

**PENN TOWNSHIP
YORK COUNTY, PENNSYLVANIA**

**SUBDIVISION AND
LAND DEVELOPMENT
ORDINANCE**

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ARTICLE I

**SHORT TITLE, PURPOSE, AUTHORITY,
AND JURISDICTION**

ORDINANCE NUMBER 407

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

An ordinance repealing the Penn Township Subdivision and Land Development Ordinance of 1967, as amended, replacing said ordinance with an ordinance with the intent of establishing rules, regulations and standards governing the subdivision of land within the Township of Penn, York County, Pennsylvania, pursuant to the Authority granted in the Pennsylvania Municipalities Planning Code (Act 170) as enacted and amended, setting forth the procedure to be followed by the Planning Commission and the Township Commissioners applying and administering these rules, regulations and standards and providing penalties for the violation thereof.

Be it Ordained by the Board of Commissioners of Penn Township, York County, Pennsylvania as follows:

ARTICLE I

SHORT TITLE, PURPOSE, AUTHORITY AND JURISDICTION

§.101 Short Title

This Ordinance shall be known as and may be cited as the "Penn Township Subdivision and Land Development Ordinance."

§.102 Purpose

The purpose of these subdivision and land development regulations is to provide for the harmonious development of the Township by:

- Assisting in the orderly and efficient integration of land developments within the Township.
- Ensuring conformance of land development plans with public improvement plans and programs.
- Ensuring coordination of inter-municipal public improvement plans and programs.
- Securing the protection of water resources and drainageways.
- Facilitating the efficient movement of traffic.
- Securing equitable handling of all land development plans by providing uniform standards and procedures.
- In general promoting greater health, safety, and welfare of the citizens of the Township.
- Securing adequate sites for recreation, conservation, scenic and other open space purposes.

Authority and Jurisdiction

No 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.

The authority for the control and regulation of subdivision and land development within the Township shall be as follows:

- a. Approval by the Township Board of Commissioners: The Penn Township Board of Commissioner, hereinafter referred to as the Board of Commissioners, shall be vested with the authority to approve or disapprove all subdivision and land development plans.
- b. Review by the Township Planning Commission: The Penn Township Planning Commission, hereinafter referred to as the Planning Commission, shall be vested with the review of subdivision and land development plans.
- c. Review by the County Planning Commission: Plans for subdivision and land development located within Penn Township shall be forwarded upon receipt by Penn Township to the York County Planning Commission for review and report. Penn Township Board of Commissioners shall not approve such plans until the County report is received or until the expiration of thirty (30) days from the date the application was forwarded to the County.

ARTICLE II
DEFINITIONS

ARTICLE II

DEFINITIONS

§.201 Intent

Unless otherwise expressly stated, the following terms shall, for the purpose of this Ordinance, have the meaning given herein:

§.202 General Usage

- a. Words used in the present tense imply the future tense.
- b. Words used in the singular imply the plural.
- c. The word "person" includes a partnership or corporation as well as an individual.
- d. The word "shall" is to be interpreted as mandatory; the word "may" as directory and complied with unless waived.

§.203 Specific Words and Phrases

Agent - Any person, other than the developer, who, acting for the developer submits to the Township commissioners land development plans for the purpose of obtaining approval thereof.

Agricultural Purposes - The use of land for farming, dairying, pasturage, agriculture, horticulture, viticulture or animal or poultry husbandry including the necessary accessory uses for packing, treating or storing the produce and equipment or housing and feeding the animals and/or the use of dwellings for families headed by a full-time farm worker. Includes land devoted to and meeting the requirements and qualifications for payments or other compensation pursuant to a soil conservation program under an agreement with an agency of the Federal Government.

Applicant - A landowner of developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.

Application for Development - Every application, whether preliminary, tentative or final, required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plot or plan or for the approval of a development plan.

Average Lot Price - This amount is determined by taking the arithmetic average of all open market residential lot sales in Penn Township for the previous year. Open market sales shall not include multiple property/single consideration, nominal consideration, family member, forced sale or partial interest

sales as defined by the York County Assessor's Office. This figure will be calculated on annual basis and established by the Board of Commissioners.

Block - An area bounded by streets.

Cartway - The portion of a street right-of-way which is paved, improved, designated or intended for vehicular traffic.

Clear Sight Triangle - An area of unobstructed vision at street intersections defined by the center lines of the streets and by a line of sight between points on their center lines at a given distance from the intersection of the center lines.

Comprehensive Plan - The official public document prepared in accordance with the Pennsylvania Municipalities Planning Code, Act 170 of 1988, as amended, consisting of maps, charts, and textual material, that constitutes a policy guide to decisions about the physical and social development of Penn Township, as amended from time to time.

Corner Lot - A lot with two (2) adjacent sides abutting on streets which has an interior angle of less than one hundred thirty-five (135) degrees at the intersection of the two (2) street lines. A lot abutting on a curved street shall be considered a corner lot if the tangents to the curve at the points of intersection of the side lot lines with the street line intersect at an interior angle of less than one hundred thirty-five (135) degrees.

Crosswalk - A right-of-way, municipally or privately owned, at least twelve feet (12') wide, which cuts across a block to furnish access for pedestrians to adjacent streets or properties.

Curb - The raised edge of a pavement to confine surface water to the pavement and to protect the abutting land from vehicular traffic.

Curb Line - The outside edge of the cartway.

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.

Development Costs Factor - This figure is a percentage of the total average lot price that development actually costs on a per lot basis. The figure would include the costs for streets, sidewalks, curbing, utilities, etc. This value expressed as a percentage in the fee in lieu of land dedication formula would be established by the Township Engineer.

Double Frontage Lot - A lot fronting on two streets other than a corner lot.

Drainage Facility - Any ditch, gutter, pipe, culvert, storm sewer or other structure designed, intended, or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public rights-of-way, parks, recreational areas, or any part of any land development or contiguous land areas.

Driveway - A minor vehicular right-of-way providing access between a street and a parking area or garage within a lot or property.

Dwelling Unit - Any structure, or part thereof, designed to be occupied as living quarters for one family.

Easement - A limited right of use granted in private land for public or quasi-public purpose.

Engineer - A Professional Engineer licensed as such in the Commonwealth of Pennsylvania.

Flood Plain or Floodway Area - That area along a natural watercourse which is periodically overflowed by water therefrom and defined by the U.S. Geologic Survey and alluvial soils as established by the Soil Conservation Service, or the 100 year flood plain as defined by engineering data.

Frontage - The horizontal or curvilinear distance along the street line upon which a lot abuts.

Future Right-of-way - (1) The right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads. (2) A right-of-way established to provide future access to or through undeveloped land.

Grade - The slope expressed in a percent which indicates the rate of change of elevation in feet per hundred feet.

Gutter - That portion of a right-of-way carrying surface drainage.

Improvements - Pavements, curbs, gutters, sidewalks, water mains, sanitary sewers, storm sewers, grading, street signs and plantings, and other items required for the welfare of the property owners and the public.

Land Development - (1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:

- a) a group of two or more residential or nonresidential buildings, whether proposed initially or cummulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
- b) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of

streets, common areas, leaseholds, condominium, building groups or other features; or

c) a subdivision of land.

Landowner - 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.

Location Map - A map showing the site with relation to adjoining areas.

Lot - A designated parcel, tract or area of land established by a plot or otherwise as permitted by law and to be used, developed or built upon as a unit.

Lot Area - The area contained within the property lines of an individual parcel of land, excluding any area within a street right-of-way, but including the area of any easement.

Lot Width - The required distance between the side property lines measured along the front setback line.

Minor Subdivision - A subdivision involving five (5) lots or less and involving no new streets or other public improvements.

Mobilehome - A transportable, single family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

Mobilehome Lot - A parcel of land in a mobilehome park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobilehome, which is leased by the park owner to the occupants of the mobilehome erected on the lot.

Mobilehome Park - A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobilehome lots for the placement thereon of mobilehomes.

Multiple Dwelling Building - A building providing separate living quarters for three or more families.

Owner - The owner of record of a parcel of land.

Performance Bond - An agreement by and between a contractor and a bonding company in favor of the developer and the Township Board of Commissioners guaranteeing the completion of physical improvements.

Plan - The map or plan of a subdivision or land development, whether sketch, preliminary or final.

- a) Plan, Sketch - An informal land development plan, not necessarily to scale, indicating salient existing features of a tract and its surroundings and the general layout of the proposed land development for discussion purposes only and not to be presented for approval.
- b) Plan, Preliminary - A tentative land development plan, in lesser detail than a final plan, showing the salient existing features of a tract and its surroundings and approximate proposed street and lot layout as a basis for consideration prior to preparation of a final plan.
- c) Plan, Final - A complete and exact land development plan, prepared for official recording, to define property rights and proposed streets and other improvements.

Public Grounds - Includes:

- (1) parks, playgrounds, trails, paths and other recreational areas and other public areas;
- (2) sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities; and
- (3) publicly owned or operated scenic and historic sites.

Recreation - Any activity, whether structured or not, in which individuals voluntarily engage during their leisure, including, but not limited to =

- 1.) Sports (individual, dual, team, co-recreational, and combative), athletics; both land and water-based.
- 2.) Arts and crafts, spectating, picnicking, nature study, and board games.
- 3.) Dance, drama, music, games, social recreation, special events, hiking/walking, cycling, hobbies, outdoor educational activities, and cultural activities.

Recreation, Active - Any activity that requires some physical exertion on the part of the participant. See Recreation, Sections 1 and 3 for general examples.

Recreation Area, Active - Any area developed in such a manner as to be conducive to those activities that fall within the range of active recreation. Examples: athletic fields and hard-surfaced courts, pools, large dams, bicycle and walking trails, open turf areas, and apparatus areas.

Recreation, Passive - Any activity that requires little or no physical exertion on the part of the participant. See recreation, Sections 2 and 3 for general examples.

Recreation, Area, Passive - Any area developed in such a manner as to be conducive of those activities that fall within the range of passive recreation. Examples: scenic vistas, natural areas, craft areas, meeting areas, sitting areas, walkways, sunbathing, gardens, streams and impoundments, social events, picnicking, and spectating areas.

Recreation Area Accessibility - Any area which can be easily approached, entered and used by the citizens of a particular residential development provided that the area is within six miles of the development.

Recreation Area Required - The amount of land in any given subdivision that would be dedicated for recreation where the fee in lieu of land dedication provision is not being utilized.

Resubdivision - Any land development which has been approved by the Township which changes, or proposes to change property lines and/or public rights-of-way not in strict accordance with the approved plan.

Reverse Frontage Lot - A lot extending between and having frontage on an arterial street and a minor street with vehicular access solely from the latter.

Right-of-way - Land opened for use as a street, alley or crosswalk.

Setback - The required horizontal distance between a setback line and a property or street line.

- a) Setback, Front - The distance between the street line and the front setback line projected the full width of the lot. Commonly called "front yard."
- b) Setback, Rear - The distance between the rear lot line and the rear setback line projected the full width of the lot. Commonly called "rear yard."
- c) Setback, Side - The distance between the side lot line and the side setback line projected from the front yard to the rear yard. Commonly called "side yard."

Setback Line - A line within a property and parallel to a property or street line which delineates the required minimum distance between a structure and that property or street line.

Sidewalk - A paved walkway, continuous for a reasonable distance and an integral part of the roadway, with or without a grass strip between the curb or cartway edge and sidewalk, constructed solely for use by pedestrians.

Street - Street includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. Streets are further classified as follows:

a) Major Arterials - Limited access highways that are important in the inter-regional transportation system, with a major portion of the vehicular movements being through traffic. Major arterials in Penn Township include Baltimore Street, Carlisle Street, York Street and Frederick Street.

b) Minor Arterials - Highways that are important in the regional transportation system, and while carrying mostly regional traffic, serve some local or Township origins and destinations. Minor arterials in Penn Township include Broadway Street, Grandview Road and Blooming Grove Road.

c) Collectors - Roadways serving primarily local traffic and provide the connection between the residential, commercial and industrial developments and the minor arterial system. Collectors in Penn Township include Moulstown Road, Ridge Avenue, Westminster Avenue, Black Rock Road, Beck Mill Road and Clover Lane.

d) Local Roads - Roadways serving local traffic and connect to collectors or minor arterials. Local roads in Penn Township include all roads not classified as major arterials, minor arterials, collectors or cul-de-sacs.

e) Cul-de-sac - A street with an end open for public vehicular and pedestrian access and the other end terminating in a vehicular turnaround.

Street Grade - The officially established grade of the street upon which a lot fronts or in its absence the established grade of other streets upon which the lot abuts at the midway of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the street at such midpoint shall be taken as the street grade.

Street Line - A line defining the edge of a street right-of-way and separating the street from abutting property or lots. Commonly known as the "street right-of-way line."

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, 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 (10) acres not involving any new street or easement of access or residential dwellings shall be exempted.

Substantially Completed - A subdivision or land development can be considered substantially completed, where, in the judgement of the Township Engineer, at least ninety percent (based on the cost of the required improvements for which financial security was posted) 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.

Undeveloped Land - Land in parcels sufficiently large for future land development which is presently in agriculture, woodland or lying fallow.

ARTICLE III
PROCEDURE

ARTICLE III

PROCEDURE

§.301 Preapplication Consultation

Copies of this Ordinance shall be available at reasonable charge on request for the use of any person who desires information concerning subdivision and land development standards and procedures in effect within Penn Township. Any prospective developer may request a meeting with the Planning Commission to discuss and review tentative plans and discuss the applicability of the provisions of this Ordinance.

§.302 Sketch Plan

Where a land development plan includes improvements or in the case of a major subdivision plan, the developer shall submit a minimum of five (5) paper copies of a sketch plan to the Planning Commission in accordance with the Provisions of §.401.

Such Sketch Plan will be considered as submitted for informal review and discussion and shall not constitute formal filing of the plan with the Township.

As far as may be practical on the basis of the Sketch Plan review and discussion, the Township will informally advise the developer as promptly as possible of the extent to which the proposed land development conforms to the Design Standards of these regulations (Article V) and will discuss possible Plan modifications necessary to secure conformance.

§.303 Submission of Plans

Applications for approval of Preliminary and Final Plans for all proposed land developments lying within the Township shall be filed with the Board of Commissioners at a regularly scheduled meeting. Such submission of Plans shall be accompanied by a fee as specified in §.804.

The initial Plan file with the Board of Commissioners shall be considered as a Preliminary Plan. However, in the event that an initial land development is five (5) lots or less and involving no new streets or other public improvements, the developer may proceed directly to Final Plan preparation in compliance with the requirements of §.405. A Feasibility Study and Environmental Impact Study as specified in §.403 and §404 shall accompany the plan submission. The processing of a minor land development shall be consistent with the Procedures for processing a Final Plan as required in this Article.

