

CHAPTER 22**SUBDIVISION AND LAND DEVELOPMENT ORDINANCE****PART 1****BACKGROUND PROVISIONS**

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CHAPTER 22**PART 1****BACKGROUND PROVISIONS****§101. SHORT TITLE.**

This Ordinance shall be known and may be cited as the “Salisbury Township Subdivision and Land Development Ordinance of 2000.”

§102. PURPOSE.

The purpose of this Subdivision and Land Development Ordinance is to provide for the harmonious development of the Township by:

- 102.1. Assisting in the orderly and efficient integration of land developments within the Township.
- 102.2. Ensuring conformance of land development plans with the Comprehensive Plan, and other municipal documents.
- 102.3. Ensuring the provision of adequate public facilities, including roadways, walkways, water supply, storm water facilities, sanitary sewerage facilities, open spaces, and other improvements for the public health, safety and welfare.
- 102.4. Ensuring coordinating of inter-municipal and intra-municipal public improvement plans and programs.
- 102.5. Securing the protection of water resources, drainageways and other environmental resources.
- 102.6. Facilitating the safe and efficient movement of traffic.
- 102.7. Securing equitable handling of all development plans by providing uniform standards and procedures.
- 102.8. In general, promoting greater health, safety and welfare of the citizens of the Township.

§103. ADOPTION.

The Board of Supervisors of Salisbury Township, Lancaster County, Pennsylvania, pursuant to the Pennsylvania Municipalities Planning Code, Act 247 of 1968, reenacted and amended by Act

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170 of 1988, and as subsequently amended, hereby enacts and ordains the following Ordinance governing subdivisions and land developments within the limits of Salisbury Township.

§104. AUTHORITY.

The Board of Supervisors shall administer and enforce this Ordinance, and does hereby designate the Salisbury Township Planning Commission as an agency of the Board of Supervisors, which makes recommendations to the Board of Supervisors concerning subdivision plans, land development plans and waivers.

§105. SCOPE.

This Ordinance shall apply to all subdivision and land development plans submitted after the effective date of this Ordinance, and to all subdivision and land development plans submitted before the effective date of this Ordinance, which no longer have protection from the effect of changes in governing ordinances granted by Section 508(4) of the Pennsylvania Municipalities Planning Code.

From the time an application for approval, whether preliminary or final, is duly filed, as provided in this Ordinance, and while such application is pending approval or disapproval, no change or amendment of the zoning, other governing ordinance, or plan shall affect the decision on such application adversely to the applicant, and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly filed. In addition, when a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application, as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations.

When an application for approval, whether preliminary or final, has been approved without conditions or approved by the applicant's acceptance of conditions, no subsequent change or amendment in the zoning, or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five years from such approval.

The five-year period shall be extended for the duration of any litigation, including appeals, which prevent the commencement or completion of the development, and for the duration of any sewer or utility moratorium, or prohibition which was imposed subsequent to the filing of an application for preliminary approval. In the event of an appeal filed by any party from the approval or disapproval of a plan, the five-year period shall be extended by the total time from the date the appeal was filed, until a final order in such matter has been entered, and all appeals have been concluded, and any period for filing appeals or requests for reconsideration have expired. Provided, however, no extension shall be based upon any water or sewer moratorium which was in effect as of the date of the filing of a preliminary application.

(the above paragraph was added as per Ordinance 8-7-01-1).

Where Final Plan approval is preceded by Preliminary Plan approval, the aforesaid five-year period shall be counted from the date of the preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of the governing ordinances or plans as they stood at the time when the application for such approval was duly filed.

Where the landowner has substantially completed the required improvements, as depicted upon the Final Plan within the aforesaid five-year limit, or any extension thereof as may be granted by the Board of Supervisors, no change of governing ordinance or plan enacted subsequent to the date of filing of the Preliminary Plan shall modify or revoke any aspect of the approved Final Plan pertaining to zoning classification or density, lot, building, street, or utility location.

In the case of a Preliminary Plan calling for the installation of improvements beyond the five-year period, a schedule shall be filed with the Preliminary Plan delineating all proposed sections, as well as deadlines within which applications for Final Plan approval of each section are intended to be filed. Such schedule shall be updated annually on or before the anniversary of the Preliminary Plan approval, until Final Plan approval of the last section has been granted. Any modification in the aforesaid schedule shall be subject to approval of the Board of Supervisors in its discretion.

Provided the landowner has not defaulted with regard to or violated any of the conditions of the Preliminary Plan approval, including compliance with the schedule for submission of Final Plans, then the aforesaid protections afforded by substantially completing the improvements depicted upon the Final Plan 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. This extended protection shall apply for an additional term or terms of three years from the date of Final Plan approval for each section.

Failure to adhere to the aforesaid schedule of submission of Final Plans for the various sections shall subject any such section to changes in zoning, subdivision and other governing ordinances enacted by the Township, subsequent to the date of the initial Preliminary Plan submission.

This Ordinance shall not affect any suit or prosecution pending or to be instituted, to enforce any provision of previous subdivision and land development ordinances, on an act done, contract executed, or liability incurred prior to the effective date of this Ordinance, nor shall any provisions of this Ordinance be construed to waive the obligations imposed upon an applicant to complete a previously approved Preliminary or Final Plan, including the installation of all improvements required hereunder, in strict compliance with the requirements of the effective Subdivision and Land Development Ordinance.

No street, sanitary sewer, storm sewer, water main, or other facilities 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 thereon, unless and until authorized by this Ordinance.

