 2, Highway Design, Publication 13M, Commonwealth of Pennsylvania.

This design manual addresses all elements of road design and construction. <ftp://ftp.dot.state.pa.us/public/Bureaus/design/Pub13M/insidecover.pdf>

PADOT. 2001. Traffic Calming Handbook, Publication 383.

This publication can be ordered through the ASHTO bookstore at <https://bookstore.transportation.org>

To order this publication contact Bucks County at 215.345.3400

This publication can be obtained through the Sales Store, P. O. Box 2028, Commonwealth Keystone Building 5th floor, Harrisburg, PA 17105-2028; telephone number (717) 787-6746; or the PENNDOT website at www.dot.state.pa.us, for more information.

The Handbook focuses on traffic calming measures that are used to address speeding and cut-through traffic volumes, and includes information on various issues such as legal authority, liability, funding, and impacts on emergency services.

TRAILS AND PATHWAYS

Chester County Planning Commission. 2007. Trail and Pathway Planning: A Guide to Municipalities.

This guidebook provides guidance to municipalities in establishing a trail system through the development process. Specific examples of promoting trails in comprehensive plans, zoning ordinances, official maps, and subdivision and land development ordinances are discussed.

Task Force on Geometric Design. 1999. Guide for Development of Bicycle Facilities, American Association of State Highway and Transportation Organizations.

This guide provides information to help accommodate bicycle traffic in most riding environments. Though it is not intended to set forth strict standards, it presents sound guidelines that will be valuable in attaining good design that is sensitive to the needs of both bicyclists and other highway users. However, in some sections of this guide, design criteria include suggested minimum guidelines.

Montgomery County Planning Commission. 2005. Guidelines for Trail Development Within Montgomery County

Guidelines in this manual are for projects developed or funded by Montgomery County. Other funding sources and references are provided in this guideline publication.

STORMWATER MANAGEMENT

PADEP. 2006. Pennsylvania Best Management Practices Manual.

The purpose of the Pennsylvania Stormwater Best Management Practices (BMP) Manual is to provide guidance, options, and tools that can be used to protect water quality, enhance water availability, and reduce flooding potential through effective stormwater management. This man-

This book can be ordered from Island Press at: Island Press.org

Contact Chester County Planning Commission at 610.344.6285 to obtain a copy of this publication.

This publication can be ordered through the ASHTO bookstore at <https://bookstore.transportation.org>

The guidelines and other MCPC publications are available at <http://www2.montcopa.org/planning>

A copy of the Pennsylvania Best Management Practices Manual is available on the PA DEP E-Library

ual presents design standards and planning concepts for use by local authorities, planners, land developers, engineers, contractors, and others involved with planning, designing, reviewing, approving, and constructing land development projects.

NATURAL AREAS PRESERVATION

Department of Environmental Resources. 1986. A Streambank Stabilization and Management Guide.

This guidebook provides a description of several stream bank stabilization techniques suitable for use in Pennsylvania. In addition, the book discusses river and stream dynamics.

Department of Environmental Resources. 1990. Wetland Protection: A Handbook for Local Officials.

This handbook describes wetlands and their value. Wetland protection techniques including local land use controls, local planning, and acquisition are discussed. A thorough appendix which includes wetland identification and permitting information is also included in the handbook.

Department of Environmental Resources. 1992. Special Protection Waters Implementation Handbook.

Specific conservation techniques for special protection waters, high quality waters, and exceptional value waters are addressed in this handbook. The handbook discusses stormwater management techniques, land use planning, erosion control, waste disposal techniques as well as specific procedures for designating Special Protection Waters.

Montgomery County Planning Commission. 2006. Guidebook for Riparian Corridor Conservation.

This publication provides a model riparian corridor ordinance with text explaining how the ordinance was developed.

Duerkson, Christopher J. and Suzanne Richman. 1993. Tree Conservation Ordinances: Land Use Regulations Go Green, American Planning Association (Planning Advisory Service Report N. 446).

The guidelines and other MCPC publications are available at <http://www.montcopa.org/planning>

This report discusses the value of trees in our communities and the various legal aspects involved in tree preservation. It also provides guidance in the preparation of a tree conservation ordinance.

McHarg, Ian L. 1991. Design with Nature, John Wiley and Sons.

Recently reissued, this book has served as the essential source book to environmental planners for many years. Design with Nature first introduced the concept of planning and growth management based upon a rigorous evaluation of natural conditions and the carrying capacity of land.

The Pennsylvania Municipal Planning Educational Institute formed through a partnership between the Pennsylvania Chapter or the American Planning Association, Penn State University, the Commonwealth of Pennsylvania and the Boroughs Association provides an excellent training course in subdivision and land development for municipal officials.

INTERNET SITES:

www.planning.org is the American Planning Association site with various resources including publications listings.

www.generalcode.com provides online codes for several communities in Pennsylvania and surrounding states. A search engine within the sites allows you to get specific citations based upon key words

www.legis.state.pa.us contains information about the activities of the general assembly including an online bill room with copies of all legislation under consideration.

www.dep.state.pa.us is the Department of Environmental Protection site complete with information on all Pennsylvania environmental programs, regulations, and policies.

www.dcnr.state.pa.us is the Department of Conservation and Natural Resources site which contains open space grant information

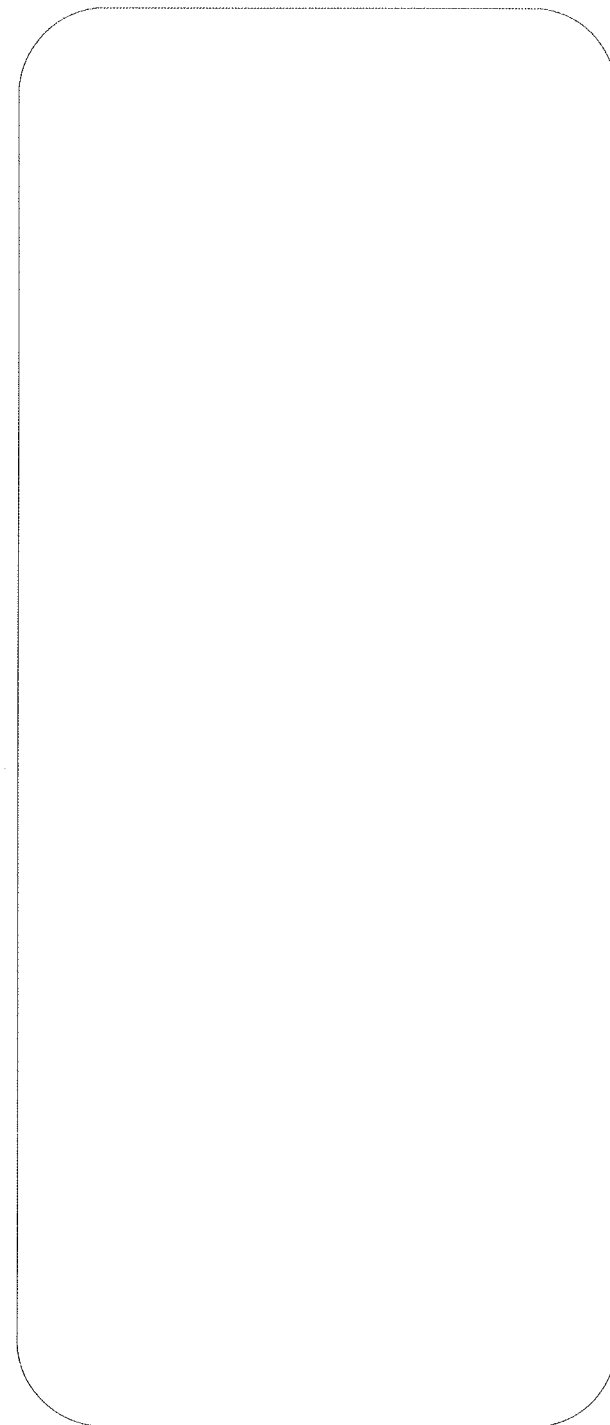
http://www.dced.state.pa.us/PA_Exec/DCED/government/land-use.htm is the PA Center for Local Government Services site. They provide planning grants and technical assistance

This publication can be ordered from the American Planning Association at: <http://myapa.planning.org/apastore>

Several municipalities have excellent web sites that may be helpful in getting ideas about ordinances and processing guidelines.

http://www.pabulletin.com the online version of the Pennsylvania Bulletin listing all proposed state regulations, policies and actions.

http://www.pacode.com an online version of the PA Code (all the enacted laws)



Appendix B: Sample Subdivision and Land Development Application
Memorandum

All preliminary and final subdivision and land development proposals in [municipality] shall be submitted to the [municipality] secretary during normal business hours and shall contain the following:

- Completed and signed [municipality] and [county] application form.
- Full payment of all required [municipality] and [county] application fees.
- [#] sets of plans prepared in accordance with the standards established in Section _____ of the subdivision and land development ordinance.
- Copy of the property deed, agreement of sale, lease or other legal agreement through which the applicant has rights or authorization to develop or subdivide the property.
- Signed authorization allowing the [municipality] officials or their representatives to conduct an inspection of the property.
- Proof that the property has been posted in accordance with Section _____ of the subdivision and land development ordinance.
- All reports, plans, or studies required by the subdivision and land development ordinance.
- Request for waivers or modifications from the standards in the subdivision and land development ordinance if needed.
- Any other information required by subdivision and land development ordinance.