The developer shall submit the Preliminary and Final Plans drawn on linen or mylar material along with a minimum of ten (10) copies, blue or black line paper prints, as well as two (2) copies of the

required supporting data. Fewer than ten (10) copies of the Plans may be required at the discretion of the Township. Preliminary and Final Plans shall comply with the requirements of Article IV.

§.304

Referral of Plans

All Plans, whether Preliminary or Final, shall be forwarded by the Board of Commissioners to the Township Planning Commission for review and recommendation. If no report is received from the Township Planning Commission within seventy-five (75) days, such Plan shall be considered as receiving favorable review and recommendation from the Planning Commission.

The Board of Commissioners may also notify the following agencies as necessary for review and recommendations in writing that the Plan whether Preliminary or Final has been received and will be considered at its meeting of specified date:

- Four copies of the plan, one copy of a Feasibility Report on Water and Sewer Facilities and 3 copies of the Plan Module transmitted to the local office of the Pennsylvania Department of Environmental Resources for review and recommendations.
- One copy transmitted to the local office of the Soil Conservation Service of the U.S. Department of Agriculture for review and recommendations concerning erosion, sediment and drainage control.
- One copy transmitted to the local office of the Pennsylvania Department of Transportation for review and recommendations where the land development will front on an existing or proposed State Highway or has a proposed street entering on such a Highway.
- One copy transmitted to the York County Planning Commission as required by §.103 of this Ordinance.
- One copy transmitted to all affected public utilities who shall be requested to make recommendations as to the suitability of installing underground telephone, electric lines, gas lines, cable T.V., public water and sewer.
- One copy transmitted to the Township Engineer or other authorized person for review of engineering requirements.
- One copy transmitted to the Public Safety Officials responsible for police protection and fire safety.
- One copy transmitted to the Penn Township Parks and Recreation Board

§.305 Review of Plans

All Plans, whether Preliminary or Final, shall be reviewed by the Township Planning Commission with reference to the following:

- The standards and requirement of this Ordinance.
- Any proposals contained in the Penn Township Comprehensive Plan.
- Any proposals contained in the Penn Township Comprehensive Sewage Plan.
- Site suitability for the particular type of development proposed.
- The availability for necessary services and facilities.
- The requirements of the Township Zoning Ordinance.
- The requirements of any other applicable Township Ordinance.
- The Official Map of the Township.
- The improvements, design and dedications or reservations required by this Ordinance.

In addition, any comments and recommendations from the following persons or agencies shall be given consideration

- Township Engineer.
- York County Planning Commission.
- Pennsylvania Department of Environmental Resources, including the Bureau of Dams and Waterway Management.
- Soil Conservation Service of the U.S. Department of Agriculture.
- Pennsylvania Department of Transportation.
- Public Safety Officials.
- Affected public utilities.
- Penn Township Parks and Recreation Board
- Interested citizens.

§.306 Public Hearings

Before acting on any land development plan, the Board of Commissioners may hold a public hearing thereon Pursuant to public notice.

Approval of Plans

At a scheduled public meeting the Board of Commissioners shall render its decision on the Plan, whether Preliminary or Final, and communicate its decision to the applicant not later than ninety (90) days following the date of the regular meeting of the governing body or planning commission next following the date the application is filed, provided that should the next regular meeting occur more than thirty (30) days following the filing, of the application, the said ninety (90) day period shall be measured from the thirty (30) day following the day the application was filed.

Final Plan approval shall not be granted until such improvements as required by this Ordinance and shown on such Final Plan have been completed or guarantee posted as required in Article VI.

The decision of the Board of Commissioners concerning Plan approval, whether Preliminary or Final, shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision.

When the Plan is not approved in terms as filed the decision shall specify the defects found in the Plan and describe the requirements which have not been met and cite the provisions of these regulations relied upon.

Failure of the Board of Commissioners to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed as approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

From the time a Plan, whether Preliminary or Final, is submitted as provided in this Ordinance and while such Plan is pending approval or disapproval, no change or amendment of the Zoning, Subdivision and Land Development or other Township Ordinance or Plan shall affect the decision on such Plan adversely to the applicant and the applicant shall be entitled to a decision in accordance with the provisions of the Township Ordinances or Plans as they stood at the time the application was duly submitted. In addition, when a Preliminary Plan has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved Preliminary Plan as hereinafter provided.

However, if a Plan is properly and finally denied, any subsequent Plan shall be subject to the intervening change in Township regulations. When an application for approval of a Plan, whether Preliminary or Final, has been approved without conditions or approved subject to conditions acceptable to the applicant no subsequent change or amendment in the Zoning, Subdivision and Land

Development or other Township 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 Township Ordinances or Plans as they stood at the time when the Plan for such approval was duly submitted.

Where the landowner has substantially completed the required improvements as depicted upon the final plat within the aforesaid five-year limit, or any extension thereof as may be granted by the governing body, no change in municipal ordinance or plan enacted subsequent to the date of filing of the preliminary plat shall modify or revoke any aspect of the approved final plat pertaining to zoning classification or density, lot, building, street or utility location. In the case of a preliminary plat calling for the installation of improvements beyond the five year period, a schedule shall be filed by the landowner with the preliminary plat delineating all proposed sections as well as deadlines within which applications for final plat approval of each section are intended to be filed. Such schedule shall be updated annually by the applicant on or before the anniversary of the preliminary plat approval, until final plat approval of the final section has been granted and any modification in the aforesaid schedule shall be subject to approval of the governing body in its discretion.

Each section in any residential subdivision, or land development, except for the last section, shall contain a minimum of twenty-five percent of the total number of the dwelling units as depicted on the preliminary plan, unless a lesser percentage is approved by the governing body in its discretion. Provided the landowner has not defaulted with regard to or violated any of the conditions of the preliminary plat approval, including compliance with landowner's aforesaid schedule of submission of final plats for the various sections, then the aforesaid protections afforded by substantially completing the improvements depicted upon the final plat within five years shall apply and for any section or sections, beyond the initial section, in which the required improvements have not been substantially completed within said five year period the aforesaid protection shall apply for an additional term or terms of three years from the date of final plat approval for each section.

§.308

Effect of Preliminary Plan Approval

Approval of the Preliminary Plan by the Board of Commissioners constitutes conditional approval of the development as to the character and intensity of development, the general layout, and the approximate dimensions of streets, lots, and other planned features. This approval binds the developer to the general scheme shown on the Preliminary Plan.

Approval of the Preliminary Plan shall not constitute approval of the Final Plan, nor does it authorize recording of the Preliminary Plan or the sale of any lots. However, such approval does authorize the developer to proceed with the preparation of the Final Plan, installation and construction of improvements and/or the posting of a bond guarantee as specified in this Ordinance.

§.309 Effect of Final Plan Approval

Approval of the Final Plan by the Board of Commissioners constitutes final approval of the land development as to the character and intensity of development, the layout, and the dimensions of streets, lots and other planned features. This approval binds the developer to the scheme shown on the Final Plan.

Final Plan approval authorizes the developer to proceed with the recording of the Final Plan which must be accomplished before the developer can proceed with the sale of any lots or the construction of buildings or structures.

§.310 Recording of Final Plan

Upon approval of the Final Plan, the developer shall within ninety (90) days of such approval record such Plan in the office of the Recorder of Deeds of York County. Within thirty (30) days after such recording, the developer shall furnish proof of recording to the Board of Commissioners. Should the developer fail to record the Final Plan within such period, the approval of the Board of Commissioners shall be null and void, unless an extension of time has been granted by the Board of Commissioners upon written request.

The Recording of the Final Plan shall not constitute grounds for assessment increases until such time as lots are sold or improvements are installed on the land included within the subject Plan.

§.311 Resubdivision

For any replatting or resubdivision of land, the same procedures and regulations apply as prescribed for any original land development.

ARTICLE IV
PLAN REQUIREMENTS

ARTICLE IV

PLAN REQUIREMENTS

§.401 Sketch Plan Requirements

The Sketch Plan shall be drawn at a scale of not more than one hundred feet (100') to the inch. The sheet size shall be twenty-four inches by thirty-six inches (24" x 36"). The Sketch Plan shall be accompanied by an application for Subdivision and Land Development Approval and shall show the following information:

- a) Name and address of developer, name of municipality, title, north arrow and date.
- b) Tract boundaries.
- c) Number of acres in tract, average lot size, approximate number of lots, anticipated type of development.
- d) Existing and proposed streets, highways, rights-of-way.
- e) Proposed general lot layout.
- f) All public reservations such as schools, parks, etc.
- g) Predominant natural features such as wooded areas, streams, wetlands, etc.
- h) A location map for the purpose of locating other streets, developments, recreation areas and rights-of-way to better plan the proper locations of the same. This location map should be at a scale of 1" (inch) to eight hundred (800) feet.

A land development sketch plan shall be drawn to the above scale, however, precise dimensions are not required.

§.402 Preliminary Plan Requirements

The Preliminary Plan shall be submitted with an Application for Subdivision and Land Development Approval.

The Preliminary Plan shall be drawn on linen or mylar material and at a scale of not more than one hundred (100) feet to the inch. Sheet size shall be 24" x 36". The Preliminary Plan shall show the following information:

- a) Proposed land development name or identifying title.
- b) Municipality in which the land development is located.
- c) North point, scale and date.

- d) Name and address of the owner of the property or of his authorized agent.
- e) Name, seal, and signature of the Registered Engineer or Registered Surveyor responsible for the plan.
- f) Total acreage of the tract.
- g) Number of lots, proposed density and minimum lot size.
- h) Signature block for approval by the Board of Commissioners.
- i) Length of new street proposed.
- j) Type and location of water supply and sewage disposal facilities proposed, i.e., on-lot or public. For on-lot systems the location of perc tests must be shown.
- k) Proposed use of land and existing zoning classification and proof of any variances or special exceptions which may have been granted.
- l) A location map for the purpose of locating the site in relation to the surrounding neighborhood and community. The location map should be at a scale of not less than two thousand (2,000) feet to the inch.
- m) Tract boundaries showing bearings and distances.
- n) Proposed contours at vertical intervals of five (5) feet where the slope is equal to or greater than ten (10) percent or intervals of two (2) feet where the slope is less than ten (10) percent.
- o) Datum to which contour elevations refer. Where reasonably practicable, data shall refer to U.S. Coast and Geodetic Survey datum.
- p) The names of owners of immediately adjacent unplatted land; the names of proposed or existing land developments immediately adjacent, and the locations and dimensions of any streets or easements shown thereon which abut the land to be developed.
- q) All existing watercourses, tree masses and other significant natural features, such as rock outcrops, springs and wetlands.
- r) All existing buildings, sewers, water mains, culverts, petroleum lines, telephone and electric lines, gas lines, fire hydrants and other significant man-made features.
- s) All existing streets on, adjacent to or within four hundred (400) feet of any part of the tract, including name, right-of-way width and cartway width.

- t) All existing property lines, easements and rights-of-way and the purpose for which the easements or rights-of-way have been established.
- u) Lots within the land development shall be numbered.
- v) Location of all proposed buildings.
- w) Location and width of all proposed streets, alleys, rights-of-way and easements; proposed lot lines with approximate dimensions; driveway access points on all lots where proposed; proposed minimum building setback line for each street; playgrounds, public buildings, public areas and parcels of land proposed to be dedicated or reserved for public use.
- x) Where the Preliminary Plan covers only a part of the developer's entire holding, a sketch may be required of the prospective street layout for the remainder.
- y) A notarized statement/to the effect that the applicant is the owner of the land proposed to be developed and that the land development shown on the Preliminary Plan is made with his or their free consent.
- z) Recreation Areas shall be shown on a separate drawing with topos to a scale in increments of five (5) feet where the slope is equal to or greater than ten (10) percent or two (2) feet where the slope is less than 10 (percent).

The Preliminary Plan shall include thereon or be accompanied by:

- a) Feasibility Study on sewer and water facilities for the tract (§.403) and for land developments of 2 or more lots or dwelling units, a Plan Revision Module for Land Development along with recommendations from the local office of the Pennsylvania Department of Environmental Resources.
- b) Environmental Impact Study in accordance with Section 404 for all residential subdivisions which exceed twenty-five (25) lots or units in whole or in part, non-residential uses that require more than twenty-five (25) parking spaces, or upon a determination of need by the Board of Commissioners.
- c) Typical cross-sections and centerline profiles for each proposed street intersection for a distance of fifty (50) feet past the end of each radii.
- d) Preliminary engineering designs of any new bridges or culverts proposed in the tract.
- e) A drawing of all present and proposed grades and facilities for storm water drainage and supporting calculations.
- f) Application for Subdivision and Land Development Approval.

Feasibility Report on Sewer and Water Facilities

The developer shall submit a Feasibility Report in duplicate concerning the availability and/or adaptability of sewer and water facilities in or near a proposed land development. Said report shall be prepared by a Registered Professional Engineer if requested by the Township and be submitted in conjunction with the Preliminary Plan for review and recommendations by the local office of the Pennsylvania Department of Environmental Resources.

The Feasibility Report shall consist of an examination of possible connection to an existing sewerage system and water supply system. The study shall include the distance from the nearest public sewer and public water and the capacity of the existing system to accommodate the proposed land development.

If the above method of sewerage disposal is found to be feasible, formal application shall be made to the Commonwealth of Pennsylvania, Department of Environmental Resources and a permit obtained from the Sanitary Water Board prior to the construction of sewers or treatment facilities.

The Board of Commissioners will approve on-lot sewage disposal systems only when the Township Sewage Enforcement Officer and/or a sanitarian of the Department of Environmental Resources shall certify that both an initial location and a replacement location for the on-lot sewage disposal system are present on each lot and the Feasibility Report indicates:

- Justification of the project necessitates consideration of this method.
- The soil absorption areas are satisfactory for the type of system proposed.
- Such systems will not endanger groundwater supplies below the level of the absorption system.
- The replacement location shall be of a size and capacity to allow complete abandonment of the initial system in the event of failure.
- The replacement location shall be protected from traffic and no filling nor excavation shall be allowed within its boundary.
- The standards for installation of the replacement system shall be as required by the Department of Environmental Resources at the time of its construction.

The soil absorption tests called for above shall be performed in accordance with the regulations of the Pennsylvania Department of Environmental Resources and shall be certified by the sewage enforcement officer and/or a sanitarian of the Pennsylvania Department of Environmental Resources.

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 Board of Commissioners or Planning Commission, as the case may be, that the subdivision or development is to be supplied by a certificated 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 Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.

The Board of Commissioners will approve individual on-lot water supply systems only when the Feasibility Study indicates and the Township Engineer certifies that:

- Justification of the project necessitates consideration of this method.
- The water supply yield is adequate for the type of development proposed.
- The installation of such systems will not endanger or decrease groundwater supplies of properties adjacent to the land development.

In the case of land developments of five (5) or fewer dwellings existing or proposed the water supply feasibility study is not required.

