

#### Article IV – Preliminary Plan

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## Article IV – Preliminary Plan

### § 22-401 Requirement.

Preliminary plans and all required supplementary data for all proposed subdivisions and land developments shall be submitted to the Zoning Officer.

[Ord. 415 10-29-2003]

### § 22-402 Contents of Plan.

(a) **Scale.** The preliminary plan of a proposed subdivision shall be clearly and legibly drawn to a scale of one (1) inch equals fifty (50) feet unless otherwise directed by the Planning Commission at the time of sketch plan review.

(b) **Dimensions.** The original drawing and all submitted prints shall be made on sheets of one (1) of the following sets of dimensions:

- (1) Eighteen by twenty-four (18 x 24) inches.
- (2) Twenty-four by thirty-six (24 x 36) inches.
- (3) Thirty-six by forty-two (36 x 42) inches.

(c) **Multiple Sheets.** If the preliminary plan requires more than one (1) sheet, a key diagram illustrating the relative locations of the several sections shall be drawn on each sheet.

(d) **Basic Information.** The preliminary plan shall bear the name, address, license number, and seal of the registered engineer, surveyor, or landscape architect responsible for the subdivision plan, and show the 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.

**(e) Existing Conditions.** The preliminary plan shall illustrate the following data:

(1) Name and address of record owner; name of developer if different from owner; names of all adjoining subdivisions, if any; and the names of owners of all adjacent unplotted land, with the Tax Map, block, and lot numbers where recorded.

(2) Name of the proposed subdivision; name of the municipality or municipalities within which subdivision is proposed; total tract boundaries of the property being subdivided, showing bearings and distances at a closure of one (1) foot equals ten thousand (10,000) feet; and a statement of the total acreage of the property.

(3) A key map, for the purpose of locating the property being subdivided, drawn at a scale not smaller than one (1) inch equals one thousand (1,000) feet, and showing the relation of the property, differentiated by tone or pattern, to adjoining property and to all streets, streams, roads, municipal boundaries, and recorded subdivision plans existing within two thousand (2,000) feet of any part of the property.

(4) Tax map, block, and lot numbers within the proposed subdivision tract, where recorded; the zoning district or districts within which the proposed subdivision is located.

(5) All existing buildings or other structures within the proposed subdivision tract; all existing streets, including streets of record (recorded but not constructed), on or adjoining the tract, including names, right-of-way widths, cartway (pavement) widths, and approximate grades.

(6) All existing sewer lines, water lines, fire hydrants, utility transmission lines, culverts, bridges, railroads, or other man-made features within the proposed subdivision tract and within two hundred (200) feet of the boundaries of the proposed subdivision tract; location, width, and purpose of existing easements and utility rights-of-way within two hundred (200) feet of the proposed subdivision tract.

(7) Contour lines at vertical intervals of not more than two (2) feet for land with an average natural slope of five percent (5%) or less, and at intervals of not more than five (5) feet for land with an average natural slope exceeding five percent (5%). Location and elevation of the data to which contour elevations refer shall be the closest United States Coast and Geodetic Survey established bench mark, where available.

**(f) Proposed Development.** The preliminary plan shall depict the full plan of proposed development, including the following:

(1) Location and width of all streets and rights-of-way, with a statement of any conditions governing their use; suggested street names and utility easement locations.

(2) Building setback lines along each street.

(3) Lot lines, with approximate dimensions.

(4) A statement of the intended use of all nonresidential lots and parcels.

(5) Lot numbers and a statement of the total number of lots, parcels, dwelling units, and density.

(6) Water, sanitary sewer, storm sewer lines (and other drainage facilities), with the size and material of each indicated and any proposed connections with existing facilities.

(7) Parks, playgrounds, and other areas dedicated or reserved for public or common use, with any conditions governing such use.

(8) Certificate of ownership, and an indication of the Planning Commission's approval of the sketch plan.

(9) Copies of the proposed deed restrictions, protective and restrictive covenants, referenced to the preliminary plan map.