The above items shall be submitted at the same time in complete form to avoid any delays in the review process. **Your application will not be considered to be officially filed, and will not be accepted until you have submitted all required items.**

In the future, if you revise your plans, please be aware that any revisions must be submitted directly to the [municipality] secretary and shall be accompanied by the [municipality] reapplication form.

It is important to make the plan filing and review procedure for all subdivisions and land developments clear to the applicant early on. All applicants expressing interest in filing plans should receive a full packet of information including relevant forms and ordinances. This sample memorandum could be used the introduction for that transmittal.

Be sure to emphasize the fact that incomplete applications will not be accepted.

Appendix C: Municipal Subdivision and Land Development Plan Review Guidelines

INTRODUCTION

The [municipality] Subdivision and Land Development Ordinance of [date] (SALDO) establishes practices and procedures for the submission and processing of subdivision and land development plans for properties within the [municipality]. These procedures are consistent with the requirements of the Pennsylvania Municipalities Planning Code and are intended to encourage a productive review process leading to the approval of land development and subdivision plans that enhance the [municipality].

The SALDO incorporates a three-step process for plan submission and review, including 1) an optional sketch plan; 2) a preliminary plan; and 3) a final plan. A more detailed description of the process provided below is intended as a general outline of each step. This should not be construed as a substitution for any specific provision of the SALDO or guidelines established by the [governing body]. Applicants should review the SALDO for specific plan filing requirements, deadlines, and for information relating to the number of copies to be provided for review.

Applicants are encouraged at all points in the plan review process to consult with the [municipality] planning commission regarding specific aspects of the plan review.

A. SKETCH PLAN

The submission of a Sketch Plan is optional. It is encouraged since it provides an opportunity for applicants to present their ideas informally for the subdivision or land development of a tract prior to the expenditure of significant engineering and design costs. Requirements for submission will depend upon the scope and scale of the proposed development. Sketch Plans are not subject to a formal approval process and no formal action is taken on these submissions. The [municipality] will consider the execution of an agreement with the applicant defining the terms of the sketch review process.

The planning commission and municipal staff may elect to conduct a site visit as part of the sketch plan review process. This step would be for fact finding purposes and no deliberation or recommendations would be made during the site visit.

This is a summary of the planning process that could be given to potential applicants prior to their application. It provides a general description of the three planning steps.

There are clear advantages for both the municipality and applicant to engage in the sketch plan process. It should be promoted by the municipality where possible.

B. PRELIMINARY PLAN

The formal plan submission process begins with the filing of the Preliminary Plan in accordance with Section _____ of the SALDO. The Preliminary Plan process is governed by the Pennsylvania Municipalities Planning Code which requires that the plan be reviewed and acted upon, i.e. approved or denied, by the [municipality] within ninety (90) days of acceptance of the plan by the planning commission after plan filing. An extension of time granted by the applicant may be required to complete the review process. Plans are also reviewed by the Montgomery County Planning Commission and other agencies, depending upon the individual requirements of the development. Applicants should be aware that Preliminary Plans are to be fully engineered plans that cannot be properly filed unless they are complete. During the review of the plan, the [municipality] planning commission members and the [municipality] engineer, and other [municipality] officials, as necessary will evaluate the plan by meeting with the applicant and performing site visits.

C. FINAL PLAN

Following the approval of a Preliminary Plan by the [governing body], and the acceptance of all conditions by the applicant, the applicant shall submit the Final Plan in accordance with Section 307 of the SALDO. No plans can be recorded, lots conveyed, or building permits issued until the final plan has been approved by the [governing body], the applicant has accepted of all conditions of approval, all agreements including a developer's agreement have been fully executed, proper funds for inspection and performance guarantee have been established, and the plans have been properly recorded. The applicant may apply for grading permits or other permits in order to conduct some site development improvements following preliminary plan approval.

D. MINOR PLAN SUBMISSIONS

Under Section 309 of the SALDO, certain plans may proceed under a "minor plan" review process. These are limited to a lot line adjustment, simple conveyance, minor subdivision, mortgage subdivision, and minor land development as defined in the ordinance. Each of these plans is specifically outlined in Section 309, and will be strictly applied.

Conducting a site visit makes a lot of sense for most projects. This should be encouraged wherever possible. Permission should be obtained from the land owner prior to the site visit.

E. RESUBMISSION

Only one set of plans for each site will be under review at any time. If the revisions are made to preliminary or final plans filed with the [municipality], resubmissions must be made in the manner outlined in Section 310. A fully completed and executed application form should accompany any resubmission.

F. WAIVER PROCESS

Any request for a waiver or modification from any provision of the SALDO as addressed in Section 106 of the SALDO and must be submitted in writing with the application stating the following: grounds and facts of unreasonableness or hardship; provisions of the ordinance from which waivers are sought; and the minimum modification necessary being requested. Applicants should be aware that the planning commission is not obligated to recommend, nor the [governing body] obligated to approve waiver requests. Waivers or modifications will only be granted if they are supported by the facts and arguments made by the applicant and are shown to be in the best interest of the public.

Resubmissions should be handled very carefully to avoid the review of multiple versions of the same plans.

It is important to formalize the waiver process so that there is documentation of all of the modifications or waivers granted.

Subdivision and Land Development Plan Filing Check List

Sketch Plan

- The entire tract boundary, total acreage, and acreage of each lot.
- Location of existing and proposed streets, lots, buildings, and appropriate building envelopes.
- Significant physical features such as floodplain, steep slopes, woodlands, and existing structures.
- Contour lines.
- Approximate locations for stormwater facilities.
- Location plan showing the relationship of the subject site to surrounding road network and physical features.
- The general location and extent of open space, preserved land, and trail system.
- Name, address, email, and phone number of the applicant.
- Name, address, email, and phone number of engineer, surveyor, or architect.