§.404

Environmental Impact Studies

Environmental Impact Studies shall include statements for each of the following topics:

- Steep Slopes: All plans involving lands that possess slopes exceeding fifteen (15) percent shall require the preparation of a statement by a Commonwealth-registered engineer or landscape architect which includes the following minimum considerations:
 - A topographic map of the site which highlights those areas that possess slopes exceeding fifteen (15) percent. Also reflected on this map should be all existing and proposed site improvements (e.g. buildings, roads, sewer systems, driveways and etc.);
 - A detailed description of the methods that are being used to:
 - protect and stabilize areas that have a high potential for soil erosion;

- prevent the construction of structures and other site improvements on areas with slopes exceeding fifteen (15) percent, or a description of the specific design and construction techniques used to assure structural safety and minimize harm to the environment associated with development on steep slopes;
- minimize grading throughout the site;
- protect and preserve any valuable natural wildlife and/or plant habitats and coincide with the steep-slope areas of the site;
- protect water quality on and around the site from the adverse effects of the proposed use;
- protect any steep slopes on adjoining properties; and,

In those instances where buildings and/or other structures are being placed on slopes exceeding fifteen (15) percent, a description of the methods used to assure adequate foundations, shall be provided.

- Wetlands: All plans shall have a wetlands delineation performed in concurrence with methodologies outlined in the 1989 "Federal Manual for Identifying and Delineating Wetlands" and a report summarizing the findings of the delineation shall be attached to the preliminary plan.

A letter from the PA DER and/or U.S. Army Corps of Engineers verifying the wetlands boundaries shall also be attached to the preliminary plan. The verified boundaries shall be shown on the preliminary plan map.

A letter from the Pennsylvania Natural Diversity Inventory identifying any threatened or endangered species and their habitats on or near the site shall be included. If such species or areas are identified, a statement of proposed measures to protect the species or areas shall be included. This statement shall be supplemented by correspondence from appropriate state or federal agencies regarding the adequacy of the proposed protective measures.

The applicant shall also verify that all required permits from both the U.S. Army Corps of Engineers and PA DER have been obtained. If no permit is required, a statement to this effect from these agencies shall be submitted.

In addition, a detailed description of the methods proposed to do the following shall be submitted:

- avoid the disturbance of any wetlands and/or other important wildlife habitats during and following construction on the site;

- assure that the proposed use is compatible with these important habitats;
- mitigate the loss of existing habitats;
- replace and/or create additional land areas that will be characterized by similar environmental traits as the site's important habitats; and
- assure that those activities associated with the proposed use will remain compatible with the site's important habitats, over time.
- Hydrogeology: Those plans proposing the use of on-lot sewage disposal systems in areas underlain by the Conestoga and/or the Vintage geologic formations shall require the preparation of a preliminary hydrogeologic study. Such preliminary hydrogeologic study shall be conducted by a qualified hydrogeologist and consist of the following minimum considerations:

A map showing the topographic location of the site, any proposed on-site sewage disposal systems and wells. Narrative descriptions of the types of these systems shall also be furnished.

A description of the geologic conditions on and around the site that would affect the groundwater recharge rate and the degree of groundwater renovation. Such conditions can include, but need not be limited to, closed depressions, sinkholes, high water table conditions, springs, lineaments, faults, outcrops of bedrock, soil mottling, surface drainage into the ground, ghost lakes, and etc.

A map and narrative description of the area that will be impacted from the proposed use of on-lot sewage disposal systems. Such analysis will consider and identify the systems; dispersion plumes and mixing zones to be calculated from the surface topography and known geologic conditions. The analysis will then describe anticipated water quality/quantity impacts to areas located downgradient and/or along any geologic strike or fault. These anticipated impacts should also consider existing and potential land uses located within the affected area.

Should it be determined that the proposed use(s) would result in a degradation of groundwater quality, or eliminate the potential use of nearby properties, the study should present measures that can be employed to mitigate these adverse impacts.

- Historic Resources: Those plans involving properties of, or ones adjacent to, a site listed with the National Register of Historic Places and/or a site listed on the Pennsylvania Register of Historic Places shall require the preparation of a statement by a Commonwealth registered architect or landscape architect which includes the following minimum considerations:

A topographic map of the site and adjoining historic sites that highlights existing historic sites and depicts the proposed use;

A description of the site's historic features and their historic significance at the local, state and national level;

A letter from the Historical Society of York County commenting on the proposed development's impact on the historic sites contained on or around the site. This letter should also contain any additional design and/or use recommendations that would further protect nearby historic resources.

Architectural renderings of the proposed structures and descriptions of any architectural treatments that are intended to complement any important architectural features of nearby historic resources.

A description of any non-structural site improvements (buffering, landscaping and screening) that will be used to protect the integrity of the existing historic resources.

- Archaeological Resources: A plan involving lands identified by the Pennsylvania Historical and Museum Commission (PAHMC) as containing a known site of archaeological significance shall require the preparation of a statement by a professional archaeologist which includes the following minimum considerations:

A detailed account of a survey of archaeological resources conducted on the site and its findings. Such survey shall be conducted only after notification of the Pennsylvania Historical and Museum Commission (PAHMC) and undertaken in a manner specifically prescribed by the PAHMC;

A letter from the PAHMC discussing the archaeological significance of the site. This letter should also suggest whether or not further study is warranted. If further study is warranted, a description of the level of investigation needed, should also be explained.

Should the PAHMC determine that certain portions of the site can accommodate the proposed use without risking the loss of archaeological resources contained elsewhere on the site, a detailed description of the methods that are being used to:

- prevent the disturbance of archaeologically significant areas of the site during and following construction of the proposed use;
- prohibit grading in the vicinity of archaeologically-significant areas of the site; and
- orient improvements and activities of the proposed use away from the archaeologically significant areas that adjoin the site; and

A detailed description of the plans for disposition of any archaeologically-significant artifacts found or, to be found, on the site.

- Traffic: When establishing the study area boundaries, sufficient area shall be included to ensure that key corridors that afford access to the site and critical intersections that may be affected by the site generated traffic are taken into account. The exact limits of the study area shall be based on engineering judgement and an understanding of existing traffic conditions at and in the vicinity of the proposed site. In all instances, however, the study limits must be mutually agreed upon by the applicant and the Township prior to preparation of the traffic impact study.

Existing and Proposed Site Uses. The existing and proposed uses of the site shall be identified in terms of the various zoning categories in the jurisdiction. In addition, the specific use on which the request is made shall be identified. In the case where a current land use is being upgraded or modified, a description of the proposed improvements with respect to density changes shall be included. Such a density change may necessitate replacing existing traffic volumes generated by the current land use with increased volumes resulting from a change in land use and density.

Existing and Proposed Nearby Uses. A complete description of the existing land uses in the vicinity of the site as well as their current zoning shall be included. The proposed uses for adjacent land in terms of zoning categories shall be included. This latter item is especially important where large tracts of undeveloped land are in the vicinity of the site and within the defined study area.

Existing and Proposed Roadways and Intersections. The study shall describe existing roadways and intersections within the study area with respect to geometrics and traffic signal control as well as any planned and committed roadway and traffic operational improvements by government agencies. In addition to critical intersections, high volume driveways adjacent to, or across from the site shall be identified.

An analysis of existing traffic conditions shall be prepared so that the impacts of the proposed development can be superimposed. The section shall describe the results of the volume studies and capacity analysis to be completed for the roadways, intersections and driveways in the vicinity of the site under existing conditions as well as any data collection efforts that are required. The source and/or method of computation for all traffic volumes and capacity analysis shall be included. This portion of the study shall include:

- Daily and Peak Hour(s) Traffic Volumes. Schematic diagrams depicting daily and peak hour(s) traffic volumes shall be presented for roadways within the study area. Mainline volumes and turning movement volumes at critical intersections in the study area shall be presented for the three peak hour conditions: AM, PM, and peak hour of the proposed facility. Only mainline volumes are required to reflect daily traffic volumes. If the peak hour(s) of the proposed facility coincides with the AM and PM peak hour(s), it need not be presented as a separate condition.
- Capacity Analysis/Level of Service at Critical Locations. Utilizing the techniques described in the 1985 Highway Capacity Manual or derivative nomographs, an assessment of the relative balance between roadway volumes and capacity shall be described. The analysis shall be performed for existing conditions (roadway geometry and traffic signal control) for the appropriate peak hours. Based on the results obtained, levels of service shall be computed and presented. Included in this section shall also be a description of typical operating conditions at each level of service.
- Intersection Delay. The study shall evaluate the effectiveness of existing signal control at critical intersections in terms of vehicle stops and delays.
- Gap Studies. Where there is a heavy volume of traffic on the abutting major route, where a significant volume of left turns is expected from the site or where the exit would not be expected to qualify automatically for traffic signal control, gap studies shall be performed at potential access points. Where gap studies are taken at potential access points, the studies shall identify the access point, and the findings shall be documented.

- Queue Length Studies. Backups of traffic from nearby controlled intersections could affect the exit and/or entry movement at a potential access point of the development. In order to determine appropriate locations for access points, queue length studies shall be performed to evaluate alternate access points at various distance back from a controlled intersection.

The study shall also describe background traffic, the anticipated traffic volumes in the future, and the ability of the roadway network to accommodate this traffic without the proposed zoning or development request. Acceptable methods used to determine the non-site traffic volumes include the use of existing comprehensive transportation plan projections, typical annual growth rates, and estimates of site - specific development projects. The future years for which the projections are to be made will be a factor of the project buildout year and the project location, planned roadway improvements, etc. Planned roadway improvements by location and type shall be described in terms of the ability to handle the impact of the future traffic growth.

- Daily and Peak Hour(s) Traffic Volumes. This section shall clearly indicate the method and assumptions used to predict future traffic volumes in order that the Township can duplicate the calculations. Schematic diagrams depicting future traffic volumes shall be similar to those described in Section 611.01.2 (a) in terms of location and times (daily and peak hours)
- Capacity Analysis/Level of Service at Critical Locations. The ability of the existing roadway system to accommodate future traffic (without site development) shall be described in this section. If roadway improvements or modifications are committed for implementation, the capacity analysis shall be presented for those conditions. Based on the results, levels of service shall be determined.

The amount of traffic generated by the site shall be presented in this section for daily and the three peak hour conditions. Consideration must be given to pass-by trips. The final assumption shall be a function of the proposed land use project and its complexity. Trip generation rates may be adjusted due to variations in area characteristics. The trip generation rates used in this part of the analysis shall be justified and documented to the satisfaction of the Township.

The direction of approach for site generated traffic shall be presented for the appropriate time periods. Directional characteristics shall be used to estimate the turning movements at the various access points and at critical nearby intersections. The basic method and assumption used in this work must be clearly stated.

The utilization of study area roadways by site generated traffic shall be described. The proposed traffic volumes from the proposed development shall be combined with anticipated traffic volumes from the study area without the development to describe mainline and turning movement volumes for future conditions with the site developed as proposed.

This section shall describe the adequacy of the existing roadway system to accommodate future traffic with development of the site as described in accordance with the previous paragraph. The description shall include:

- Daily and Peak Hour(s) Traffic Volumes. Mainline and turning movement volumes shall be presented for the highway network in study area as well as the development access driveways and internal circulation roadways for the appropriate time periods.
- Capacity Analysis/Level of Service at Critical Locations. A capacity analysis shall be performed and the levels of service on the study area roadway system determined for the appropriate peak hours for future conditions with the site developed as proposed. The operating levels between the existing and the projected conditions shall be compared. If there is a critical change resulting from the proposed development, the applicant shall, at applicant's expense, make improvements to substantially eliminate the critical change or contribute funds to the Township to enable the Township to make such improvements.
- Intersection Delay. An intersection delay analysis shall be performed. The results of this analysis shall serve as a basis for assessing the effectiveness of various proposed improvements.

In the event the capacity analysis indicates unsatisfactory levels of service will be generated upon the study area roadways and or criteria intersections, then a description of proposed improvements by location and type to remedy deficiencies shall be included in this section. The study shall clearly delineate which of such improvement shall be the projects by the State or Local Townships.

- Proposed Improvements. This section shall provide details on the location, nature and extent of proposed improvements to assure sufficient roadway capacity and adequate operating levels. Preliminary cost estimates, timing and likelihood of implementation shall be included in this section.

- Capacity Analysis/Level of Service. Another iteration of the capacity analysis shall be described which demonstrates the anticipated results of making these improvements. The levels of service for the highway system with improvements shall be presented. The goal is to have all impacted intersections operating at a level of service which is not worse than that which existed under the existing conditions.
- Intersection Delay. The study shall evaluate the effectiveness of the proposed improvements with respect to vehicle stops and delay.

The study set forth an executive summary. The summary shall be a clear, concise description of the study findings, recommendations, and where applicable, proposed improvements.

- Parks and Recreation. All plans involving residential development shall require the preparation of a statement by a qualified recreation planner with the following minimum considerations:
 - A description of the total projected number of residents in their respective age groups;
 - A description of those existing public recreation facilities located within a 1/2 mile radius of the site;
 - A description of the adequacy of existing recreation facilities to serve the proposed residents, taking into consideration current usage and recommendations of the Penn Township Comprehensive Plan.
 - Discussion of potential for any recreation facilities to be provided by the developer to accommodate new residents and/or compensate for any anticipated deficiencies of the Township's recreational facilities.
 - A description of any recreation facilities to be provided by the developer.
 - A description of responsibility for maintenance of any recreational facilities to be provided by the developer.
 - A description of accessibility of the proposed facilities to general Township residents.
 - A description of any contributions that the developer plans to make for Township recreation to compensate for expected impacts.
 - Source of standards used in the data presented.

- Public Facilities and Services. All plans shall require the preparation of a statement with the following minimum considerations:
- A description of the effect of proposed use on the delivery of fire protection. This description shall include a letter from the respective fire chief describing the adequacy/inadequacy of existing facilities and service to accommodate the proposal use, and any suggestion that might enhance fire protection service to the proposed use.
- A description of the effect of the proposed use on the delivery of police protection. This description shall include a letter from the Township Police Chief describing the adequacy/inadequacy of existing facilities and service to accommodate the proposed use, and any suggestions that might enhance police protection to the proposed use.
- A description of the effect of the proposed use on the delivery of ambulance service. This description shall include a letter from the agency responsible for ambulance service in the site's vicinity. Such letter shall describe the adequacy/inadequacy of existing facilities and services to accommodate the proposed use, and any suggestions that might enhance ambulance service.
- A description of the effect of the proposed use on the delivery of public education. This description shall include a letter from the Southwestern School District describing the adequacy/inadequacy of existing or proposed facilities and services to accommodate the proposed use. In addition the letter should list any suggestions that could enhance the delivery of public education to residents of the proposed use.

§.405 Final Plan Requirements

The Final Plan shall be submitted with an Application for Subdivision and Land Development Approval.

Final Plans shall conform in all important details with Preliminary Plans as previously approved, and any conditions specified in the approval of Preliminary Plans shall be incorporated in the Final Plans.