[Ord. 415 10-29-2003]

### § 22-403 Supplementary Data.

The preliminary plan shall be accompanied by the following supplementary data:

**(a) Physical Analysis.**

**(1) Site analysis maps.**

**(A)** A map illustrating an analysis of natural drainage patterns and water resources within the proposed subdivision tract, including delineation of streams, natural drainage swales, ponds and lakes, wetlands, floodplains, and permanent and seasonal high water table areas.

**(B)** A map illustrating an analysis of types of soils present within the proposed subdivision tract, based on the Lehigh County Soil Survey (United States Soil Conservation Service 1963). The map should include delineation of prime agricultural soil areas, aquifer recharge areas, unstable soils, soils most susceptible to erosion, soils most suitable for urban development and soils suitable for on-lot sewage disposal.

**(C)** A map delineating additional significant physical features within the proposed subdivision tract, such as woodland areas, large trees, rock out-croppings, and scenic views.

**(2)** Where feasible and legible, the analysis involved in paragraph (1) may be illustrated on one (1) or a combination of composite maps. The combined impact of the natural characteristics of the tract upon the development potential of the tract shall be clearly illustrated on the map or maps.

**(b) Streets, Utilities, and Stormwater Drainage.** Typical cross sections for proposed streets, preliminary sanitary sewer plan and profile, and water system plan; a preliminary storm drainage plan and calculations and profile for the proposed subdivision tract, which conform to design requirements for storm drainage as set forth in § 22-903 (relating to Storm Drainage System). Preliminary street profiles shall be required. The above information may be combined on one (1) plan.

(c) **Development in Stages.** In the case of subdivision or land development plans to be developed in stages or sections over a period of time, a map delineating each stage or section of the proposed subdivision or land development, consecutively numbered so as to illustrate phasing of development, and a schedule indicating the approximate time for which applications for final approval of each stage or section are intended to be filed.

(d) **Bridges and Culverts.** Preliminary designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Pennsylvania Department of Environmental Protection and the Pennsylvania Department of Transportation.

(e) **Sewage Disposal Report.** Three (3) copies of the most current subdivision sewage disposal report, including plan revision module for land development and any other required documentation.

(f) **Certification of Water Supply Systems.** When water service to the proposed subdivision is to be provided by an existing public system, the developer shall submit two (2) copies of a letter from the agency, authority, or utility which states that it can adequately serve the subdivision.

(g) **Certification of Sewage Disposal Systems.** When sewage disposal service to the proposed subdivision is to be provided by an existing public system, the developer shall submit two (2) copies of a letter from the agency, authority, or utility stating that it can adequately serve the subdivision.

[Ord. 415 10-29-2003]

## § 22-404 Submission.

(a) **To the Planning Commission.** Official submission of a preliminary plan to the Planning Commission shall be made by submitting the following to the Zoning Officer no less than twenty-one (21) calendar days prior to a regularly scheduled meeting:

(1) Three (3) copies of a completed preliminary subdivision or land development application.

(2) Seventeen (17) paper prints of the preliminary plan, which shall fully comply with provisions of this Chapter.

(3) Six (6) copies of all required supplemental information as set forth in § 22-403 (relating to Supplementary Data).

(4) The appropriate submission fee.

(b) **To the Lehigh Valley Planning Commission.** Official submission of a preliminary plan to the Lehigh Valley Planning Commission shall be the responsibility of the developer, shall be accomplished within one (1) business day after the plan is submitted to the Zoning Officer, and shall include all fees, forms, plans, calculations, studies, and other information required under the applicable procedures established from time to time by the Lehigh Valley Planning Commission.

(c) **To the Sewage Enforcement Officer.** One (1) print of the preliminary plan and one (1) copy of all required supplemental information as set forth in § 22-403 (relating to Supplementary Data) shall be submitted by the developer to the Borough Sewage Enforcement Officer.

(d) **To Other Agencies.** Additional prints of the preliminary plan shall be submitted by the developer to the respective agencies in each of the following circumstances:

(1) Whenever the property being subdivided or developed abuts a state road, one (1) print of the preliminary plan shall be submitted to the Pennsylvania Department of Transportation.