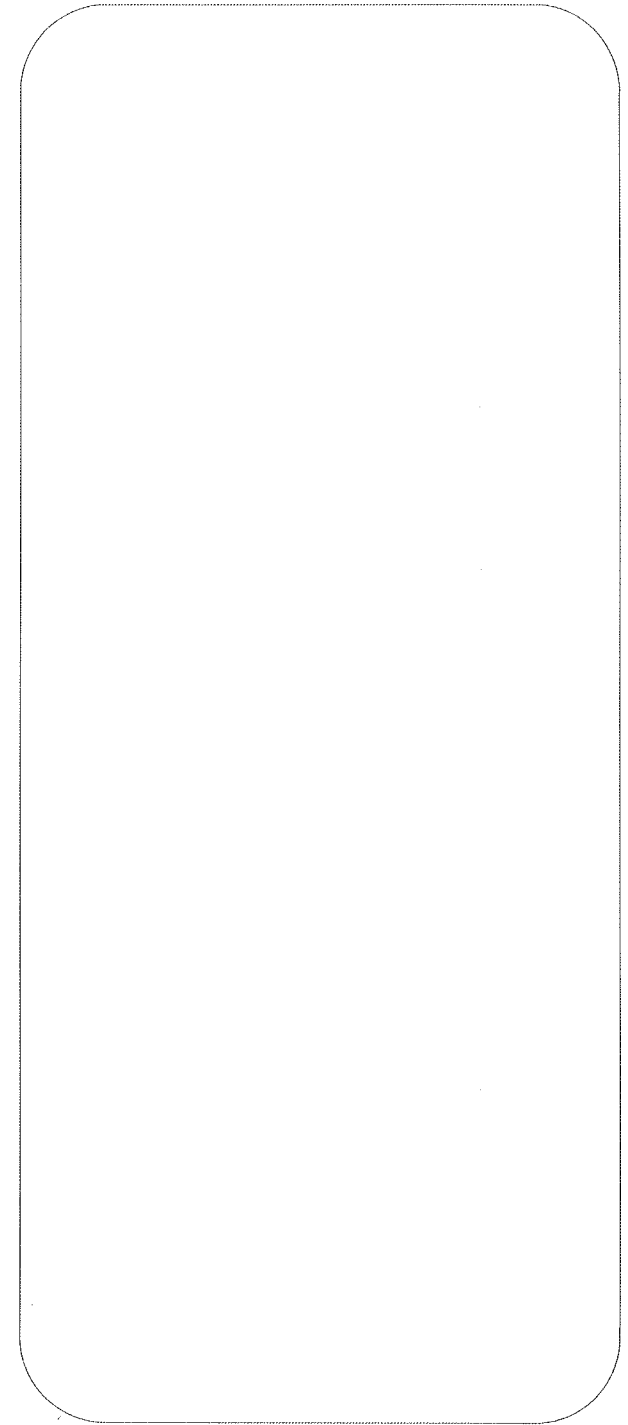
Preliminary Plan

Basic Information.

- Name of the subdivision or land development.
- Name, address, email, and phone number of applicant.
- Name, address, email, and phone number of the firm which prepared the plan and professional seal of the individual certifying its accuracy and compliance with applicable standards.
- Date of preparation of the plan and a descriptive list of revisions to the plan, and the revision dates.
- North point and scale displayed in graphic and written form.
- Location plan showing the relationship of the subject tract to the surrounding road network and major physical features.
- The entire tract boundary with bearings and distances and total tract acreage.
- A list of the basic dimensional and density requirements of the applicable zoning district, compared to the applicant's proposal.
- Zoning classification(s) of all lands abutting the proposal.
- Names of all current owners of immediately adjacent lands.

Some form of checklist to be completed and submitted by the applicant or used by municipal staff may be helpful in ensuring complete plan submissions. This form can also document the materials submitted.

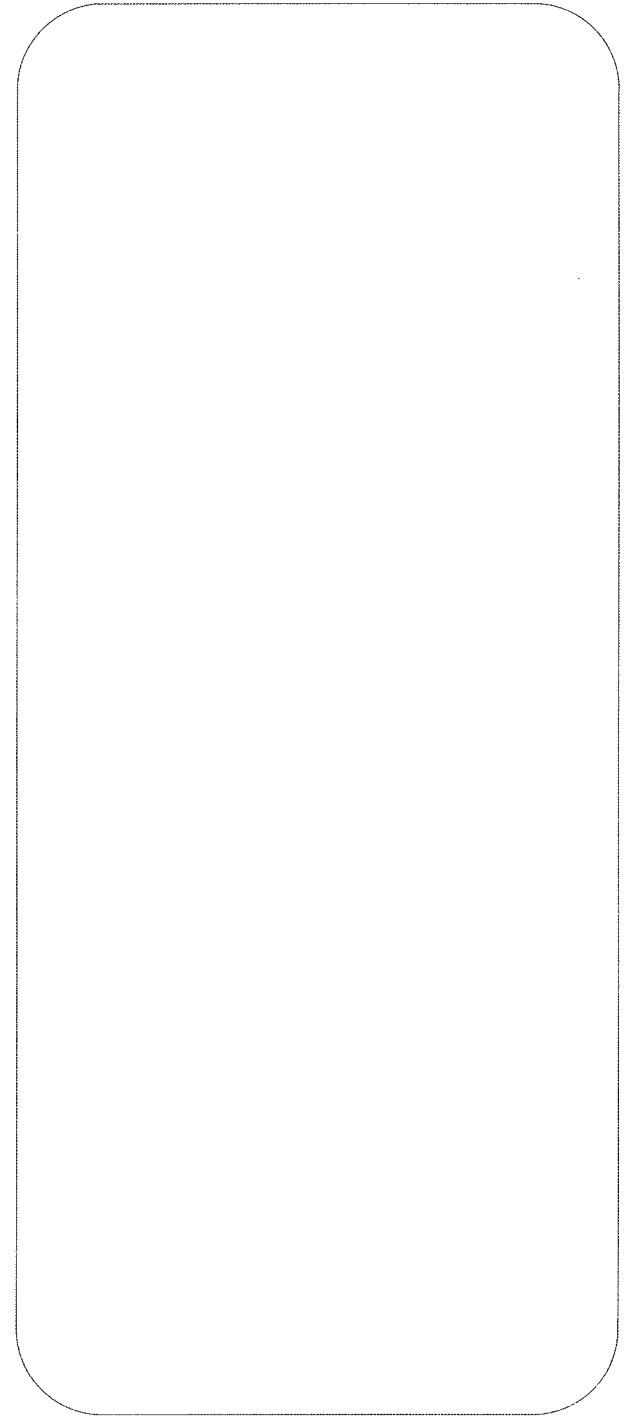
- Number of acres (net and gross acreage should be indicated in accordance with the zoning ordinance).
- Number of lots and/or dwelling units and total building area.
- Description of any deed restrictions, including conservation and environmental, or other covenants affecting development of the tract.
- The requirements of any other local ordinance which may affect the proposal.
- Legend sufficient to indicate clearly between existing and proposed conditions.
- Name and address of the owner of record if different from the applicant.
- Tax parcel number(s) of all parcels being subdivided or developed.
- Deed book and page numbers for all parcels being subdivided or developed.
- A note shall be shown on the plan which states "Preliminary Plan - Not to be Recorded."
- Streets bordering or crossing the tract.
- Water resources.
- Existing well locations - in use, capped, and abandoned
- Floodprone or floodplain areas.
- Sanitary sewers.
- Storm sewers.
- Other existing stormwater and/or erosion control facilities.
- Other natural features.
- Soil types.
- Contour information.
- Other man-made features, including existing buildings and utilities.
- Proposed subdivision and/or land development layout
- Proposed streets, alleys, driveways, and parking areas, including all dimensions.
- Layout and dimensions of all lots, including the net and lot area as defined within the zoning ordinance.
- All building setback lines.
- All parking setback lines where applicable.
- Proposed sidewalk or other walkway locations.
- Proposed building locations.
- Open space and recreation areas
- Parking, driveway, or road areas when privately owned for common use.
- Walkways or pathways.