The Final Plan shall be drawn on linen or mylar material (sheet size = 24" x 36") at a scale of either fifty (50) feet to the inch or one hundred (100) feet to the inch and shall include the following information:

- a) Land development name or identifying title.
- b) Municipality in which the land development is located.
- c) North point, scale and date.

- d) Name and address of the developer.
- e) Name and seal of the Registered Professional Engineer or Surveyor responsible for the Plan.
- f) Total acreage of the tract, number of lots, density and minimum lot size.
- g) Proposed use of land and existing zoning classification and proof of any variances or special exceptions which may have been granted.
- h) A location map for the purpose of locating the site to be developed in relation to the surrounding neighborhood and community. The location map should be at a scale of not less than 2000 feet to the inch. In addition, a complete street layout shall be provided at a scale of one inch equals eight hundred feet (1" = 800').
- i) The names of adjoining land developments, if any, and the names of owners of all adjacent unplatted land.
- j) Street lines, tract boundaries, lot lines, rights-of-way, easements, and areas dedicated or proposed to be dedicated to public use.
- k) Sufficient data to determine readily the location, bearing and length of every street, lot, and boundary line and to reproduce such lines upon the ground. Such data to be tied in to monuments as required.
- l) The length of all straight lines, radii, lengths of curves and tangent bearings for each street.
- m) All dimensions and angles or bearings of the lines of each lot and of each area proposed to be dedicated to public use.
- n) All dimensions shall be shown in feet and hundredths of a foot.
- o) The proposed building setback line for each street. The proposed placement of each building may be required.
- p) The point of access of all driveways.
- q) Location, size and invert elevation of all sanitary, storm and combined sewers and location of all manholes, inlets and culverts.
- r) Lots within the land development shall be numbered by projected house numbers.
- s) Names of streets within and adjacent to the land development shall be shown.

- t) The location of permanent reference monuments shall be shown on the Plan.
- u) A notarized statement to the effect that the applicant is the owner of the land proposed to be developed and that the land development shown on the Final Plan is made with his or their free consent and that it is desired to record the same.
- v) Signature block for approval by the Board of Commissioners.

The Final Plan shall include thereon or be accompanied by:

- a) A copy of such private deed restrictions, as may be imposed upon the property as a condition of sale by the present owner.
- b) Typical cross-section and street profiles for all proposed streets. Such profiles shall show at least the following: existing (natural) and proposed grades along the proposed street center line; culvert locations, invert elevations and sizes.
- c) Certification that the method of sewage disposal and water supply have been approved by the Pennsylvania Department of Environmental Resources.
- d) Certification from a Registered Professional Engineer employed by the Township that the developer has installed all improvements to the specifications of this Ordinance and any conditions attached by the Board of Commissioners; or that the developer has posted an improvement bond or other accepted security in amount sufficient to assure completion of all required improvements.
- e) Other State and County certificates as may be required.
- f) Any plat which will require access to a highway under the jurisdiction of the Pennsylvania Department of Transportation shall not be finally approved unless the plat contains a notice that a highway occupancy permit is required pursuant to Section 420 of the act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law" before driveway access to a State highway is permitted.

ARTICLE V
DESIGN STANDARDS

ARTICLE V

DESIGN STANDARDS

§.501 Application of Standards

The following land development principles, standards and requirements will be applied by the Township in evaluating plans for proposed land developments.

The standards and requirements outlined herein shall be considered minimum standards and requirements for the promotion of the public health, safety, and general welfare.

Where literal compliance with the standards herein specified is clearly impractical, the Board of Commissioners may modify or adjust the standards to permit reasonable utilization of property while securing substantial conformance with the objectives of these regulations.

§.502 Location of Site

All land development Plans must reflect a location which has given consideration to the following factors:

- a) The location of the land development must conform to the Township Comprehensive Plan with respect to streets, public sites and proposed utilities.
- b) The proposed use of the land in any land development must conform to the Township Zoning Ordinance.
- c) Land subject to hazards of life, health, or property as may arise from fire, floods, disease, excessive noise, falling aircraft, or considered uninhabitable for other reasons may not be developed unless the hazards have been removed or the plans show adequate safeguards against them.
- d) A land development must be coordinated with existing land development in the neighborhood so that entire area may be developed harmoniously.

§.503 General Design Standards for Sites

In the layout of any land development attention must be focused on conditions which can affect development. These can include the following:

- a) In all land developments, developers shall preserve trees, groves, waterways, scenic points, historic spots and other community assets and landmarks on the basis of Township determination. A grading plan may be required where woods and scattered trees occur. The grading plan must show:

- Accurate location of individual significant trees.
 - Accurate existing and proposed ground elevations in relation to these trees. Tree guards during construction and grading and limitation of cuts and fills, both temporary and permanent near the trees may be required as necessary to give reasonable assurance of their continued healthy growth.
- b) Land subject to flooding or other hazards to life, health, or property and land deemed to be topographically unsuitable shall not be platted for residential occupancy or for such other uses as may increase danger to health, life or property or aggravate erosion or flood hazard until all such hazards have been eliminated or unless adequate safeguards against such hazards are provided by the land development plans. Such land within the development shall be set aside on the plan for uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions..

Where flooding is known to have occurred within the area shown on the plan such area shall be clearly marked "subject to periodic flooding" and shall not be platted in streets and lots.

No building may be erected in any designated flood plain area as specified by engineering data regarding the "100 year flood" or the alluvium and flood prone soils as specified by the U.S. Department of Agriculture-Soil Conservation Service.

§.504 Street Systems - General

All streets proposed to be constructed within the Township shall conform to the following general design requirements.

- a) Proposed streets shall be planned with regard to the existing street system, public convenience in terms of fire protection and pedestrian traffic, probable volumes of traffic, existing and proposed use of land on abutting properties and future development extensions of the street system.
- b) Residential streets shall be so laid out as to discourage through traffic; however, the arrangement of streets shall provide for continuation of existing or platted streets and for proper access to adjoining undeveloped tracts suitable for future development.
- c) Proposed streets which are aligned with existing streets, shall bear the name of the existing street. In the event a proposed street is not aligned with an existing street, it shall not bear a name similar to any existing street located within the Township and/or the same postal service area, irrespective of the suffix street, avenue, boulevard, drive, place, court, etc.

- d) Streets shall be logically related to topography so as to produce reasonable grades, satisfactory drainage and suitable building sites.
- e) The streets must be properly located and built with regard to the proposed traffic functions, including the minimizing of through traffic on minor streets and the protection of major street capacities from excessive marginal access.
- f) The arrangement, character, extent, width, grade, and location of all streets and highways must conform to any applicable Township or County Comprehensive Plan or Official Map.

§.505 Street Design

- a) Minimum street widths shall be as follows:

REQUIREMENTS/ZONES

ZONE	SIDEWALKS	CURBS*	CARTWAY WIDTH	RIGHT-OF-WAY
R-40	Required**	Required	34 ft.	50
R-15	Required	Required	34 ft.	50
R-12	Required	Required	34 ft.	50
R-8	Required	Required	34 ft.	50
A-O	Required	Required	34 ft.	50
S-C	Required	Required	40 ft.	60
H-B	Required	Required	40 ft.	60
I	Not Required	Required	40 ft.	60

* See Section 505(k)

** Required only on one (1) side of local streets in the R-40 zone.

- b) Exceptions to Width Requirements - Provisions for additional street width and right-of way must be required when determined to be necessary as a part of the Comprehensive Plan.
- c) Existing Road Frontage - In the case of a plan containing lots fronting on an existing public road, the developer shall provide any required dedication for widening the existing road right-of-way to meet the right-of way standards in (§.505a). Where uncertainty exists as to the road classification, it shall be as specified in the Township Comprehensive Plan - Transportation Plan section. The right-of-way to be dedicated must be measured from the centerline of the existing roadway.
- d) Dead End Streets - Shall be prohibited, except when designed as temporary cul-de-sac streets by the developer on his own land in order to permit future street extensions into adjoining tracts. These temporary dead end streets must be approved by the Township and indicated on the plans. Also,

they must be constructed to the same standards as permanent cul-de-sac minus the curbing requirements. The turnaround is to be removed by the developer extending the existing street and replaced by curbing and sidewalks if required, plus clean fill for an affected property owner(s).

- e) Cul-de-sac Streets -Should in general not exceed five hundred (500) feet in length unless topographic conditions and/or tract shape warrant an increase that is approved by the Township. They must be provided with a paved turnaround with a minimum diameter of eighty (80) feet to the outside curb and one hundred (100) feet to the legal right-of-way. The length of a cul-de-sac street shall be measured from the center of the turnaround to the point of intersection of the centerline of the cul-de-sac street and the right-of-way line of the intersection street. The length of the cul-de-sac must be at least 275 feet measured from the last intersection.
- f) Half-Street - Will not be permitted except where dedicated is for widening of an existing publicly maintained road and the remaining half of such road to the full width of right-of-way required is free and clear of existing buildings or other structures to the required setback line and the dedication or acquisition of the remaining half street is otherwise possible. Whenever there is an existing half-street adjacent to a tract to be developed, then the other half of the street shall be platted and dedicated with such tract unless otherwise determined by the Board of Commissioners.
- g) Curves - All line and grade changes must be affected with horizontal and vertical curves. Horizontal curves must be true circular curves at least 150 feet in length. Vertical curves must be symmetrical parabolic curves. All curves shall be designed in accordance with the standards established by the American Association of State Highway and Transportation Officials for the following design speeds:

<u>TYPE OF STREET</u>	<u>DESIGNED SPEED</u>
Arterial	60 MPH
Collector	50 MPH
Local	40 MPH
Cul-de-sac (Street)	30 MPH

- h) Grades - The grades of streets must meet the requirements below:

	<u>MINIMUM GRADE</u>	<u>MAXIMUM GRADE</u>
All Streets	1%	
Arterial		6%
Collector		7%
Local Streets		10%
Cul-de-sacs (Turnaround)		6%

- i) Crown - There shall be a four inch (4") crown on all proposed 34 foot cartways and a six inch (6") crown on all proposed 40 foot cartways.
- j) Slope of Banks - Measured perpendicular to the street centerline may not exceed one quarter inch (1/4") per one foot (1') within the right-of-way.

Such slopes shall be suitably planted with perennial grasses or other vegetation to prevent erosion.

- k) Curbs - Curbs must be installed in all subdivision and land developments. All curbs must be concrete. Concrete curbs must be of the vertical or slant type and constructed as specified in Township Street and Sidewalk Ordinance. Rolled curbs are prohibited. Vertical or slant concrete curbs are optional except in the Shopping-Commercial, Highway Business, and Industrial Zones where only vertical concrete curbs are allowed. The transition from one type of curb to another type may be affected only at a street intersection.

- l) Sidewalks - Sidewalks are required as shown in (§.505a) of this Ordinance. All sidewalks must be concrete and constructed as stipulated in the Township Street and Sidewalk Ordinance.

§.506 Intersection Design

- a) Angle of Intersections - Intersections must be as nearly at right angles as possible. However, in no case should they deviate from the standards below:

Angle of Intersection of Street Centerlines	TYPE OF INTERSECTION				
	Arterial With Arterial	Arterial With Collector	Collector With Collector	Collector With Minor	Minor With Minor
	90°	75°-105°	75°-105°	75°-105°	75°-105°

- b) Intersection Grades - Intersections must be approached on all sides by level areas. Where the grade exceeds 7%, these level areas must have a minimum length of 100 feet measured from the intersection of the centerlines) within which no grade may exceed a maximum of 4%.
- c) Intersection Curve Radii - Design of curb or edge of pavement must take into account such conditions as types of turning vehicles, likely speeds of traffic, angle of turn, number of lanes, and whether parking is permitted; but curb or edge of pavement radii must not be less than the following:

<u>Type of Intersection</u>	<u>Minimum Simple Curve Radii of Curb or Edge of Pavement</u>
Arterial with Arterial	40' or more, as determined after consultation with Pennsylvania Department of Transportation
Arterial with Collector and Local	35'
Collector with Collector	30'
Collector with Local Street	25'
Local Street with Local Street	20'

Three-centered compound curves equivalent to the above minimum simple curves are permitted and encouraged where applicable.

Radius corners or diagonal cutoffs must be provided on the property lines substantially concentric with, or parallel to the cord of the curb radius corners.

- d) Intersection Sight Distances - Proper sight lines must be maintained at all street intersections. Clear sight triangles of one hundred feet (100') for all collectors, local roads and cul-de-sacs and two hundred feet (200') for all arterial streets (may be reduced to 150 feet (150') at the discretion of the Township Engineer) measured along street center lines from their points of junction shall be provided at all intersections and no building, structure, grade or planting higher than three feet above the centerline of the street shall be permitted within such sight triangles.
- e) Distance Between Intersections - Shall be in accordance with the following:

TYPE OF INTERSECTION

Minimum Distance Between Centerlines of Intersections	Arterial				
	Arterial With <u>Arterial</u>	With Collector & <u>Local</u>	With Collector <u>Collector</u>	With Collector <u>Local</u>	With Collector <u>Local</u>
	800'	800'	600'	500'	500'

Minimum Separation of Centerlines for Streets Not in Alignment Must be in alignment with planned or proposed streets entering from opposite side. 200' 200'

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

Other Street Provisions

- a) Access - Streets shall be laid out to provide access to all lots and to adjacent undeveloped areas, and the developer shall improve these streets to the limits of the development.
- b) Access Drives - Within ten (10) feet of a street right-of-way line, an access drive width shall not exceed 20 feet or be less than 10 feet.

On a street frontage, the number of access drives shall not exceed two per lot or dwelling.

An access drive shall not cross a street right-of-way line:

- Within forty (40) feet of the right-of-way line of an intersecting street.
- Within five (5) feet of a fire hydrant.
- Within twenty-five (25) feet of another access drive on the same property.
- Within three (3) feet of a property line.

The minimum angle between the centerline of the access drive and the street shall be not less than sixty-five (65) degrees. An access drive must be located in safe relationship to sight distance and barriers to vision. The drive slope shall not exceed 5% within twenty-five (25) feet of the street right-of-way and may not exceed 12% for the remainder of the drive. Where a drive enters the right-of-way through a cut, the banks of the cut shall not exceed 50% in slope within twenty-five (25) feet of the street right-of-way. The height of the bank shall not exceed 3 feet within 20 feet of the street. All access drives shall be graded to the final street elevation at the point at which they intersect the street. All access drives shall be constructed to the standards of the Penn Township Zoning Ordinance Section 305.5.

- c) Controlling access to the development or to adjacent areas by means of reserve strips is prohibited except when their control is definitely placed in the jurisdiction of the Township under conditions approved by the Board of Commissioners.
- d) Street Names - Shall not duplicate existing or platted street names, or approximate such names by the use of suffixes such as "lane," "way," "drive," "court," "avenue." In approving names of streets, cognizance may be given to existing or platted street names within the postal delivery district served by the Post Office. New streets shall bear the same name of the existing or platted street of which they are a continuation or with which they are in alignment. Street names must be approved by the Board of Commissioners.