(2) Whenever a proposed subdivision or land development is located in more than one (1) municipality or located adjacent to another municipality, one (1) print of the preliminary plan shall be submitted for each additional or adjacent municipality to the respective municipalities.

[Ords. 415 10-29-2003, 437 09-14-2005]

## § 22-405 Receipt.

If the preliminary plan submission complies with § 22-402 (relating to Contents of Plan), the Zoning Officer shall acknowledge such compliance by immediate issuance to the developer of a preliminary subdivision plan receipt. A copy of this receipt shall also be sent to the Lehigh Valley Planning Commission.

[Ord. 415 10-29-2003]

## § 22-406 Reference to Borough Engineer and Planning Commission.

The Zoning Officer shall refer one (1) application, one (1) plan print, and one (1) copy of the supplemental information to the Borough Engineer, and one (1) application, two (2) plan prints, and one (1) copy of the supplemental information to the Planning Commission, for recommendations as to changes, alterations, and modifications.

[Ord. 415 10-29-2003]

## § 22-407 Review and Recommendation by the Planning Commission.

Review of the preliminary plan by the Planning Commission shall proceed as follows:

(a) When a preliminary plan has been officially submitted, such plan shall be placed on the agenda of the Planning Commission for review at its next regular monthly meeting, *provided* that such official submission has occurred no less than twenty-one (21) calendar days prior to such regular meeting.

(b) The Planning Commission shall review the preliminary plan to determine its conformance with the standards contained in this Chapter and other applicable ordinances.

(c) No recommendations shall be made by the Planning Commission with respect to a preliminary plan until the Planning Commission has received and considered the written report of the Lehigh Valley Planning Commission; *provided*, however, that if the Lehigh Valley Planning Commission shall fail to report thereon within forty-five (45) days after receipt of a preliminary plan, then the Planning Commission may make its recommendations without having received and considered such report.

(d) During review of the preliminary plan, the Planning Commission shall also consider opinions of the Borough Engineer and the Borough Solicitor.

(e) The Planning Commission shall recommend to Council that the preliminary plan be approved (with or without conditions) or disapproved. Whenever possible, the recommendations of the Planning Commission should be made at least fourteen (14) calendar days before the last regular meeting of Council which occurs on or before the date by which Council is required to render its decision on the preliminary plan. Within fourteen (14) calendar days after the meeting at which the preliminary plan was acted upon by the Planning Commission, the Secretary of the Planning Commission shall send written notice of the Planning Commission's recommendations to the following:

- (1) Council.
- (2) The Borough Engineer.
- (3) The developer or his agent.

[Ords. 415 10-29-2003, 437 09-14-2005]

### § 22-407.1 Review and Decision by Council.

(a) **In General.** Council shall approve or disapprove the preliminary plan, and shall communicate its decision to the developer or his agent in writing, within the time limitations (including extensions) and in the manner required by law (*see* Municipalities Planning Code § 508, 53 PA. STAT. ANN. § 10508). Council shall not act until after receipt of recommendations from the Planning Commission, *provided* that Council may act without such recommendations if the next regular meeting of Council will not occur until after the date by which Council is required to render on oral decision on the preliminary plan.

(b) **Conditions.** Approval may be granted subject to conditions. However, if the developer or his agent does not affirmatively accept all of the conditions in writing by the Required Acceptance Date, the approval shall be rescinded automatically and the plan shall be deemed denied/disapproved as of the Required Acceptance Date. For purposes of the preceding sentence, the "Required Acceptance Date" shall be the *earlier* of—

- (1) the date by which Council is required to render an oral decision on the preliminary plan (including extensions); *or*
- (2) ten (10) calendar days after the date of mailing of the decision to grant approval subject to conditions.

[Ord. 437 09-14-2005]

**§ 22-408 Endorsement and Distribution of Plans.**

The action of Council shall be noted, together with the date of the action and signature of the President and the Borough Manager, on three (3) sets of plans. These plans shall then be distributed as follows:

- (a) Two (2) sets to the developer or his agent.
- (b) One (1) set to the Borough Office for filing.

[Ords. 415 10-29-2003, 437 09-14-2005, 526 01-28-2015]