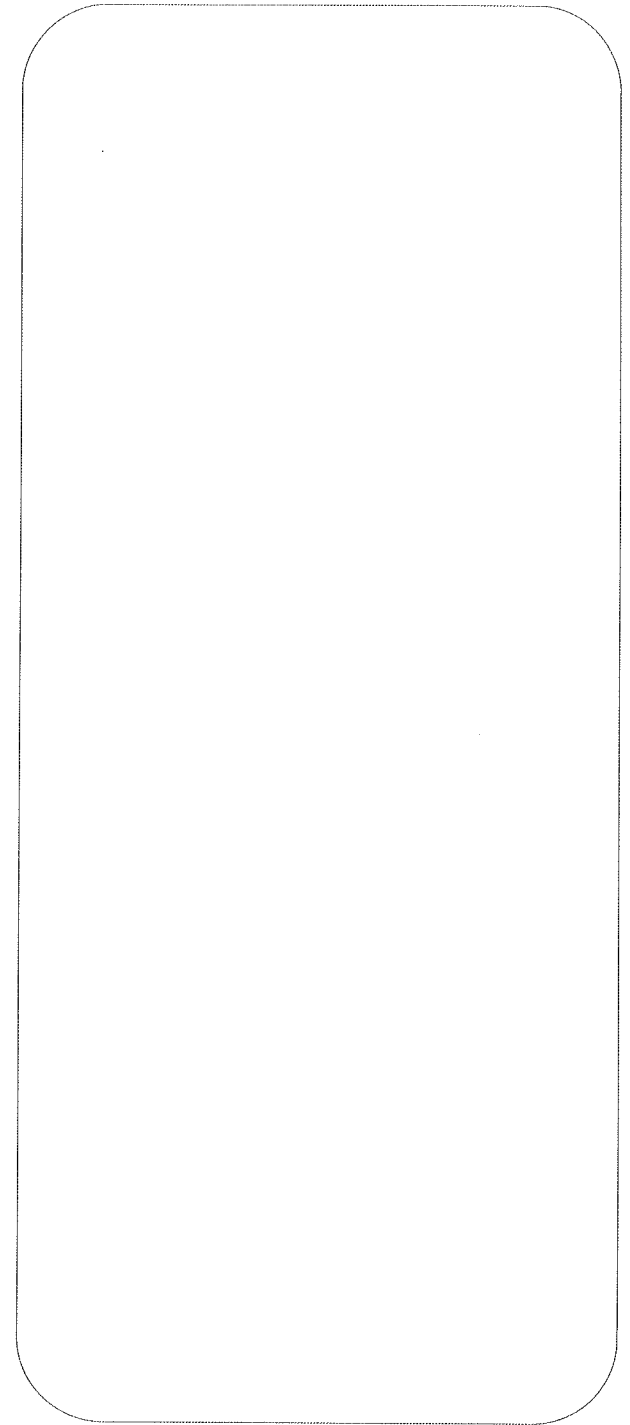
- Areas for future uses.
- Impervious coverage area calculations
- Proposed landscaping plan.
- Proposed outdoor lighting plan
- Grading and drainage plan.
- Stormwater management and erosion control and sedimentation facilities.
- Infrastructure Plan
- Sanitary sewer line locations.
- Water supply facilities.
- Finished floor elevations of proposed buildings.
- Municipal waste disposal facilities.
- Cross sections, profiles, and preliminary structural designs.
- Additional Plans. Other plans as required to comply to comply with [municipality] Zoning Ordinance.

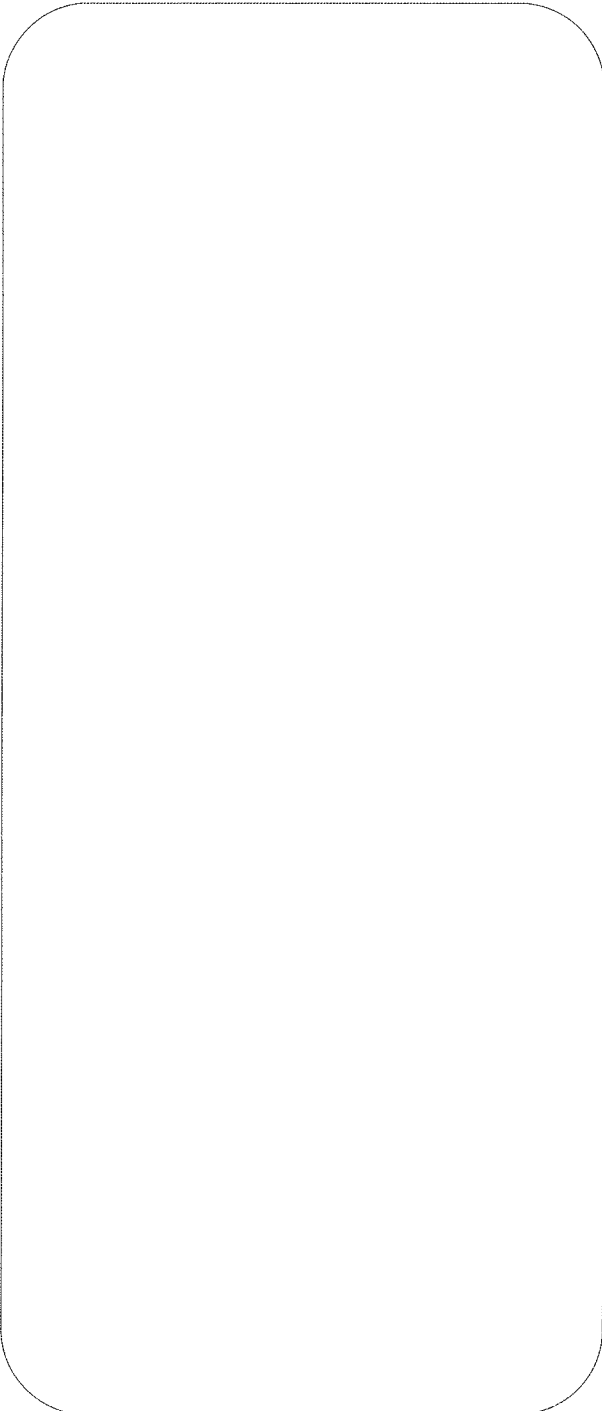
Final Plan

- Construction Plan with required preliminary plan information.
- The location and size of sanitary sewers and lateral connections, and water mains with distances between manholes, gas, electric and other utility pipes or conduits and stormwater control systems.
- Cross sections.
- Construction detail drawings.
- Additional Information.
- All required local, state, and federal permits shall be submitted.
- All engineering calculations which support the proposed improvements.
- Certification of inspection and satisfactory functioning of any on-lot sewage disposal system which will remain in use, in accord with current industry, PADEP, or County Health Department standards.
- Developments utilizing public water or sewer facilities should provide proof that those services will be provided.
- Sewage facilities plan approval from PADEP.
- Approval of the erosion and sediment control plan from the Conservation District.
- Courses and distances sufficient for the legal description of all the lines shown on the plan.
- Names or identification of abutting owners.



- All dimensional and technical descriptions of roads.
- Easements.
- Rights-of-way.
- Open space, recreation, and/or other common use areas.
- Evidence that the plans are in conformance with the zoning ordinance and other applicable [municipality] ordinances and regulations.
- The location, material, and size of all existing and proposed monuments or pins with reference to them.
- Building setback lines with distances from the ultimate right-of-way line and property lines.
- Appropriate notes and conditions governing the use or development of the proposed property.
- The signature and seal of the registered Engineer and Surveyor certifying that the plan represents his/her work; that the monuments shown thereon exist as located; that the dimensional and geodetic details are correct and that the survey has been prepared in accordance with the "Pennsylvania Engineers Registration Law," PL 913, No. 367.
- The signature of the applicant certifying his adoption of the plan.
- Spaces for the signatures of [municipal governing body] whose signatures are required.
- Space for the signature of the [municipality] engineer and chairman of the [municipality] planning commission.
- Stamp and seal format for Montgomery County Planning Commission, located along the right-hand edge of the plan, measuring 3 1/2 inches wide and 2 1/2 inches tall.





Appendix E: Subdivision and Land Development Approval Resolution

[municipality]
[Preliminary/ Final] Plan Approval Resolution #[number]
[development name]

WHEREAS, [applicant name] is proposing a [subdivision/ land development] in [municipality] known as [development name] on a certain [#]-acre property located at [address] and identified as tax parcel [#]; and

WHEREAS, the [general type of development] proposal is intended to be [subdivided/ developed] into [#] [lots/ square feet of development] with various physical improvements; and

WHEREAS, the applicant filed a [preliminary/final] plan for the [development name] which was accepted by the [municipality] Planning Commission on [date] in accordance with the [municipality] Subdivision and Land Development Ordinance and the Pennsylvania Municipalities Planning Code [note any other extensions of the 90-day review date]; and

WHEREAS, on [date], the [municipality] Planning Commission recommended approval of the plan with conditions.

NOW THEREFORE BE IT RESOLVED, the [preliminary/ final] [subdivision/ land development] plan known as [development name] and prepared by [engineer or surveyor preparing the plan] on [date] containing sheets [number range] as described above is hereby approved subject to the conditions set forth below:

[condition]
[condition]

THEREFORE BE IT FURTHER RESOLVED, the following modifications are accepted by the [governing body] based upon the applicant's request having determined from the materials presented that the requested modifications are consistent with the purpose of subdivision and land development ordinance [also refer to relevant plans or studies] and will not result in a negative impact to the overall health, safety, and general welfare of [municipality]:

[waiver]
[waiver]

THEREFORE BE IT FURTHER RESOLVED, that this approval action becomes effective on the date upon which the conditions in this resolution are accepted by the applicant in writing. Upon failure of the applicant to accept these conditions within 10 days of passage of this resolution, all actions approving the application and accepting modifications contained in this resolution are rescinded and the application shall be denied.