§.508 Blocks

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

- Provision of adequate sites for type of buildings proposed.
- Zoning requirements.
- Topography.
- Requirements for safe and convenient vehicular and pedestrian circulation.

Blocks shall have a maximum length of sixteen hundred (1,600) feet, and so far as practical, a minimum length of five hundred (500) feet. In the design of blocks longer than eleven hundred (1,100) feet, special consideration shall be given to the requirements of satisfactory fire protection.

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

Pedestrian interior walks may be required where necessary to assist circulation or provide access to community facilities. Such crosswalks shall have a width of not less than ten (10) feet and a paved walk of not less than four (4) feet.

In commercial and industrial areas, the block layout shall be designed with reference to service of the public and with provisions for adequate off-street parking and loading facilities.

§.509 Lots and Lot Sizes

a) Lot Layout in a Development - All lots within a development shall conform to the following requirements:

- Corner lots shall provide for equal setbacks on both streets.
- Depth and width of parcels laid out or reserved for nonresidential use shall be adequate for the use proposed and sufficient to provide satisfactory space for off-street parking and unloading.
- Lot depths shall be not less than one nor more than two and one-half times the average width.
- Residential lots shall front on a dedicated public street, existing or proposed.
- Double frontage lots are prohibited, except where employed to prevent vehicular access to major traffic streets.

- Side lot lines shall be substantially at right angles or radial to street lines.

- b) Lot Dimensions - The dimensions and areas of the lots must conform to the Township Zoning Ordinance.

Where no public water and public sewerage exists, the Board of Commissioners, in conjunction with the Pennsylvania Department of Environmental Resources, and the Township Sewage Enforcement Officer must analyze the results of the soil percolation tests Performed on the development, in accordance with Section 403.

- c) Setback Lines - The setback lines for buildings must conform to the Township Zoning Ordinance.

- d) Grading - Lots shall be graded to sufficient elevation to secure drainage away from buildings and to prevent the collection of storm water in pools. Roof drainage shall be provided in accordance with the recommendations of the Engineer or such other official as may be designated by the Board of Commissioners. Top soil shall be preserved and redistributed as cover and shall be suitably planted with perennial grasses or ground cover. All grading shall be in conformance with the Penn Township Stormwater Management Ordinance.

§.510

Sewage Disposal

- a) Requirements - Based upon the results of the feasibility report required in §.403 the development must be provided with sanitary sewage disposal facilities as follows:

- Where there is an existing Public sanitary sewer system within two thousand feet (2000') of development, a complete sanitary sewage collection system must be installed and connected to the existing public sanitary sewer system, or
- Where there is no existing public sanitary sewer system, but a public sanitary sewer system is to be installed on or near the development within four (4) years, a complete sanitary sewage collection system must be installed and connected to a temporary package treatment plant until connection to a public sanitary sewer system is made, or capped, and on-site subsurface sewage disposal systems provided until such time that connection to a public sanitary sewer system can be made.
- Sanitary sewers shall not be used to carry storm water.
- Where there is no existing public sanitary sewer system and the feasibility report indicates that a public sanitary sewer system and treatment plant are not feasible, adequate provision of an on-site subsurface sewage disposal system and an approved replacement area must be made.

- If on-site subsurface sewage disposal systems or connection to a public sanitary sewer system or installation of a public sanitary sewer system are not feasible the development shall not be approved.

§.511 Water Supply

- a) Requirements - Based upon the results of the feasibility report, the development must be provided with water supply facilities as follows:
- Where there is an existing public water supply system on or within two thousand (2,000) feet of the development a complete water main system connected to the existing public water supply system must be provided, or
 - Where plans approved by the Hanover Municipal Water Works provide for the installation of such public water facilities within four (4) years the developer shall provide a complete water main system ready to be connected to the proposed water main supply system.
 - 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 Board of Commissioners or Planning Commission, as the case may be, that the subdivision or development is to be supplied by a certificated 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 Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.
 - Where there is no existing public water supply and the feasibility report indicates that connection to a Public water supply system is not feasible, each lot in the development must be provided with an individual water supply system in accordance with minimum standards approved by the Pennsylvania Department of Environmental Resources.

§.512 Storm Drainage

- a) General Requirements - Adequate storm sewers, culverts, and related facilities must be provided, as necessary, to:
- Permit the unimpeded flow of natural watercourses.
 - Ensure the drainage of all low points along the line of streets.

- Intercept storm water runoff along streets at intervals reasonably related to the extent and grade of the area drained.
- Provide adequate drainage away from on-site sewage disposal facilities.

Drainage for Township streets shall be designed in accordance with the PennDOT, Design Manual Part 2, Chapter 12, Drainage Design; and the Penn Township Stormwater Management Ordinance; and, approved by the Township.

Storm drainage facilities must be designed not only to handle the anticipated peak discharge from the property being developed, but also the anticipated increase in runoff that will occur when all the property at a higher elevation in the same drainage basin is fully developed.

- b) Lot Drainage - Lots shall be laid out and graded to provide positive drainage away from new and existing buildings.
- c) Nearby Existing Facilities - Where adequate existing storm sewers are readily accessible, the developer must connect his storm water facilities to these existing storm sewers.
- d) Open Drainageways - When open drainageways are used for the disposal of storm water, the Township shall review the design of such open drainageways in relation to the following:
 - Safety: Steep banks and deep pools shall be avoided.
 - Erosion: Adequate measures shall be taken, such as seeding, sodding, paving, or other measures as necessary to prevent the erosion of banks and the scouring of the channel bottom.
 - Stagnation: Design of open drainageways shall not create stagnant pools or swampy areas.

Whenever the evidence available to the Township indicates that natural surface drainage is inadequate, the developer shall install a storm water sewer system in accordance with approved plans and profiles. The system shall be designed in accordance with the Pennsylvania Department of Transportation Design Manual Part 2, Chapter 12, Drainage Design; the Penn Township Stormwater Management Ordinance; and, be approved by the Township.

Approval: Drainage structures for areas of more than 1/2-mile square shall be subject to approval by the Pennsylvania Department of Environmental Resources.

e) Abutting Properties - In the design of storm drainage facilities, special consideration must be given to preventing excess runoff onto adjacent developed or undeveloped properties. When a storm drainage outlet will abut another property, the developer must secure the approval in writing of adjoining affected owners. In no case may a change be made in the existing topography which would:

- Within a distance of 20 feet from a property line to the beginning of the slope result in increasing any portion of the slope to more than 70%.
- Result in a slope which exceeds the normal angle of slippage of the material involved.

All slopes must be protected against erosion.

f) Drainage Upon and On Streets - In order to give proper surface water drainage upon streets, a structure on a lot must be at a grade in satisfactory relationship:

- With the established street grade, or
- With the existing street grade where none is established.

§.513

Other Utilities

a) Easements, Width and Location - Easements with a minimum width of twenty (20) feet shall be provided for poles, wires, conduits, storm and sanitary sewers, gas, water and heat mains and/or other utility lines intended to service the abutting lots and the drainage basin. No structure shall be placed within such easements. To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.

b) Underground Installations - In developments of 5 or more lots, electric, telephone and all other utility facilities shall be installed underground. The developer shall be required, prior to Final Plan approval, to obtain a letter from the appropriate utility company confirming that the developer has entered into an agreement to provide for an underground electric and telephone system in accordance with the Pennsylvania Public Utility Commission Investigation Docket #99, as amended, or has obtained a waiver from said Pennsylvania Public Utility Commission to allow overhead electric and telephone facilities.

c) Natural Gas Lines - All natural gas lines must be installed in compliance with the USAS Code B31.8, 1968 as amended. The minimum distance from a natural gas line to a dwelling unit must be as required by the applicable transmission or distributing company.

- c) When the Board deems it to be in the public interest to accept title to dedicated land, such acceptance shall be by means of a clear title deed to the dedicated recreation area.
- d) Recreation areas of less than three (3) acres proposed to be dedicated to the Township shall not normally be accepted, unless opportunities exist to combine them with other recreation areas.
- e) The Board of Commissioners, after having conferred with the Planning Commission and the Parks and Recreation Board may find dedication to be impractical because of the size, shape, location, access, topography, drainage or other physical features of the land, or that such dedication would adversely affect the subdivision or land development and its future residents or occupants, or that there is not other land area within the proposed subdivision which is practical for dedication to the public because of size, access, topography, or other physical characteristics. In such cases the Board of Commissioners shall require payment of a fee in lieu of land dedication.

Such fee-in-lieu payments shall be payable to Township prior to approval of each final section of the overall plan by the Board. The amount of a fee-in-lieu payment shall be determined by using the fair market value of the land that would have been otherwise dedicated. Since dedicated recreation areas must have access to a public roadway and the availability of all utilities, they are in very real sense developed, and therefore, determinations of fair market value will not be appraised at a raw land rate.

- f) All approved Recreation Areas shall be completed and dedicated before 50% occupancy has been reached in any applicable subdivision. Withholding of occupancy permits may occur to insure compliance with this provision. Developers required to dedicate land for recreation shall also develop the recreation areas, according to the National Park, Recreation, and Open Space Standards and Guidelines published by the National Recreation and Park Association in 1983 and any succeeding updates or revisions.
- g) In cases where the opportunity exists to combine dedicated recreation areas, the developer shall be required to escrow funds that will pay for later construction of facilities on a combined recreation area according to the subdivision's percentage contribution to the ultimate combined recreation area. The Township will then develop the combined recreation area with the escrowed funds when all portions thereof have been deeded over to the Township.
- h) Actual size, number, placement and other specifications of recreation facilities to be developed shall be recommended by the Parks and Recreation Board and Staff to the Planning Commission and Board of Commissioners after negotiations with the developers. The specifications of recreational facilities to be developed shall bear a reasonable relationship to the anticipated use of the facilities by future inhabitants of the development or subdivision.

- d) Petroleum Lines - Between a proposed dwelling unit and the centerline of a petroleum products transmission line which may traverse the development, there must be a minimum distance of 100 feet measured in the shortest distance. In instances such that topographic conditions decrease the hazards involved or in which it would cause undue hardship in the efficient layout of the development, the Board of Commissioners may reduce this requirement.

§.514

Recreation Dedication

a) The amount of land required to be provided for recreational purposes for single family detached residential subdivisions or land development plans shall be a minimum of 0.02 acres per lot or dwelling unit. Recreation land dedication for multi-family or attached housing shall be a minimum of twenty percent (20%) for the total tract area.

b) Proposed recreation areas shall:

- Be easily safely accessible from all areas of the development to be served, have good ingress and egress and have direct access to a public roadway. However, no public roadways shall traverse the site(s).
- Be contiguous and regular in shape.
- Have a suitable topography and soil conditions for use and development as a recreation area.
- Seventy-five percent (75%) of the required areas shall have a slope of five percent (5%) or less.
- No more than twenty-five percent (25%) of the required area may be within floodplain or wetland areas, as defined by the U.S. Department of Housing and Urban Development's Flood Insurance Rate Maps.
- Be easily accessible to all essential utilities; water, sewer and power.
- Be suitable for development as a particular type of park, as categorized by the National Recreation and Park Association's National Park, Recreation and Open Space Standards and Guidelines, 1983, and updates.
- Be designed and developed according to the standards established by the National Recreation and Park Association.
- Be compatible with the objectives, guidelines, and recommendations as set forth in the Penn Township Comprehensive Plan and Parks and Recreation Plan and updates.

- i) Final subdivision and/or development plans shall indicate location and specifications of all recreation facilities to be constructed and metes, bounds and acreage(s) of the recreation area(s).
- j) Recreation facilities shall be bonded and have improvement guarantees posted or deposited as with any other subdivision improvements - streets, sidewalks, curbs, drainage facilities, utilities, etc.
- k) The developer shall install, as a minimum, the following number recreation facilities on the land which has been set aside for this purpose:

<u>Dwell.</u> <u>Units</u>	<u>Total Number</u> <u>of Recreational Facilities</u>
24 or less	1
25-49	3
50-99	5
100-199	7
200-299	9
300-400	11
over 400	13

Recreation facilities shall include, but shall not be limited to: play areas; basketball and/or volleyball courts; tennis courts; softball and/or baseball diamonds; pavilions; and soccer and/or football fields. The mix of facilities shall be determined and approved by the Township.

- l) Fee-in-lieu payments shall be arrived at by annual resolutions adopted by the Board of Commissioners that will set the fee-in-lieu amounts for each residential zone classification for the calendar year. Amounts established shall remain in effect until a succeeding resolution establishing other rates is adopted.

The formula for all residential zone classifications shall be as follows:

$$\frac{\text{Recreation Area Required}}{43,560 \text{ sq. ft.}} \times \text{Development Cost Factor} \times \text{Average Lot Price} = \text{Fee in Lieu Payment}$$

Where:

Recreation Area Required - The area calculated under the provisions of Section 514 (a) expressed in square feet.

Development Cost Factor - The percentage of the average lot price attributable to the cost of developing the lot as defined in Article I. This percentage shall be established by the Township Engineer.

Average Lot Price - This amount is determined by taking the arithmetic average of all open market residential lot sales in Penn Township for the previous year. Open market sales shall not include multiple property/single consideration, nominal consideration, family member, forced sale or partial interest sales as defined by the York County Assessor's Office. This figure will be calculated on annual basis and established by the Board of Commissioners.

- m) Fee in lieu money authorized by this Ordinance shall, upon its receipt by the Township, be deposited in an interest-bearing account, clearly identifying the specific recreation facilities and Recreation District for which the fee was received. Interest earned on the account shall become funds of that account. Funds from the account shall be expended only for the purpose of providing park or recreation facilities accessible to the development, and located in the District from which the funds were generated.

The Recreation Districts shall be as follows:

- Recreation Planning District (RPD) #1 bounded to the west, north and south by Township boundaries and to the east by Baltimore Street (PA Route 94).
 - RPD#2 is bounded to the west by Baltimore Street, to the north by the Western Maryland Railroad and to the east and south by Township boundaries.
 - RPD#3 is bounded to the west north and east by Township boundaries and to the south by the Western Maryland Railroad and the Township boundary.
- n) Upon request of any person who paid fee-in-lieu under this Ordinance, the Township shall refund such fee, plus interest accumulated thereon from the date of payment, if the Township has failed to utilize the fee paid for the purposes set forth in this Ordinance within three (3) years from the date such fee was paid.

§.515

Other Public Sites

In large-scale land developments the dedication of sites for other appropriate public uses, such as but not limited to schools, library, and public service buildings, may be required. Such areas or sites must be of a character, extent, and location as to be clearly related to the local and neighborhood needs of the residents of the development. No land may be required for dedication which would primarily serve the need of the Township as a whole as distinguished from the development or neighborhood.

