

PART 5

ACTIVITIES REQUIRING SPECIAL PERMITS

§8-501. General.

In accordance with the administrative regulations promulgated by the Department of Community and Economic Development to implement the Pennsylvania Floodplain Management Act, the following activities shall be prohibited within any identified floodplain area unless a special permit has been issued by the Department of Environmental Protection:

- A. The commencement of any of the following activities or the construction, enlargement or expansion of any structure used or intended to be used for any of the following activities:
 - (1) Hospitals.
 - (2) Nursing homes.
 - (3) Jails or prisons.

- B. The commencement of or any construction of a new mobile home park or mobile home subdivision or substantial improvement to an existing mobile home park or mobile home subdivision.

(Ord. 944, 6/11/1990, Art. V, §5.00; as amended by A.O.)

§8-502. Application Requirements for Special Permits.

Applicants for special permits shall provide five copies of the following items:

- A. A written request, including a completed building permit application form.
- B. A small scale map showing the vicinity in which the proposed site is located.
- C. A plan of the entire site, clearly and legibly drawn at a scale of 1 inch being equal to 100 feet or less, showing the following:
 - (1) North arrow, scale and date.
 - (2) Topography based upon the National Geodetic Vertical Datum of 1929, showing existing and proposed contours at intervals of 2 feet.
 - (3) All property and lot lines, including dimensions and the size of the site expressed in acres or square feet.

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- (4) The location of all existing streets, drives, other accessways and parking areas, with information concerning widths, pavement types and construction and elevations.
 - (5) The location of any existing bodies of water or watercourses, buildings, structures and other public or private facilities and any other natural and manmade features affecting or affected by the proposed activity or development.
 - (6) The location of any existing bodies of water or watercourses, buildings, structures and other public or private facilities, including railroad tracks and facilities and any other natural and manmade features affecting or affected by the proposed activity or development.
 - (7) The location of the floodplain boundary line, information and spot elevations concerning the one-hundred-year flood elevations and information concerning the flow of water, including direction and velocities.
 - (8) The location of all proposed buildings, structures, utilities and any other improvements.
 - (9) Any other information which the Borough considers necessary for adequate review of the application.
- D. Plans of all proposed buildings, structures and other improvements, clearly and legibly drawn at suitable scale, showing the following:
- (1) Sufficiently detailed architectural or engineering drawing, including floor plans, sections and exterior building elevations, as appropriate.
 - (2) For any proposed building, the elevation of the lowest floor (including basement) and, as required, the elevation of any other floor.
 - (3) Complete information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with the one-hundred-year flood.
 - (4) Detailed information concerning any proposed floodproofing measures.
 - (5) Cross section drawings for all proposed streets, drives, other accessways and parking areas, showing all rights-of-way and pavement widths.
 - (6) Profile drawings for all proposed streets, drives and vehicular accessways, including existing and proposed grades.

- (7) Plans and profiles of all proposed sanitary and storm sewer systems, water supply systems and any other utilities and facilities.

E. The following data and documentation:

- (1) Certification from the applicant that the site upon which the activity or development is proposed is an existing separate and single parcel, owned by the applicant or the client he represents.
- (2) Certification from a registered professional engineer, architect or landscape architect that the proposed construction has been adequately designed to protect against damage from the one-hundred-year flood.
- (3) A statement, certified by a registered professional engineer, architect, landscape architect or other qualified person which contains a complete and accurate description of the nature and extent of pollution that might possibly occur from development during the course of a one-hundred-year flood, including a statement concerning the effects such pollution may have on human life.
- (4) A statement, certified by a registered professional engineer, architect, landscape architect or other qualified person which contains a complete and accurate description of the effects proposed.
- (5) A statement, certified by a registered professional engineer, architect, landscape architect or other qualified person which contains a completed and accurate description of kinds and amounts of any loose buoyant materials or debris that may possibly exist or be located on the site below the one-hundred-year flood elevation and the effects such materials and debris may have on one-hundred-year flood elevation and flows.
- (6) The appropriate component of the Department of Environmental Protection's Planning Module for Land Development.
- (7) Where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection to implement and maintain erosion and sedimentation control.
- (8) Any other applicable permits such as, but not limited to, a permit for any activity regulated by the Department of Environmental Protection under §302 of Act 1978-166.
- (9) An evacuation plan which fully explains the manner in which the site will be safely evacuated before or during the course of a one-hundred-year flood.

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(Ord. 944, 6/11/1990, Art. V, §5.01; as amended by A.O.)

§8-503. Application for Review Procedures.

Upon receipt of an application for a special permit by the Borough of Philipsburg, the following procedures shall apply in addition to those of Part 2:

- A. Within 3 working days following receipt of the application, a complete copy of the application and all accompanying documentation shall be forwarded to the County Planning Commission by registered or certified mail for its review and recommendations. Copies of the application shall also be forwarded to the Borough of Philipsburg Planning Commission and Borough of Philipsburg Engineer for review and comment.
- B. If an application is received that is incomplete, the Borough of Philipsburg shall notify the applicant, in writing, stating in what respect the application is deficient.
- C. If the Borough of Philipsburg decides to disapprove an application, it shall notify the applicant, in writing, of the reasons for the disapproval.
- D. If the Borough of Philipsburg approves an application, it shall file written notification, together with the application and all pertinent information with the Department of Community and Economic Development, by registered or certified mail, within 5 working days after the date of approval.
- E. Before issuing the special permit, the Borough of Philipsburg shall allow the Department of Community and Economic Development 30 days, after receipt of the notification by the Department, to review the application and decision made by the Borough of Philipsburg.
- F. If the Borough of Philipsburg does not receive any communication from the Department of Community and Economic Development during the thirty-day review period, it may issue a special permit to the applicant.
- G. If the Department of Community and Economic Development should decide to disapprove an application, it shall notify the Borough of Philipsburg and the applicant, in writing, of the reasons for the disapproval and the Borough of Philipsburg shall not issue the special permit.

(Ord. 944, 6/11/1990, Art. V, §5.02; as amended by A.O.)

§8-504. Special Technical Requirements.

1. In addition to the requirements of Part 4, the following minimum requirements shall also apply to any proposed development requiring a special permit. If there

is any conflict between any of the following requirements and those in Part 4 or in any other code, ordinance or regulation, the more restrictive provision shall apply.

2. No application for a special permit shall be approved unless it can be determined that the structure or activity will be located, constructed and maintained in a manner which will:
 - A. Fully protect the health and safety of the general public and any occupants of the structure. At a minimum, all new structures shall be designed, located and constructed so that:
 - (1) The structure will survive inundation by waters of the one-hundred-year flood without any lateral movement or damage to either the structure itself or to any of its equipment or contents below the one-hundred-year flood elevation.
 - (2) The lowest floor elevation will be at least 1 1/2 feet above the one-hundred-year flood elevation.
 - (3) The occupants of the structure can remain inside for an indefinite period of time and be safely evacuated at any time during the one-hundred-year flood.
 - B. Prevent any significant possibility of pollution, increased flood levels or flows or debris endangering life and property.
3. All hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the Borough of Philipsburg and the Department of Community and Economic Development.

(Ord. 944, 6/11/1990, Art. V, §5.03; as amended by A.O.