Clear documentation should be established at any stage of plan approval. One approach is to act upon a written resolution which recites certain key facts and enumerates any conditions of the approval action including waivers or modifications. Once adopted, the resolution should be signed and dated for the record. The resolution can be sent to the applicant to obtain acceptance of conditions.

Acceptance of modifications or waivers is done at final plan only.

Appendix F: Sample Subdivision and Land Development Plan Resubmission Form

DATE: _____

[municipality]
[address]

ATTN: [Manager]

RE: _____
[development name and municipal review #]

Gentlemen:

Please be advised that I am herewith submitting an amended/ revised subdivision/ land development plan dated _____ for the above referenced development.

By this letter, I withdraw any previous plans for the property and do hereby replace all previous plans with these amended plans.

Any application or escrow fees that have been paid to the [municipality] to date shall apply to this revised plan. Additional fees or escrow funds needed for this revised plan shall be provided as required.

I understand that in accordance with this request, the 90-review period established in the Pennsylvania Municipalities Planning Code Section 508 will start anew as of the next regularly scheduled planning commission meeting occurring at least 7 days after this revised plan has been duly filed with the [municipality] in accordance with the established guidelines for plan acceptance.

(applicant's name)

(applicant's signature)

To be filled out by the municipality

Date received by the [municipality]: _____

Date of Plans: _____

90-day deadline: _____

Every time changes are made to the plans, the applicant should undergo some type of formal resubmission process to keep a clear record as to the current plans being reviewed by the municipality. One way to do this is through a formal resubmission form. Key elements of this include the formal withdrawal of previous plans being revised through the resubmission, increasing review escrows and fees, and extending the review period. The municipality can always act upon the original submission without accepting a resubmission.

Agenda

[municipality] Planning Commission [date] [time]

[municipality] Building
[address]

- | | | |
|-----------|----|---|
| 7:30 P.M. | 1. | Call to Order by the Chairman/ Pledge of Allegiance |
| 7:35 P.M. | 2. | Public Comment |
| 7:45 P.M. | 3. | Approval of the Agenda |
| 7:50 P.M. | 4. | Approval of the September 12, 2002 Meeting Minutes |
| 7:55 P.M. | 5. | Acceptance of Plans

Subdivision 5
Subdivision 6
Land development 5 |
| 8:10 P.M. | 6. | Preliminary Plans

Subdivision 1 (02-005: 11/7/02)
Subdivision 2 (02-004: 12/4/02) |
| 9:15 P.M. | 7. | Final Plans

Subdivision 3 (02-001: 11/7/02) |
| 9:30 P.M. | 8. | Planning Modules- Act 537

Land Development 2 |

In many cases, the review of subdivisions and land developments takes up a majority of the planning commission's time at meetings. In rapidly growing municipalities, several proposals are being reviewed at the same time. To work efficiently in performing a thorough review, it is important to carefully manage the planning commission meeting. One technique for this is to draft an organized agenda. Placing estimated times on agenda items is a good way to budget time. Also, it is important to list all projects grouped by stage of planning submission. The first group, acceptance of plans, is basically an acknowledgement that the plans have been received and that the review time clock starts. The only limited discussion here might be in regard to how the review will proceed and if there are unique things that need to be looked at in any particular project. Preliminary plans often involve the longest discussion including a brief presentation by the applicant. This discussion should be carefully managed by the chair and if necessary, detailed review could be delegated to staff. Final plans, including action on waivers, are usually more straight forward and can be handled at the end of the meeting. This agenda does not show other important things that the planning commission should be doing periodically such as comprehensive planning and the drafting of appropriate ordinances. Leave plenty of time for these important functions.

Appendix H: Pre-submission Sketch Plan Agreement

THIS AGREEMENT is made as of the _____ day of _____, 200_ by and between _____ (“Developer”) and _____, a political subdivision of the Commonwealth of Pennsylvania (“Municipality”).

STATEMENT OF PURPOSE

The purpose of this Agreement is to encourage beneficial, open-minded discussion and dialogue between the Developer and the Municipality prior to the formal submission of any development plans or zoning requests. More specifically, the intent is (1) to encourage the Developer to submit a pre-submission sketch plan to the municipality, so as to provide to opportunity to the municipality to provide planning and conceptual design input prior to Developer having expended the extensive time and effort, as well as the considerable expense, that goes into the development of preliminary plans, (2) to provide an opportunity for the Developer to consider such input at an early stage prior to positions being solidified, while eliminating the concern that the operative provisions of the subdivision and land development ordinance and zoning ordinance might change while such discussion is ongoing, and (3) to allow an opportunity for achievement of a more innovative project concept or design that may provide greater benefits to the municipality, the developer, residents and the surrounding community, and future residents or occupants of the proposed development than would otherwise be possible.

The Municipality, as an inducement to Developer to file a sketch plan, and participate in such discussions, has agreed that upon filing of a sketch plan accompanied by a copy of this Agreement executed by Developer, the Zoning Ordinance and Subdivision and Land Development Ordinance which will apply to Developer’s proposed development of the Property will be the ordinances which are in effect as of the date of the filing of the sketch plan.

This Agreement is entered into to confirm the agreement of the parties.

TERMS OF AGREEMENT

1. Developer voluntarily agrees to participate in the Municipality’s pre-submission sketch plan review process (“Sketch Plan Review Process”) for a period of up to six (6) months (“Review Period”) from the date _____, 200_, the date Developer offered to enter into this Agreement (“Commencement Date”). For purposes of this Agreement, the term “Sketch Plan Review Process” shall mean the process during which Developer will participate in meetings with personnel designated by the Municipality to meet with Developer for the purpose of critiquing sketch plans with the objective

Since the Pennsylvania Municipalities Planning Code (MPC) doesn't establish a sketch planning process, municipalities can't require the submission of sketch plans; though they should strongly recommend them. Since the sketch plan process is voluntary, it is important to establish a mutual agreement as to how it would be conducted and what rights both parties have during it. This draft agreement was established by the Bucks/ Montgomery County Homebuilders Association and both county planning commissions to provide a sample agreement for municipal use. It attempts to address key elements of the sketch process and to articulate the rights of both the applicant and municipality. As a two party agreement, it could contain unique conditions that both the applicant and municipality agree to.

of developing a plan which will be satisfactory to both Developer and the Municipality. Developer and Municipality further agree to invite the County Planning Commission to participate in the Sketch Plan Review Process.

2. In consideration of Developer's agreement to participate in the Sketch Plan Review Process, the Municipality agrees during the Review Period and for a period of six (6) months following the expiration of the Review Period (the total time frame being hereinafter referred to as "Protection Period"), the Zoning Ordinance and Subdivision and Land Development Ordinance which will be applicable to any preliminary subdivision and/or land development plans for the Property filed by Developer within the Protection Period shall be those ordinances in effect as of the Commencement Date and Developer shall be afforded the protections provided under Section 508(4) of the Municipalities Planning Code as of the Commencement Date.

3. If, for any reason at any time during the Review Period, either party deems that such discussions are not being productive, and that continued discussion would not be worthwhile, either the Municipality or the Developer may terminate this agreement by sending written notice to cancel the agreement to the other party via certified mail, with such termination effective forty-five (45) days following the date of the notice. The Review Period shall end at the expiration of such forty-five (45) day period.

4. In the event Developer fails to file a preliminary subdivision and land development plan within the Protection Period, Developer acknowledges and agrees that the review of any later filed subdivision and/or land development plans will be subject to any amendments to the zoning ordinance and/or subdivision and land development ordinance enacted subsequent to the Commencement Date.

5. Developer acknowledges that Municipality is under no obligation to make any formal decision with respect to any pre-submission sketch plan submitted pursuant to this Agreement and, further, acknowledges and agrees that Developer shall not obtain any vested rights pursuant to Section 508 of the Municipalities Planning Code by failure of Municipality to render a decision with regard to a pre-submission sketch plan. It is specifically acknowledged by both parties that any plan submitted pursuant to this agreement will not be considered to be a Preliminary Plan or Final Plan in accordance with municipal ordinances and the Municipalities Planning Code.