ARTICLE VI

IMPROVEMENTS, DEDICATION, AND RESERVATION

ARTICLE VI

IMPROVEMENTS, DEDICATION AND RESERVATION

§.601 Monuments and Markers

- a) Specifications - Monuments and markers must be constructed as follows:

	<u>Material</u>	<u>Minimum Size</u>
Monument	concrete or stone	6" x 6" x 30"
Marker	iron pipes or iron or steel bars	15" x 3/4' dia.

- b) Placement and Marking - Monuments and markers must be placed by a Registered Engineer or Surveyor so that the scored or marked Point coincides exactly with the point of intersection of the lines being monumented. They must be set so that the top of the monument or marker is level with the surface of the surrounding ground. Monuments must be marked on top with a copper or brass dowel.
- c) Location of Monuments - Monuments must be set:
- At the intersection of lines forming angles in the boundaries of the development.
 - At the intersection of street lines.
- d) Location of Markers - Markers must be set:
- At the beginning and ending of curves along street property lines.
 - At points where lot lines intersect curves either front or rear.
 - At angles in property lines of lots.
 - At all other lot corners.
- e) Removal - Any monuments or markers that are removed must be replaced by a Registered Engineer or Surveyor at the expense of the person removing them.

§.602 Streets

Streets must be surfaced to the grades and dimensions drawn on plans, Profiles, and cross-sections submitted by the developer and approved by the Township. Before paving the street surface, the developer must install required utilities and provide, where necessary, adequate subsurface drainage for the streets, as

acceptable to the Township. The pavement base and wearing surface must be constructed according to the Pennsylvania Department of Transportation Specifications. The Township shall neither accept nor adopt any new roads after midnight October 31 or before midnight April 1.

The construction of all roads for acceptance by Penn Township shall comply with Township specifications.

The Township shall decide if a collector or arterial street is required as a direct result of the construction of the development in which case the developer is responsible for paving the additional width required.

§.603 Curbs, Gutters, and Sidewalks

Curbs, Gutters and Sidewalks shall be required as provided by the First Class Township Code and in accordance with Township specifications and curb ordinance.

§.604 Street Name Signs

The land development shall be provided with street name signs at all intersections. Such signs shall conform to Township specifications and shall be installed by the developer in a manner specified by the Township Engineer.

§.605 Landscaping and Bufferyards

In developments of 6 or more lots, the developer shall provide street trees. The trees should be:

- Of a minimum caliper of 1-1/2 inches.

In residential subdivisions of six (6) or more lots, or units and in all commercial and industrial subdivisions and land developments, the developer shall provide bufferyards and landscaping in accordance with this section. Planting plans shall be required; such plans shall be prepared by a Landscape Architect registered by the State of Pennsylvania to engage in the practice of Landscape Architecture. Plantings shall consist of clusters of evergreens interspersed with groupings of deciduous trees and shrubs selected from the 'Recommended Plant List'. Single species planting is prohibited. Use of native species is encouraged.

Plant Materials

Species selected by the applicant shall reflect the following considerations:

- (1) Existing site conditions and their suitabilities for plant materials, based upon the site's geology, hydrology, soils, existing vegetation and microclimate.

(2) Specific functional objectives of the plantings, which may include, but not necessarily be limited to: visual screening, noise abatement, protective or safety barriers and aesthetic values.

(3) Maintenance and replacement considerations such as hardiness, resistance to insects and disease, longevity and availability and cost of plant materials.

Bufferyard illustrations one through six depict the bufferyards required between two uses (see figures 2-4). The type of bufferyard required is shown on Table 1. The number of plant units required per one hundred linear feet of yard are specified. The number of plant units per one hundred linear feet are allowed to vary in accordance with the width of the bufferyard and plant-unit-multiplier. The types of plants for each bufferyard are also specified. The requirements may be satisfied by any of the options illustrated within each bufferyard type. Canopy trees may be selected from the list of street trees, shade trees, evergreen trees and ornamental trees included herein.

Those trees listed under the street tree category are recommended for use in the vicinity of streets because of their tolerance to pollutants associated with urban conditions.

The plant-unit multiplier is a factor by which the basic number of plant units are permitted to increase or decrease, given a change in the width of the yard. Existing plants may be used to satisfy the requirements.

When a wall, fence or berm is required within a bufferyard it is specified as a "structure required" and its specifications are given on Figure 1.

Within a bufferyard containing a fence or masonry wall:

- at least fifteen percent (15%) of the total plants required shall be between the fence or wall and the high intensity use;
- suitable species and varied heights of plants shall be chosen to effectively break up and absorb sound; and
- the wall or fence shall be located between the berm and the higher intensity use.

Site Maintenance and Guarantee

1. All landscape and bufferyard requirements shall be installed and maintained by accepted practices as recognized by the American Association of Nurserymen. Planting and maintenance of vegetation shall include, but not necessarily be limited to, provisions for surface mulch, guy-wires and stakes, irrigation, fertilization, insect and disease control, pruning, mulching, weeding, and watering.

2. The applicant shall make arrangements acceptable to the Township for the property's long-term landscape maintenance. The applicant shall provide the names, addresses, and telephone numbers of those persons or organizations who will be assuming such responsibilities.
3. At the Township's discretion, the applicant may be required to escrow sufficient funds for the maintenance and/or replacement of the proposed vegetation during an 18 month replacement period. In addition, an escrow may be required for the removal and replacement of specimen trees damaged during construction.

§.606 Street Lights

For the safety, convenience, and attractiveness of the development, on-site or public street lights shall be installed in accordance with the Township's current street lighting ordinance.

Where electric service is supplied by underground methods, and prior to the installation of streets, curbs, sidewalks and driveways, the subdivider shall provide and install conduits where necessary to accommodate the installation of a street lighting system. Installation and location of conduits will comply with the specifications of the appropriate public utility.

§.607 Sewage Disposal

- a) Where a public sanitary sewer system is accessible to or plans approved by the Board of Commissioners provide for the installation of such public sanitary sewer facilities within four (4) years, the developer shall provide the development with a complete sanitary sewer system ready to be connected to the existing or proposed sanitary sewer system.
 - The plan for the installation of a sanitary sewer system must be prepared for the development and approved by the Township Engineer and the Pennsylvania Department of Environmental Resources. The Township Engineer must inspect the sewer line before it is covered over. Upon completion of the sanitary sewer installation, the plan for the system as built must be filed with the Township.
 - Any sewer pipe main must be at least 8 inches in diameter and any sewer lateral must be at least 4 inches. Storm sewers may not be connected with sanitary sewers.
 - Manholes shall be located generally at intervals of 250 feet and in no case more than 400 feet. Manholes are also required at all points of change of course or grade and at all points of intersection of sewer lines.

KEY TO LANDSCAPING AND BUFFERYARD REQUIREMENTS *

R-40 Rural Conservation	-	3	3	3	3	4	4	6		1	1	1
R-15 Suburban Residential	3	-	3	3	3	4	4	6		1	1	1
R-12 Suburban Residential	3	3	-	3	3	4	4	6		1	1	1
R-8 Urban Residential	3	3	3	-	3	4	4	5		1	1	1
A-O Apartment or Office	3	3	3	3	-	3	3	5		2	2	2
SC - Shopping Commercial	4	4	4	4	3	-	3	5		2	2	2
HB - Highway Business	4	4	4	4	3	3	-	5		2	2	2
I - Industrial	6	6	6	5	5	5	5	-		2	2	2
	R-40 Rural Conservation	R-15 Suburban Residential	R-12 Suburban Residential	R-8 Urban Residential	A-O Apartment or Office	SC - Shopping Commercial	HB - Highway Business	I - Industrial		Arterial Road	Collector Road	Local/Cul-de-sac

Adjacent Zoning or Land Use

* See Illustrations of Bufferyards 1 through 6 and Figure 1 for description of requirements.

RECOMMENDED TREES AND SHRUBS FOR BUFFERYARDS

STREET TREES

Height in Feet
at Maturity

35	<i>Acer buergeranum</i>	Trident Maple
40	<i>Acer rubrum</i>	Red Maple (N)
50	<i>Acer saccharum</i>	Sugar Maple
45	<i>Acer campestre</i>	Hedge Maple
50	<i>Carpinus betulus</i>	European Hornbeam
60	<i>Cercidiphyllum japonicum</i>	Katsura Tree
50	<i>Ginko bilboa</i>	Maidenhair Tree
30	<i>Koelreuteria paniculata</i>	Panicled Goldenrain
40	<i>Ostrya virginiana</i>	Hop Hornbeam (N)
50	<i>Prunus sargentii</i>	Sargent Cherry
30	<i>Pyrus calleryana</i> cv Bradford	Bradford Pear
50	<i>Quercus imbricaria</i>	Shingle Oak
70	<i>Quercus macrocarpa</i>	Bur Oak (N)
60	<i>Quercus palustris</i>	Pin Oak
60	<i>Quercus rubra</i>	Red Oak (N)
60	<i>Quercus shumardii</i>	Shumark Oak (N)
50	<i>Quercus prinus</i>	Chestnut Oak (N)
50	<i>Taxodium distichum</i>	Bald Cypress (N)
50	<i>Tilia tomentosa</i>	Silver Linden
60	<i>Tilia cordata</i>	Littleleaf Linden
50	<i>Zelkova serrata</i>	Japanese Zelkova
60	<i>Liquidambar styraciflua</i>	Sweet Gum (N)

SHADE TREES

40	<i>Acer rubrum</i>	Red Maple (N)
30	<i>Amelanchier canadensis</i>	Shadbush, Serviceberry
		Juneberry (N)
55	<i>Betula lenta</i>	Cherry Birch (N)
40	<i>Betula nigra</i>	River Birch (N)
35	<i>Carpinus caroliniana</i>	Ironwood, American
		Hornbeam (N)
30	<i>Chionanthus virginicus</i>	Fringetree (N)
50	<i>Cladrastis lutea</i>	American Yellow-wood (N)
25	<i>Cornus kousa</i>	Japanese Dogwood (N)
25	<i>Cornus mas</i>	Cornelian Cherry
35	<i>Cornus florida</i>	Flowering Dogwood (N)
30	<i>Koelreuteria paniculata</i>	Panicled Goldenrain
70	<i>Larix decidua</i>	European Larch
30	<i>Malus floribunda</i>	Japanese Flowering Crab
30	<i>Oxydendrum arboreum</i>	Sourwood (N)
20	<i>Prunus serrulata</i> cv Kwanzan	Kwanzan (Cherry)

SHADE TREES (cont.)

Height in Feet
at Maturity

30	<i>Pyrus calleryana</i> cv Bradford	Bradford Pear
30	<i>Pyrus calleryana</i> cv Aristocrat	Aristocrat
30	<i>Pyrus calleryana</i> cv Autumn Blaze	Autumn Blaze
30	<i>Pyrus calleryana</i> cv Capital	Capital
30	<i>Pyrus calleryana</i> cv Chanticlear	Chanticlear
30	<i>Pyrus calleryana</i> cv Fauriei	Fauriei
30	<i>Pyrus calleryana</i> cv Redspire	Redspire
30	<i>Pyrus calleryana</i> cv Trinity	Trinity
30	<i>Pyrus calleryana</i> cv Whitehouse	Whitehouse
45	<i>Quercus acutissima</i>	Sawtooth Oak
80	<i>Quercus borealis</i> (rubra)	Northern Red Oak
80	<i>Quercus coccinea</i>	Scarlet Oak (N)
80	<i>Quercus imbricaria</i>	Shingle Oak (N)
80	<i>Quercus macrocarpa</i>	Bur Oak (N)
80	<i>Quercus montana</i>	Chestnut Oak (N)
80	<i>Quercus velutina</i>	Black Oak (N)
70	<i>Taxodium distichum</i>	Bald Cypress (N)
60	<i>Tilia cordata</i>	Littleleaf European Linden
90	<i>T. tomentosa</i>	Silver Linden
40	<i>Ulmus parvifolia</i>	Chinese Elm
80	<i>Zelkova serrata</i>	Japanese Zelkova

ORNAMENTAL TREES

30	<i>Amelanchier canadensis</i>	Shadbus, Serviceberry, Juneberry (N)
80	<i>Betula nigra</i>	River Birch (N)
35	<i>Carpinus caroliniana</i>	Ironwood, American Hornbeam (N)
30	<i>Chionanthus virginicus</i>	Fringetree (N)
50	<i>Cladrastis lutea</i>	American Yellow-wood (N)
25	<i>Cornus kousa</i>	Japanese Dogwood (N)
25	<i>Cornus mas</i>	Cornelian Cherry
35	<i>Cornus florida</i>	Flowering Dogwood (N)
30	<i>Koelreuteria paniculata</i>	Panicled Goldenrain
30	<i>Malus floribunda</i>	Japanese Flowering Crab
30	<i>Oxydendrum arboreum</i>	Sourwood (N)
20	<i>Prunus serrulata</i> cv Kwanzan	Kwanzan (Cherry)
30	<i>Pyrus calleryana</i> cv Bradford	Bradford Pear
30	<i>Pyrus calleryana</i> cv Aristocrat	Aristocrat
30	<i>Pyrus calleryana</i> cv Autumn Blaze	Autumn Blaze
30	<i>Pyrus calleryana</i> cv Capital	Capital
30	<i>Pyrus calleryana</i> cv Chanticlear	Chanticlear
30	<i>Pyrus calleryana</i> cv Fauriei	Fauriei
30	<i>Pyrus calleryana</i> cv Redspire	Redspire
30	<i>Pyrus calleryana</i> cv Trinity	Trinity
30	<i>Pyrus calleryana</i> cv Whitehouse	Whitehouse

EVERGREENS

Height in Feet
at Maturity

50	<i>Abies concolor</i>	White fir (N)
45	<i>Ilex opaca</i>	American Holly (N)
40	<i>Juniperus virginiana</i>	Red Cedar (N)
70	<i>Pinus strobus</i>	White Pine (N)
40	<i>Pinus strobus</i> cv <i>Fastigiata</i>	Pyramidal White Pine
60	<i>Pinus thunbergi</i>	Japanese Black Pine
70	<i>Pseudotsuga menziesii</i>	Douglas Fir
50	<i>Thuja occidentalis</i>	American Arborvitae
60	<i>Tsuga canadensis</i>	Hemlock
50	<i>Picea omorika</i>	Serbian Spruce
50	<i>Picea orientalis</i>	Oriental Spruce

NATIVE SHRUBS

8-12	<i>Aesculus parviflora</i>	Bottlebrush Buckeye
9	<i>Aronia arbutifolia</i>	Red Chokeberry
8	<i>Aronia melanocarpa</i>	Black Chokeberry
5	<i>Callicarpa americana</i>	Beautyberry
12	<i>Calycanthus floridus</i>	Sweetshrub
10	<i>Cephalanthus occidentalis</i>	Buttonbush
18	<i>Clethra acuminata</i>	Summersweet
18	<i>Clethra alnifolia</i>	Summersweet
9	<i>Cornus amomum</i>	Silk Dogwood
10	<i>Cornus sericea</i>	Red Osier Dogwood
9	<i>Fothergilla major</i>	Fothergilla
15	<i>Hamamelis virginiana</i>	Witch Hazel
8	<i>Hydrangea quercifolia</i>	Oak-leaved Hydrangea
3-9	<i>Itea virginica</i>	Sweetspire
9	<i>Ilex glabra</i>	Inkberry
10	<i>I. verticillata</i>	Winterberry
6	<i>Kalmia latifolia</i> named varieties	Mountain Laurel
5	<i>Leucothoe fontanesiana</i>	Leucothoe
8	<i>Lindera benzoin</i>	Spice Bush
20	<i>Magnolia virginiana</i>	Sweet Bay
9	<i>Myrica pensylvanica</i>	Bayberry
6	<i>Pieris floribunda</i>	Mountain Andromeda
9	<i>Rhododendron arborescens</i>	Sweet Azalea
2	<i>Rhododendron atlanticum</i>	Coast Azalea
6	<i>Rhododendron bakeri</i>	Cumberland Azalea
10	<i>Rhododendron calendulaceum</i>	Flame Azalea
10	<i>Rhododendron canadense</i>	Catawba Rhododendron
6	<i>Rhododendron carolinianum</i>	Carolina Rhododendron
12	<i>Rhododendron fortunei</i>	Fortune Rhododendron
6-10	<i>Rhododendron x gandavense</i>	Ghent Azalea
3	<i>Rhododendron obtusum</i>	Hiryu Azalea
3	<i>Rhododendron obtusum kaempferi</i>	Torch Azalea
3	<i>Rhododendron schlippenbachii</i>	Royal Azalea
12-20	<i>Rhododendron maximum</i>	Rosebay
6	<i>Rhododendron nudiflorum</i>	Pinxterbloom Azalea

NATIVE SHRUBS (cont.)