6. In order to provide a meaningful review, Developer and Municipality agree that a pre-submission sketch plan shall include the following information:

- a. The plan shall be drawn at a scale of 1" = 50 feet or 1" = 100';
- b. Tax map parcel number of property involved;

In paragraph 2 the municipality agrees not to revise or amend the ordinances that would impact the property during the sketch plan review period and shortly after it.

Item 5 in the agreement is important in distinguishing the sketch plan process from the preliminary or final plan process. Failure of the governing body to act on a sketch plan under this agreement will not result in a deemed approval.

- c. Tract boundaries and total acreage;
- d. Location map;
- e. North point;
- f. Streets on and adjacent to the tract;
- g. Significant topographical, geological, and physical features including but not limited to flood plains, steep slopes, boulders, wetlands, etc., which may impact or limit the proposed use of the property;
- h. Existing road/utility and other easements and rights-of-way;
- i. General location, size and configuration of existing buildings
- j. Proposed general layout of streets, circulation drives and common parking areas; and
- k. Proposed general lot layout or location of buildings when individual lots are not proposed, including location of open space and other preservation areas.

7. Developer and Municipality each acknowledge and agree that the provisions of this Agreement are intended and shall be construed as superseding any inconsistent provisions of the Municipalities Planning Code, 53 P.S. §10101 et seq.

8. If the Municipality incurs any direct costs as a result of its review and discussions with Developer during the Review Period pursuant to this Agreement, such as costs to pay for its solicitor, engineer or planning consultant, Developer agrees to reimburse Municipality for such reasonable costs in accordance with the current schedule established by the Municipality for review fees in accordance with Section 503(1) of the Municipalities Planning Code.

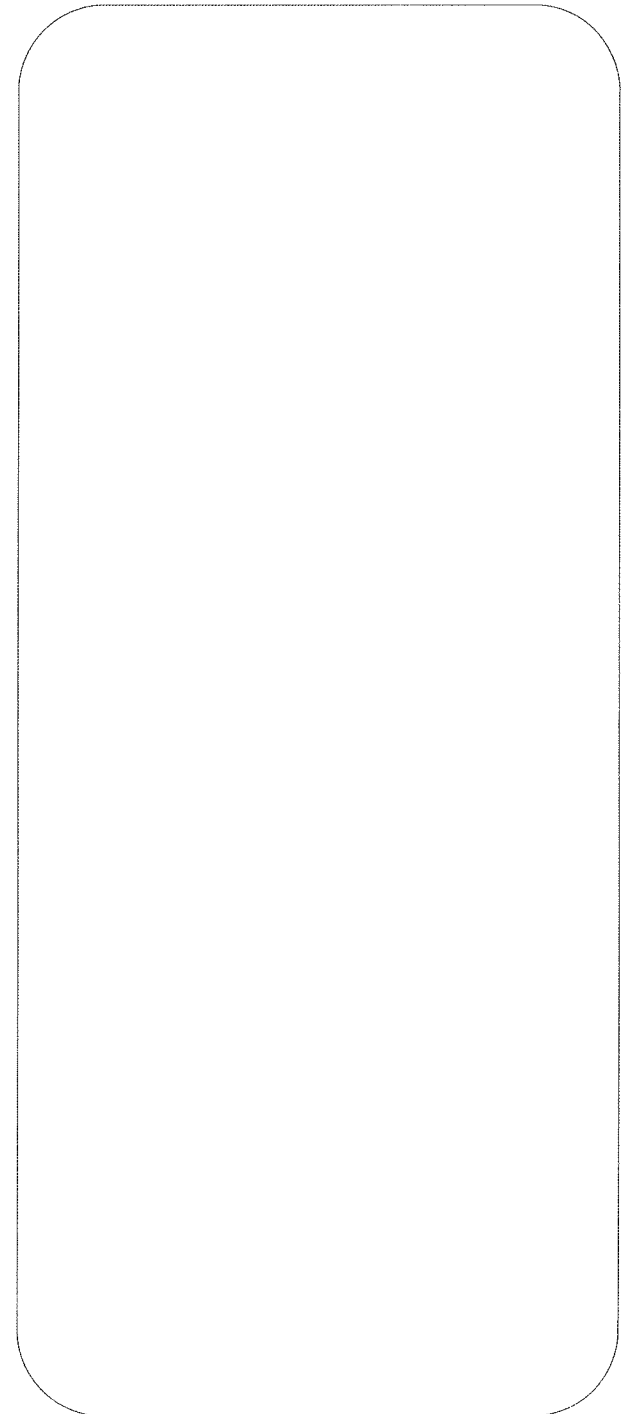
IN WITNESS WHEREOF, Developer and Municipality have set their hands and seals to this Agreement as of the date set forth above, with intent to be legally bound.

DEVELOPER: _____

Attest: _____ By: _____

THE MUNICIPALITY: _____

Attest: _____ By: _____



SUBDIVISION AND LAND DEVELOPMENT APPLICATION

Part I (to be completed by Municipality)

Date Application Received _____ Received by (initials) _____ Twp. Identification No. _____
Application for: Preliminary Plan Review _____ Final Plan Review _____
Type of Plan: Minor Subdivision _____ Major Subdivision _____
Land Development _____
Fees Paid: Submission \$ _____
Escrow \$ _____
Date of planning commission acceptance _____

Part II (to be completed by Applicant)

1. Applicant: Name _____ Telephone No. _____
Fax No. _____ Email Address _____
Address _____
2. Owner of Record (if corporation, list corporation's name and address, and names of two officers):
Name _____ Telephone No. _____
Fax No. _____ Email Address _____
Address _____
Name _____ Telephone No. _____
Fax No. _____ Email Address _____
Address _____
3. Agent or Attorney: Name _____ Telephone No. _____
Fax No. _____ Email Address _____
Address _____
4. Engineer or Surveyor: Name _____ Telephone No. _____
Fax No. _____ Email Address _____
Address _____
5. To whom should official notices pertaining this submission be sent? _____
6. To whom should billing invoices be sent? _____

Application forms are important as both an administrative source of information and a legal document. As an administrative form, key contact information is required upfront. Other administrative information pertaining to the proposed action and the size of the project are instrumental in computing appropriate fees. The application form should also contain appropriate disclosures, waivers, and permissions which are agreed to by the applicant. The original signed application form is an important legal document that should be carefully maintained by the municipality.

7. If property was previously subdivided please provide the following information:

Plan Title: _____ Date of Plan _____

8. Tax Parcel No(s). _____ County Deed Book No. _____ Page No. _____
County Plan Book and Page No. _____ (Note: A copy of the deed or agreement of sale shall be submitted with this app.)

9. If the applicant is an equity owner of the property, list date at which the option for the property expires. _____ (attach a copy of the agreement deleting as necessary any financial terms)

10. Proposed Use (check applicable use/s):

Single Family Residential _____ Multi-Family Residential _____ Retail Use _____

Industrial Use _____ Institutional _____ Mixed Uses _____ Other _____

Describe proposed use of the property _____

11. Development Statistics

a) Residential: Number of Lots or Units _____

or

b) Non-Residential: Number of Lots, Units, or Leaseholds; Lots _____ Units _____

Leaseholds _____

c) Proposed New Building Area _____ sq. ft.

d) Proposed existing building conversion area _____ sq ft.

e) Proposed Density (units per acre) _____

f) Total Area to be developed or subdivided (acres) _____

12. Utilities

Water Supply

_____ Public - (Identify System) _____

_____ Individual On-Site (refer to the county well construction ordinance)

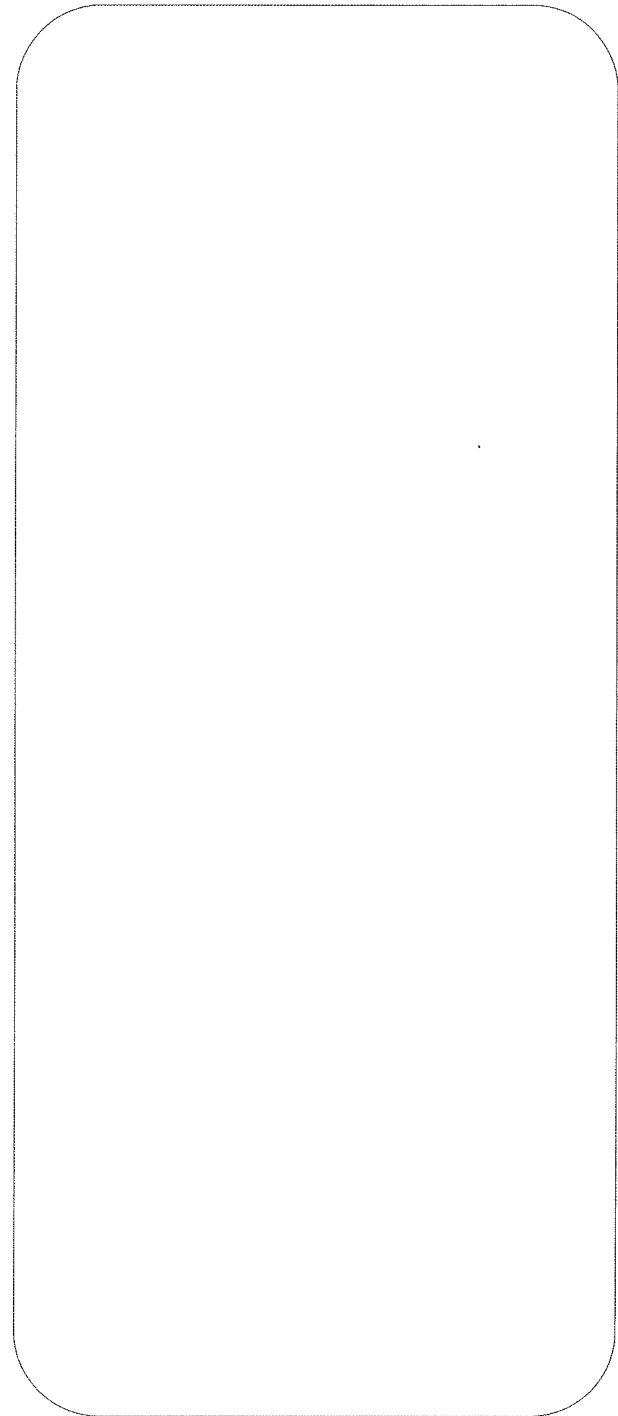
Sanitary Sewage Disposal (check one):

_____ *Public - identify system _____

_____ **Individual on-site

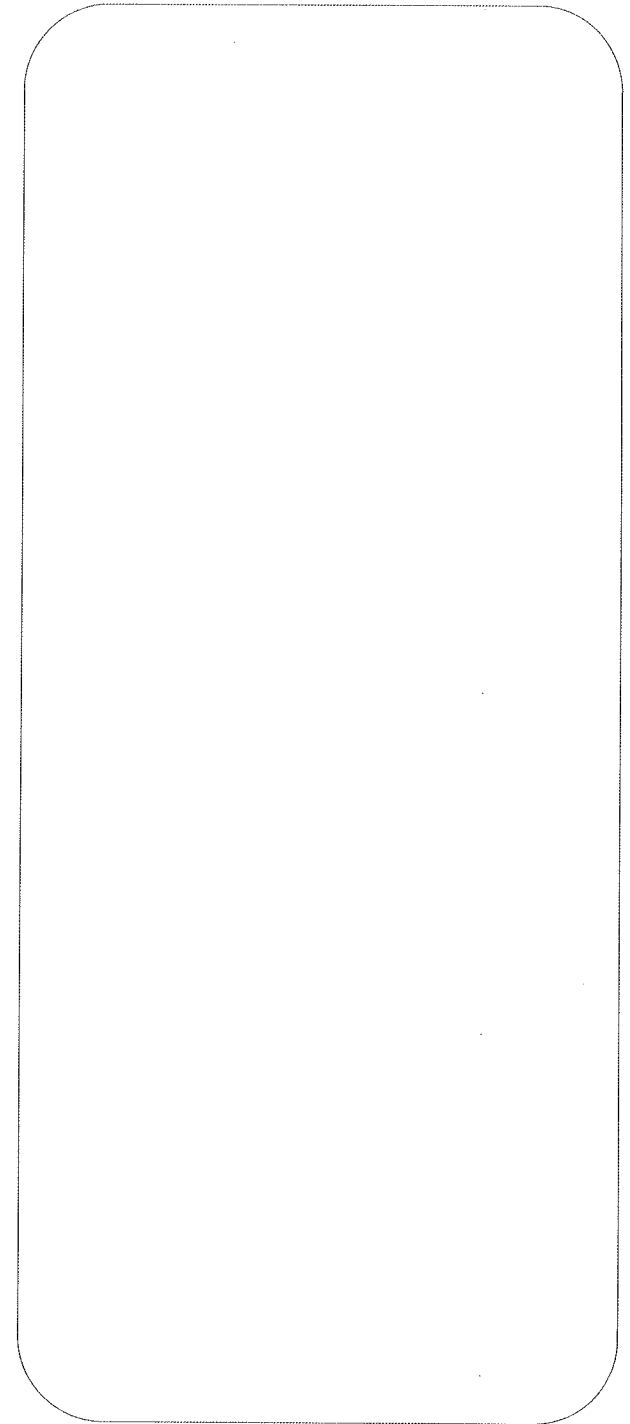
*Planning Modules or "Exemption Request" (Attachment A – part A) must be submitted.

**Planning Modules MUST be submitted whether or not an "Exception Request" (Attachment A – part B) is submitted.



The undersigned represents that to the best of his or her knowledge, all of the above statements are true, correct and complete. I/We hereby authorize members of [municipality] boards, commissions and staff to enter the lands proposed for subdivision or land development for site inspections, if necessary. Further, I/we and my/our successor in this application agree to reimburse the [municipality] for such fees and expenses as said [municipality] may incur for engineering, legal services, and administrative fees in reviewing and advising the [governing body] and planning commission with respect to this application. Further, I/we agree to provide all filing fees and escrow deposits as established by Resolution of the [governing body].

Date Signature of Owner of Record/Applicant/Agent



Appendix J: Public Meeting Participation Guidelines

The primary purpose of public participation before the [elected body/ planning commission] is to hear citizen views on important issues facing our community. To this end, we welcome your comments and insight and will give all your opinions proper consideration.

There are three ways for the public to be heard at the [elected body/ planning commission] meeting.

New Business: The most effective way to raise a new issue is to have your request placed on the agenda by the [board chairperson/ municipal secretary]. This can be done by making your request in writing in advance of the meeting. Requests received prior to the setting of an agenda which is usually done 4 working days prior to the meeting will be considered for inclusion on the agenda. By posting the item on the agenda it will allow staff and board members time to research and gather information on your item of interest. In this way, everyone can participate in informed discussion on the topic at hand. You will be notified if the topic is placed on the agenda.

Comment on a Specific Issue Listed on the Agenda: An opportunity for the public to comment will be provided during the discussion of various agenda items prior to action taken on them. If you know in advance of the meeting that you wish to make a comment on an agenda item, inform the [municipal manager, chairperson, or secretary] of your interest. Otherwise raise your hand when the chairperson asks for public comment on the agenda item that you are concerned about. You may speak when acknowledged by the chairperson.

General Public Comment: There will be a general public comment period at the beginning of all public meetings, where the public will have an opportunity to voice an opinion on any topic. Please bear in mind that this is not intended for a back-and-forth discussion time, but primarily a means to inform the [elected body/ planning commission] of items of interest and/or consideration.

Public participation through any of these options is subject to the limitations and requirements listed below:

Purpose: The purpose of public comment is to provide information and the speaker's views for consideration by the [elected body/ planning commission]. The [elected body/ planning commission] or their staff may or may not answer questions raised by the speaker during the public meeting. Questions may be addressed, as appropriate, by the [elected body/ planning commission] or municipal staff at a latter time, unless immediate action is warranted by an emergency situation.

Time Limit: [elected body/ planning commission] meetings follow a standard agenda. In order to conduct business in an orderly fashion, it is important that you limit your presen-

With some of the emotionally charged subdivisions and land development reviews, it is often a good idea to have guidelines in place to manage public comment during meetings. These guidelines are not meant to limit or stifle constructive comments, but rather they are intended to help manage public discussion so that it is done in a civil and productive fashion. With guidelines in place, it will be incumbent on the chairperson to enforce them fairly during the meeting. Often times it is helpful to acknowledge the guidelines at the beginning of the meeting and have copies posted in the meeting room.