Height in Feet
at Maturity

6	Rhododendron vaseyi	Pinkshell Azalea
6	Rhododendron viscosum	Swamp Azalea
8	Rhus aromatica	Fragrant Sumac
20	R. copallina	Shining Sumac
15	Rhus glabra	Smooth Sumac
20	Rhus typhina	Staghorn Sumac
12	Sambucus canadensis	Elderberry
6	Symphoricarpos albus leavigatus	Snowberry
5	Symphoricarpos orbiculatus	Coralberry
6-10	Vaccinium corymbosum	Blueberry
5	Viburnum acerifolium	Mapleleaf Viburnum
6	Viburnum cassinoides	Witherod
10	Viburnum dentatum	Arrowwood
15	Viburnum nudum	Smooth Witherod
15	Viburnum prunifolium	Black Haw
10	Viburnum trilobum	American Cranberry

NON-NATIVE SHRUBS

5	Abelia grandiflora	Glossy Abelia
3	Cotoneaster apiculata	Cranberry Cotoneaster
3	Cotoneaster conspicua	Wintergreen Cotoneaster
6	Cotoneaster divaricata	Spreading Cotoneaster
30	Enkianthus campanulatus	Redvien Enkianthus
3	C. horizontalis	Rock Spray Cotoneaster
9	Euonymus alatus	Burningbush or Winged
	Forsythia	Euonymous
10	cv Beatrix Farrand	Forsythia
10	Lynwood	
10	Spring Glory	
15	Hamamelis x intermedia	
	cv Arnold Promise	Arnold's Promise Witch Hazel
15	Hibiscus syriacus	Rose of Sharon or Althea
3	Hydrangea arborescens	
	cv Grandiflora	Hills-of-Snow
1.5	Sybericum patulum cv Hidcote	Hidcote St. Johnswort
20	Ilex crenata	Japanese Holly
4	Ilex crenata cv Helleri	Helleri Holly
10	Ilex x Meservea	Blue Holly series
	Juniperus horizontalis	Creeping Juniper
2	cv Bar Harbor	Bar Harbor
2	Emerson	Black Hill Creeper
2	Wiltonii	Blue Rug
15	Philadelphus spp.	Mock-orange
8	Pieris japonica	Japanese Andromeda
8	Pinus mugo mugo	Mugo Pine
15	Prunus laurocerasus	Cherry-laurel
6	Spirea x vanhouttei	Vanhoutte Spirea
60	Taxus buccata	English Yew

NON-NATIVE SHRUBS (cont.)

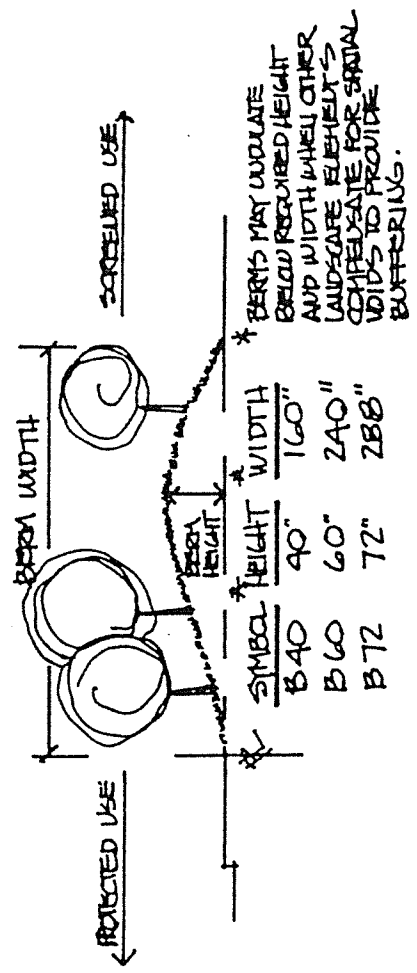
Height in Feet
at Maturity

50	Taxus cuspidata	Japanese Yew
8	Viburnum carlesii	Spice Viburnum
9	Viburnum dilatatum	Linden Viburnum
8	Viburnum plicatum cv Mariesii	Doublefile Viburnum

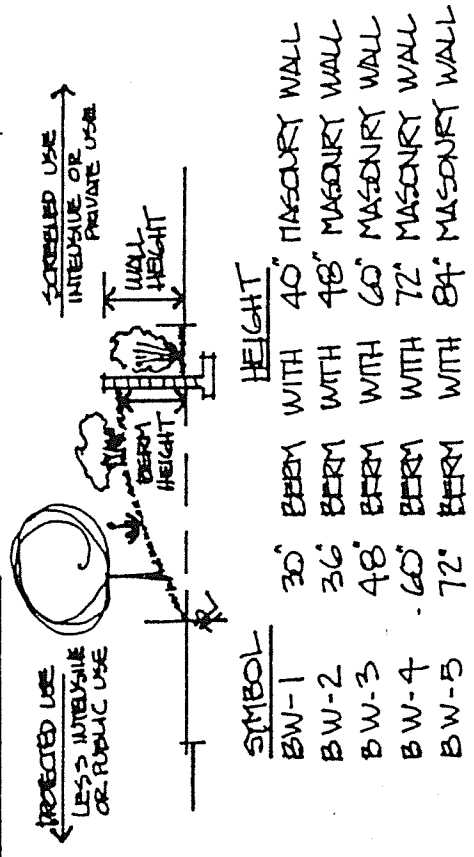
STRUCTURAL ELEMENTS

FENCES AND WALLS

EARTH BERMS

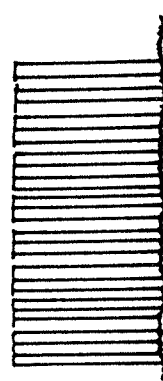


BERM WALLS



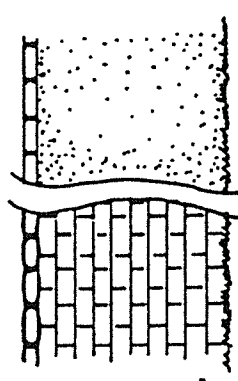
OPEN WOOD

OF 40	40"
OF 60	60"
OF 72	72"



CLOSED WOOD

CF 40	40"
CF 60	60"
CF 72	72"
CF 84	84"



MASONRY WALL: CONCRETE, BRICK, BLOCK, ROCK, PAINTED, STUCCOED, ETC.

MW 40	40"
MW 60	60"
MW 72	72"
MW 84	84"
MW 96	96"
MW 120	120"

D = DECORATIVE*

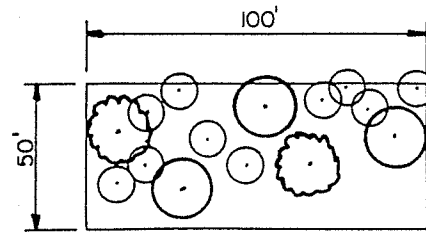
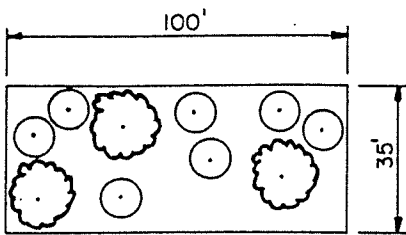
* DECORATIVE REQUIREMENT FOR MATERIALS, TEXTURE, COLOR, FORM AND ARCHITECTURAL CONTEXT.

PLANT UNIT MULTIPLIER

STRUCTURE REQUIRED

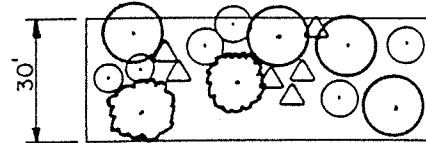
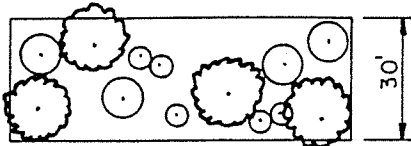
PLANT UNIT MULTIPLIER

.5



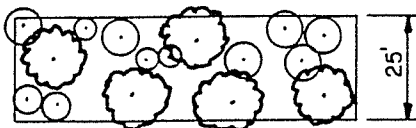
.5

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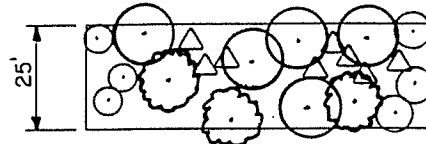


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.8

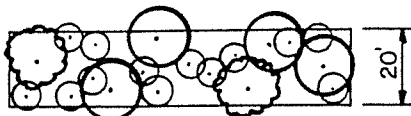


OF-40, OR
CF-40, OR
B-40

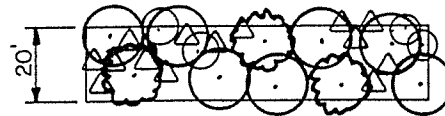


.8

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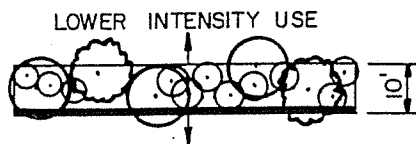


B-40



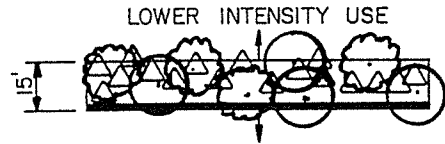
1

.9



HIGHER INTENSITY USE

BW-1



HIGHER INTENSITY USE

.9

BUFFERYARD 1

BUFFERYARD 2

REQUIRED PLANT UNITS/100'

REQUIRED PLANT UNITS/100'

6 STREET TREES



10 STREET TREES



15 SHRUBS



20 SHRUBS



GC - SEE NOTE 1

GC - SEE NOTE 1

NOTE 1

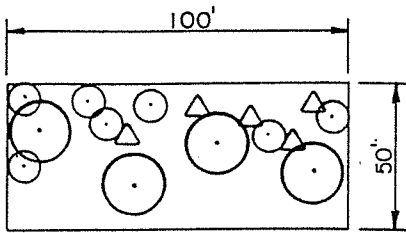
SINGLY DESIGNATED, OR COMBINATIONS OF LISTED TYPES OF GROUNDCOVER (GC) IS REQUIRED FOR ENTIRE BUFFERYARD AREA.

TYPES:

- A. INORGANIC G.C.
- B. ORGANIC FROM FLATS
- C. GRASS SEED MIX

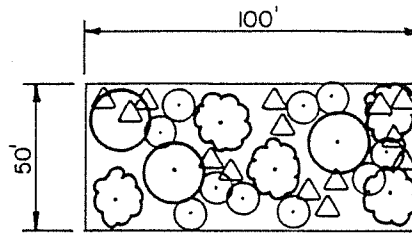
STREETSCAPE BUFFERYARDS

STRUCTURE
REQUIRED

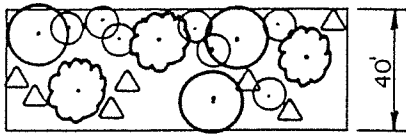


PLANT UNIT
MULTIPLIER

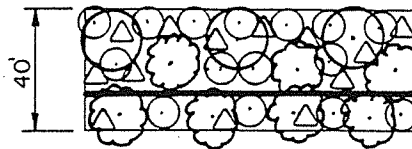
4 .6



STRUCTURE
REQUIRED

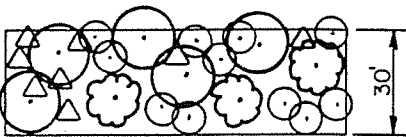


.6 .8

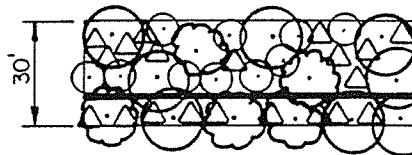


B-40, OR
CF-72

B-40

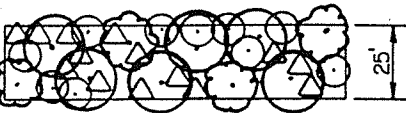


.8 1



MW-60, OR
BW-3, OR
B-60

OF-60, OR
B-60



1 .6



MW-72, OR
BW-4

PUBLIC VIEW OR LOW INTENSITY USE

SCREENED USE OR HIGH INTENSITY USE

BUFFERYARD 5

BUFFERYARD 6

REQUIRED PLANT UNITS/100'

10 CANOPY TREES



24 SHRUBS



GC - SEE NOTE 1

NOTE 1

SINGLY DESIGNATED, OR COMBINATIONS
OF LISTED TYPES OF GROUNDCOVER
(GC) IS REQUIRED FOR ENTIRE
BUFFERYARD AREA.

TYPES:

- A. INORGANIC GC.
- B. ORGANIC FROM FLATS
- C. GRASS SEED MIX

REQUIRED PLANT UNITS/100'

13 CANOPY TREES



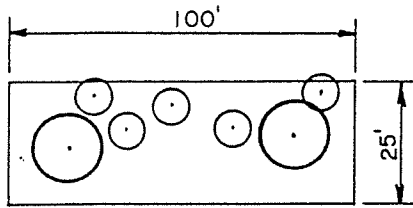
30 SHRUBS



GC - SEE NOTE 1

COMMERCIAL AND INDUSTRIAL BUFFERYARDS

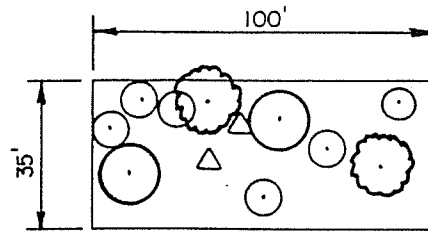
STRUCTURE
REQUIRED



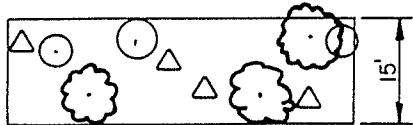
PLANT UNIT
MULTIPLIER

.4 .4

STRUCTURE
REQUIRED

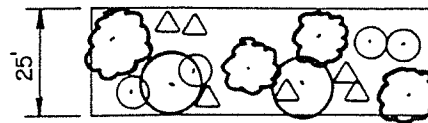


BW-2, OR
CF-60, OR
OF-72

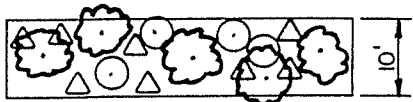


.6 .6

B-40, OR
OF-40

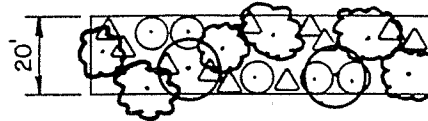


MW-60, OR
BW-3, OR
CF-72, OR
B-60



1 .8

B-60, OR
CF-60, OR
OF-60



1



DMW-60, OR
BW-2

BUFFERYARD 3

BUFFERYARD 4

REQUIRED PLANT UNITS/100'

5 CANOPY TREES



12 SHRUBS



GC - SEE NOTE 1

NOTE 1

SINGLY DESIGNATED, OR COMBINATIONS
OF LISTED TYPES OF GROUNDCOVER
(GC) IS REQUIRED FOR ENTIRE
BUFFERYARD AREA.

TYPES:

- A. INORGANIC GC.
- B. ORGANIC FROM FLATS
- C. GRASS SEED MIX

REQUIRED PLANT UNITS/100'

10 CANOPY TREES



20 SHRUBS



GC - SEE NOTE 1

MIXED RESIDENTIAL BUFFERYARDS

- b) Where installation of a sanitary sewer system is not required, the developer or owner of the lot shall provide for each lot, at the time improvements are erected thereon, a private sewerage disposal system consisting of a septic tank and tile absorption field and an approved replacement absorption field or other approved sewerage disposal system in accordance with applicable Township and PA DER regulations and guidelines. The Township and/or the Pennsylvania Department of Environmental Resources must inspect and approve each on-site sewage disposal system.

§.608 Water Supply

- a) The plan for the installation of the mains of a water supply system must be prepared for the development with cooperation of the appropriate water utility company and approved by the Township Engineer.

Upon the completion of the water supply system, one copy of the plan for the system as built must be filed with the Township.

- b) Where the connection to a public water supply system is not possible or feasible, each lot must be provided with an individual water supply system prior to the issuance of a building permit for dwelling units. All such individual systems shall meet all applicable regulations of the Pennsylvania Department of Environmental Resources.

§.609 Storm Drainage

Whenever the evidence available to the Board of Commissioners indicates that natural surface drainage is inadequate, the developer shall install a storm water sewer system in accordance with the Penn Township Stormwater Management Ordinance. The system shall be designed by a Registered Engineer and be approved by the Township Engineer.

§.610 Fire Hydrants

- a) Fire hydrants shall be installed if their water supply source is capable to serve them in accordance with the requirements of the local fire authority.
- b) Fire hydrants, if Provided, shall be located within six hundred (600) feet of any dwelling unit or structure open to the public as measured along the centerline of abutting streets. Fire hydrants shall be installed in accordance with all applicable regulations.

§.611 Completion of Improvements or Guarantee Thereof Prerequisite to Final Plan Approval

No plan shall be finally approved unless the streets shown on such plan have been improved as may be required by this Ordinance and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm drains and other improvements as may be required by this Ordinance have been installed in accordance with such Ordinance. In lieu of the completion of any improvements required as a condition for the final approval of a plan, the developer may deposit with the Township a corporate bond, or other security acceptable to the Board of Commissioners in an amount sufficient to cover the costs of any improvements which may be required. Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required within this Ordinance. In the case where development is Projected over a period of years, the Board of Commissioners may authorize submission of Final Plans 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.

§.612 Release From Improvement Bond

When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Board of Commissioners, in writing by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Township Engineer. The Board of Commissioners shall, within ten days after receipt of such notice, direct and authorize the Township Engineer to inspect all of the aforesaid improvements. The Township Engineer shall thereupon, file a report, in writing, with the Board of Commissioners, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty days after receipt by the Township Engineer of the aforesaid authorization from the Board of Commissioners, 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 Township Engineer, said report shall contain a statement of reasons for such nonapproval or rejection.

The Board of Commissioners shall notify the developer, in writing by certified or registered mail of their action with relation thereto. If the Board of Commissioners or the Township Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guarantee bond.

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

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 Board of Commissioners or the Township Engineer.

Where herein reference is made to the Township Engineer, he shall be a duly Registered Professional Engineer employed by the Township or engaged as a consultant thereto.

To cover inspection costs, the developer must pay a fee to be established by the Board of Commissioners. Any unused portion of this fee will be refunded to the developer upon completion of the inspections.

§.613 Remedies to Effect Completion of Improvements

In the event that any improvements which may be required have not been installed as provided in this Ordinance or in accord with the approved Final Plan the Board of Commissioners may 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 Board of Commissioners 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 moneys 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 Township purpose.

§.614 Offers of Dedication

The offer to dedicate streets, parks, or other areas or portions of them, does not impose any duty upon the Township concerning maintenance or improvement until the proper authorities of the Township have made actual appropriation by ordinance or resolution or by entry or improvement. If land is dedicated for a public site and its use for this purpose is not imminent, the developer may be permitted to dedicate the land with the privilege of using the surface rights until the Township is ready to use the land. Such dedication with the temporary privilege of use must be noted on the Final Plan.

Prior to dedication the developer must submit to the Township a maintenance bond in the amount of 10% of the total construction costs for any and all improvements such as those listed in Section 611. The bond shall be in force for a period of eighteen (18) months. The purpose of this bond is to guarantee the Township correction of deficiencies that may arise following acceptance of improvements. The bond will be returned to the developer following inspection/certification by the Township.

§.615 Land Reservation

On sites reserved for eventual public acquisition, no building development is permitted during the period of reservation, said period of time not to extend more than 18 months without consent of the developer. Such land reservations shall be noted on the Final Plan.

§.616 Effect of Plan Recording on Dedication and Reservations

Recording the Final Plan after approval of the Board of Commissioners has the effect of an irrevocable offer to:

- Dedicate all streets and other public ways to public use.
- Dedicate all neighborhood parks and other public areas to public use.
- Reserve for possible future public acquisition such additional areas as may be required by the Township.

ARTICLE VII

MOBILEHOME PARK PROVISIONS

ARTICLE VII

MOBILEHOME PARK PROVISIONS

§.701 Approval Required

It shall be unlawful for any person to construct, alter or extend any mobilehome park within the limits of the Township until plans have been approved by the Township and permits have been issued as provided in this Ordinance and the Penn Township Mobilehome Ordinance.

§.702 Application for Mobilehome Park Approval

Applications for mobilehome park approval shall conform to the requirements and procedures as established in Articles III and IV of this Ordinance and the provisions of the Penn Township Mobilehome Ordinance.

§.703 Site Location and Dimensions

The location, minimum park area, lot sizes and maximum density within all mobilehome parks shall be in accordance with the Penn Township Zoning Ordinance and Penn Township Mobilehome Ordinance and the location of the mobilehome park must also conform to the Township Comprehensive Plan with respect to streets, public sites and proposed utilities.

§.704 Improvements in Mobilehome Parks

Improvements such as sewer, water, electrical, fire protection and other utility systems; storm drainage systems; off-street parking areas; walks; recreation areas; and service buildings shall conform to the requirements in the Penn Township Mobilehome Ordinance.

§.705 Street System

All streets within mobilehome parks shall conform to the standards of the Penn Township Mobilehome Ordinance.

§.706 Easements

- a) Use - Easements shall be provided for all utilities not located in a street and for well-defined watercourses.
- b) Width - Utility easements shall have a minimum width of 15 feet. Easements for natural watercourses shall be of sufficient width to permit maintenance and provide for future flow.
- c) Location - Easements shall be centered on or adjacent to side and rear lot lines whenever possible.

ARTICLE VIII

ADMINISTRATION AND ENACTMENT

ARTICLE VIII

ADMINISTRATION AND ENACTMENT

§.801 Enforcement

It shall be the duty of the Building Inspector, Zoning Officer, or other such duly authorized representative of the Board of Commissioners and is hereby given the power and authority to enforce the provisions of this Ordinance. The Enforcement Officer shall require that the application for a building permit contain all information necessary to enable him to ascertain whether the proposed building, alteration, or use is located in an approved land development. No building permit shall be issued until the Enforcement Officer has certified that the site for the proposed building, alteration, or use complies with all the provisions of this Ordinance and conforms to the site description as indicated on the approved and recorded Final Plan.

§.802 Modifications

- a) The regulations embodied in this Ordinance are the minimum standards for the protection of the public welfare. When special circumstances warrant, the Township may impose stricter standards.
- b) Where a provision of this Ordinance would cause unique and undue hardship as it applies to a particular property, the Board of Commissioners may grant a modification from the strict application of the terms of this Ordinance if the variation will not be detrimental to the general welfare, nullify the objectives of these regulations or conflict with the Comprehensive Plan. In granting the modification the Board of Commissioners may impose conditions, which will substantially secure compliance with the purposes of this Ordinance.
- c) The Township Planning Commission shall have the right to recommend to the Board of Commissioners modifications to the regulations in individual cases as may be necessary in the public interest, provided, however, that such modifications shall not have the effect of nullifying the intent and purpose of these regulations. The list of suggested modifications and the specific reasons for such change shall be entered in the minutes of the Planning Commission and a copy of this entry shall be transmitted to the Board of Commissioners. The Board of Commissioners may then alter the land development plans and specify changes or modifications therein, which it deems necessary and may make its approval subject to such alterations, changes or modifications. Upon approval by the Board of Commissioners, said modifications shall be clearly defined and entered on the final plan and signed by the Board of Commissioners.

§.803

Amendments

The Board of Commissioners may on its own motion, or upon recommendation of the Planning Commission amend, supplement or repeal any portion of this Ordinance. Amendments to this Ordinance shall become effective only after a public hearing held pursuant to public notice. In addition in case of an amendment other than that prepared by the Township Planning Commission, the Board of Commissioners shall submit each such amendment to the Planning Commission for recommendations at least thirty (30) days prior to the date fixed for the public hearing on such proposed amendment.

§.804

Fees

At the time of filing of the Plan, whether Preliminary or Final, the developer shall pay to the Township the required Plan fee as follows:

- a) Preliminary Plan - a filing fee plus a fee per lot or dwelling unit for residential development and a fee per acre for other types of development.
- b) Final Plan - A filing fee plus an amount determined by the Township Engineer and Township Solicitor sufficient to cover the reasonable cost of:
 - Reviewing the development plan engineering details.
 - Inspecting the site for conformance of survey.
 - Preparing cost estimates of required improvements.
 - Inspection of required improvements during installation.
 - Final inspection on completion of installation of required improvements.
 - Administrative and legal services necessary for the processing of the proposed land development plan.

Any engineering, legal and administrative costs in excess of the amount submitted prior to approval of the Final Plan, shall be paid by the developer upon being notified of same by the Township Solicitor. Any excess paid over the amount actually required to cover such costs of the Final Plan shall be returned to the developer upon the completion of the required improvement.

- c) All fees shall be payable at the time of filing in the form of a check or money order payable to Penn Township.
- d) No Final Plan shall be approved until all fees and charges are Paid in full.
- e) All fees shall be set by Resolution from time to time.

§.805 Penalties

No lot in a land development shall be sold, rented, leased or conveyed in any manner; no permit to erect, alter or repair any building upon land in a land development shall be issued; and no building shall be created in a land development until a Final Plan of such land development has been approved and properly recorded and until improvements have been either constructed or guaranteed.

Any person, co-partnership or corporation who shall develop any lot, tract or parcel of land, layout, construct, open or dedicate any street, sanitary sewer, storm sewer or water mains, for public use or travel, or for the common use of occupants of buildings abutting thereon, sell, rent, lease, or convey in any manner any lot or erect any building in a land development without first having complied with the provisions of this Ordinance shall be guilty of a misdemeanor.

Any person, partnership or corporation who or which has violated the provisions of the Penn Township Subdivision and Land Development Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by a Penn Township, pay a judgement of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgement 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 judgement, the Township may enforce the judgement 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.

The court of common pleas, upon petition, may grant an order to stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

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

§.806 Appeals

The procedures for securing review of any ordinance, decision, or determination is set forth in Article X of the Pennsylvania Municipalities Planning Code, Act 170 of December 21, 1988, P.L. 170, as amended.

§.807 Repealer

All ordinances or portions of ordinances inconsistent herewith are hereby repealed.

§.808 Interpretation

The provisions of this Ordinance shall be held to be minimum requirements to meet the purposes of this Ordinance. When provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance, or regulations, the provisions of this Ordinance shall prevail. When provisions of any statute, other ordinance or regulation impose greater restrictions than those of this Ordinance, the provisions of such statute, ordinance or regulation shall prevail.

§.809 Severability Clause

If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by a recognized court of the Commonwealth, such decision shall not affect the legality of the remaining sections, clauses, provisions or portions of this Ordinance.

§.810 Effective Date

This Ordinance shall take effect 10 days after publication of adoption according to law.

Initial Subdivision Ordinance adopted by the Board of Commissioners of Penn Township, York County, Pennsylvania into an ordinance the 21st day of February, 1967.

Board of Commissioners
Penn Township
York County, Pennsylvania

By: Richard C. Amspacher
President

Attest:

Charles T. Lucabaugh
Secretary

This amending ordinance adopted by the Board of Commissioners of Penn Township, York County, Pennsylvania into an ordinance the 23rd day of April, 1975.

Board of Commissioners
Penn Township
York County, Pennsylvania

By: David S. Baer
President

Attest:

Bonnie K. Loy
Secretary

Amending ordinance adopted by the Board of Commissioners of Penn Township, York County, Pennsylvania into on ordinance the 20th day of April, 1981.

Board of Commissioners
Penn Township
York County, Pennsylvania

By: Eugene V. Fuhrman
President

Attest:

Karen M. Little
Secretary

Amending ordinance adopted by the Board of Commissioners of Penn Township, York County, Pennsylvania into on ordinance the 31st day of May, 1990.

Board of Commissioners
Penn Township
York County, Pennsylvania

By: Ronald R. Beeler, Sr.
President

Attest:

Karen M. Little
Secretary