It is important to hear public comments at the appropriate time during the meeting. It may be helpful for the chairperson or staff to identify those opportunities for the public.

tation to two minutes or less. The chairperson may grant additional time if warranted. If there are many persons who would wish to express the same viewpoint, it is requested that a spokesperson for the group is designated to clearly state common opinions. If there are a large number of speakers to be heard, the [elected body/ planning commission] reserves the right to limit the time or the number of speakers. Speakers will be asked to state their name and address for the [municipal secretary] to record in the meeting minutes.

Board Questions and Comments: Board members may ask questions or make comments in response to any speakers statements.

Rebuttal Comment: At the discretion of the chair, the public speaker may permitted to briefly answer board member questions or rebut their comments.

Addressing the Chairperson: All comments should be addressed through the chairperson. Questions may be posed to other board members, staff, or other presenters for an agenda item, after being recognized by the chairperson. Except when answering a direct question from an [elected body/ planning commission] member, all remarks will be addressed to the chairperson, and not to individual members of the board.

Decorum: Proper decorum must be observed by speakers and the audience during public comments. The chairperson shall keep control of the meeting and require the speakers and audience to refrain from abusive or profane remarks, disruptive outbursts, applause, protests, or other conduct which disrupts or interferes with the orderly conduct of the business of the meeting. Personal attacks on municipal officials, staff, or other members of the public are not allowed. It is inappropriate to utilize the public meeting for purposes of making political speeches, including threats of political action. Failure to exercise proper decorum will be grounds for immediately ending a speaker's comment time or for removal of any disruptive person from the meeting room, at the direction of the chairperson.

Deferral of Comment: The chairperson may defer all or portions of the public comment to another time if there is not sufficient time to hear all speakers or when general meeting decorum has made it impossible to allow further comments.

Recording of Meetings: Members of the public may record or videotape all portions of [elected body/ planning commission] meetings that are open to the public provided that: the sign-in sheet indicates their intention to record or video tape the proceedings; their actions do not disturb or interrupt the proceedings; and the recording or videotaping is conducted from the participant's seat in full view of the attendees, unless the [elected body/ planning commission] specifically permits otherwise. At the beginning of the meeting, the chairperson may announce the name of the person recording the meeting.

We thank you for your participation, and welcome your attendance in the future!

It is important for the chairperson to remain in full control during the comment period. Open dialogue between the commenter and other board or planning commission members, staff, or members of the audience should be avoided during public comments.

Decorum should be maintained by all individuals in the meeting. If one member of the meeting violates the overall rules of decorum, there is a strong likelihood that the others will follow.

Appendix K: Planning Commission Meetings Rules of Thumb

- ☑ All members should consistently attend meetings.
- ☑ Materials for the meetings should be sent out in advance and be reviewed by planning commission members prior to the meeting.
- ☑ Meetings should begin on time in an authoritative way.
- ☑ Agendas should be available and followed at all times.
- ☑ Ground rules for meetings should be established and followed at each meeting.
- ☑ All members of the planning commission and public should be respectful of everyone's opinion and time.
- ☑ All participants should be involved effectively throughout the meeting.
- ☑ All discussions and presentations should be focused on the important issues.
- ☑ Meaningful public comments and participation should be welcomed.
- ☑ Members should always work toward attaining consensus.
- ☑ Members should clearly state all recommendations and motions.
- ☑ Members need to constantly focus on the well being of the community as a whole and not the impact of decisions on them alone.

The chairman should:

- ☑ Maintain rules and by-laws.
- ☑ Ensure that all members are engaged in the discussion.
- ☑ Focus discussion toward consensus.
- ☑ Take action and make clear decisions.
- ☑ Manage time.
- ☑ Delegate responsibilities.

Some of the best planning decisions are made as a result of informed public discussion at meetings. At the same time, many planning commission meetings can be unproductive and long if not carefully managed. Every participant in a meeting has a role to play and should be respectful of others. Meeting organization is also important in structuring the discussion and decision making process. The tips listed here are examples. There are many excellent guides to group dynamics and meeting management that should be consulted as well. In addition, planning commission members should be familiar with Roberts Rule of Order.

Appendix L: Understanding Slopes

Here are some common slope references:

1% slope- Is a good minimum slope for most paved areas to ensure proper run-off. It is generally used as the minimum slope for storm sewer and sanitary sewer pipes.

2% slope- is a good minimum slope for grassed areas and drainage ditches. It generally is the point where the slope becomes readily apparent to the eye.

3% slope- is a good general minimum drainage slope to maintain around buildings. It is sufficient to quickly move water away from the structure while providing a functional grade around the buildings.

5% slope- is generally a good maximum for walkways and sidewalks.

7% slope- is the maximum grade recommended by ASHTO for public roads.

12-15% slope- is generally the maximum slope to build upon without special design features. Steep slope ordinances use this range as a threshold.

25% slope- is often considered very steep for development and may warrant significant restrictions.

33% slope- commonly referred to as the 3:1 slope is the maximum slope for grassed areas in a development.

The impact of grades may be altered by soil, vegetation, and groundwater conditions at the site.

Many people reading plans have trouble understanding slopes and what they mean for a particular development. This reference provides some bench marks that might be useful in understanding slope conditions.

Appendix M: Understanding Contours

Landforms are represented graphically by contour lines. A line denotes areas of a site with the same vertical elevation, usually expressed in the elevation above mean sea level. As you move from the contour line, the elevation either increases or decreases dependent upon the elevation found at the next contour line. The differences in the elevation between contour lines are referred to as the contour interval. Many plans have a one to two-foot contour interval. On these plans, particularly where there is significant slope, there will be numerous contour lines depicted. Other common maps such as the USGS 7.5-minute quad sheets or small scale maps depicting a whole municipality may use a 10-foot contour interval.

Here are helpful rules of thumb to use in understanding topography from contour lines

- Contour lines never cross each other (technically this could happen in an overhanging cliff, but that is an odd exception).
- Contour lines never split.
- Closed loop contour lines describe hills.
- Closed loop contour lines with perpendicular lines segments attached describe depressions or quarries.
- Rising land is indicated when the contour line elevations get larger.
- Falling land is indicated when the contour line elevations get smaller.
- Steepness is indicated when parallel contour lines get closer together.
- Flat areas have very few contour lines.
- A uniform slope is indicated with evenly spaced contour lines.
- Contour lines point up stream valleys.
- Drainage occurs perpendicular to contour lines.

Reading and understanding contour lines is often the key to visualizing site conditions on a plan. The rules of thumb might help a new planner get a better sense of what contour lines on a plan are expressing.

Appendix N: Design Rules of Thumb

- The plan should meet the requirements of both the zoning and subdivision and land development ordinances.
- The plan should conform to the recommendations in the municipal comprehensive plan.
- Lot layout should:
 - build residential neighborhoods;
 - provide access and visibility non-residential developments;
 - create logically configured parcels that meet the needs of the proposed use and buildings without impacting natural resources;
 - consider future subdivisions and other development proposals.
- Flag lots and other awkwardly shaped lots can destroy neighborhoods.
- Standards should be uniform despite ownership.
- Design for the average situation- but recognize the possibility for extreme events.
- Look at long-term impact and durability of plants in the landscaping plan considering objectives such as aesthetics, buffering, shading, maintenance, and mitigating lost habitat.
- Develop an interconnected street system offering mobility choice.
- Cul-de-sacs should be used sparingly.
- Open space should be interconnected and of sufficient size, location, topography, and shape to achieve it's purpose
- Stormwater control systems should reflect the unique qualities and opportunities of the site.
- The design of stormwater systems and other forms of infrastructure shall take maintenance into account.
- Easements and other land restrictions should be understandable to the public.
- Logical and safe vehicular circulation should be built upon the existing municipal transportation system.

Expressing good design can be complex. In many cases, good design depends upon site conditions and surrounding development. Yet, there may be a few inherent principles or rules of thumb that are important to consider in trying to identify good design in any development proposal. Other key design points are contained within the model ordinance guidebook.

- Don't overlook grading; it impacts stormwater, usability of land, and view sheds.
- Sidewalks and pathways are essential infrastructure.
- Impact on natural resources and historic structures should be avoided and if not avoided at least mitigated.
- Use natural resources as site amenities.
- Sufficiency of off-site infrastructure (particularly roads) should be evaluated.
- Assess the impact of the subdivision or land development with respect to the health, safety, and general welfare of the community.