No lot in a subdivision may be sold, no permit to erect or alter any building upon land in a subdivision or land development may be issued, and no building may be erected or altered in a subdivision or land development, unless, and until a Final Subdivision or Land Development Plan has been approved by the Board of Supervisors and recorded, and until the improvements required in

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connection therewith have been either constructed or guaranteed in a manner prescribed herein. This Ordinance does not impose any requirements upon subdivision or land development plans for which the Township is the applicant.

All subdivision and land development plans are subject to the prevailing Township Zoning Ordinance, and all other applicable ordinances, regulations and requirements of the Township.

§106. DEFINITIONS.

106.1. General. Words and phrases shall be presumed to be used in their ordinary context, unless such word or phrase is defined or interpreted differently within this section.

106.2. General Terms. In this Ordinance, when not inconsistent with the context:

106.2.1. Words in the present tense imply also the future tense,

106.2.2. The singular includes the plural,

106.2.3. The male gender includes the female gender,.

106.2.4. The term “person” includes an individual, partnership, corporation, unincorporated association, estate, or any other legally recognized entity,

106.2.5. The terms “shall,” “must,” or “will” are always mandatory.

106.2.6. The term “may” is permissive.

106.3. Specific Terms.

The following words and phrases shall have the particular meaning assigned by this section in the appropriate sections of this Ordinance.

ACCESS DRIVE – An improved cartway designed and constructed to provide for vehicular movement between a public road and a tract of land containing any use other than one single-family dwelling unit.

AGENT – Any person, other than the developer, who is acting for the developer, submits subdivision and/or land development plans to the Township for the purpose of obtaining approval thereof.

AISLE PARKING – A private drive intended principally to provide vehicular access within a vehicular parking compound. Although aisles provide interior vehicular circulation, their principal function is to provide entrance and exit for individual parking spaces. Aisles may not be used to intersect streets.

ALLEY – A minor right-of-way, privately or publicly-owned, primarily for service access to the rear or side of properties, and not intended to be used for through vehicular traffic movements.

APPLICANT – A landowner or developer, as hereinafter defined, who has filed an application for subdivision or land development, including his heirs, successors and assigns.

BLOCK – A tract of land which is entirely bounded by streets, public parks, cemeteries, railroads, watercourses, or any other barrier to the continuity of development.

BOARD OF SUPERVISORS – The Board of Supervisors of Salisbury, Lancaster County, Pennsylvania.

BUILDING – Any structure with a roof intended for the shelter or enclosure of any persons, animals or property.

CARTWAY – The surface of a street, access drive, driveway, or alley available for vehicular traffic, including travel lanes and parking lanes, but not necessarily including curbs, sidewalks or swales.

CLEAR SIGHT TRIANGLE – An area of unobstructed vision at a street intersection defined by a line of sight between points at centerlines.

COMPREHENSIVE PLAN – The most recently adopted version of the Official Comprehensive Plan, Salisbury Township, Lancaster County, Pennsylvania, including any amendments.

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.

DEDICATION – The deliberate assignment of land by its owner to another party.

DEED - A written instrument whereby an estate in real property is conveyed.

DENSITY - A term used to express the allowable number of dwelling units per acre of land.

Density, Net: The number of dwelling units in relation to the land area actually in use, or proposed to be used, for residential purposes, exclusive of public rights-of-way, streets, sidewalks, parks, playgrounds, common parking lots, common open space, floodplains, etc.

Density, Gross: The number of dwelling units in relation to the area of land of a parcel in use, or proposed to be used for, residential purposes, exclusive of perimeter public rights-of-way.

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DEVELOPER – Any landowner, agent of such landowner, equitable owner, or tenant with the permission of the landowner, for whom subdivision or land development plans are being or have been made.

DRIVEWAY – An improved cartway designed and constructed to provide vehicular movement between a public street and a tract of land containing one single-family dwelling **unit**.

EASEMENT – A right-of-way granted for limited use of private land for a public or quasi-public or private purpose, and within which the owner of the property shall not have the right to make use of the land in a manner that violates the right of the grantee.

ENGINEER – A professional engineer registered as such in the Commonwealth of Pennsylvania.

FLOODPLAIN – An area of land adjacent to the channel of a watercourse which has been, or is likely to be, flooded, or any area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

FRONTAGE – The horizontal distance shared between a public or private street, and an adjoining lot.

GRADE – The slope expressed in a percent that indicates the rate of change of elevation in feet per hundred feet.

LAND DEVELOPMENT – Any of the following activities:

A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single, nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

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, condominiums, building groups, or other features.

A subdivision of land.

LAND SURVEYOR – A land surveyor registered in the Commonwealth of Pennsylvania.

LANDOWNER – The legal, beneficial, equitable 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 conditions), a lessee (if he is authorized under the lease to exercise the rights of the landowner), or another person having a proprietary interest in land, shall be deemed to be a landowner for the purposes of this Ordinance.

LANDSCAPE ARCHITECT – A landscape architect registered as such in the Commonwealth of Pennsylvania.

LATERAL - A utility line between a utility main that is located within a utility easement, and the single building which the line services.

LOT – Any parcel or tract of land intended as a single unit for purposes of ownership, transfer of ownership, use, rent, improvement, or development. The word “lot” includes the word “plot,” “parcel” or “tract.”

Lot, Corner: A lot at the point of intersection of and abutting two (2) or more intersecting streets, and which has an interior angle of less than one hundred thirty-five degrees (135°) at the intersection of two (2) street lines.

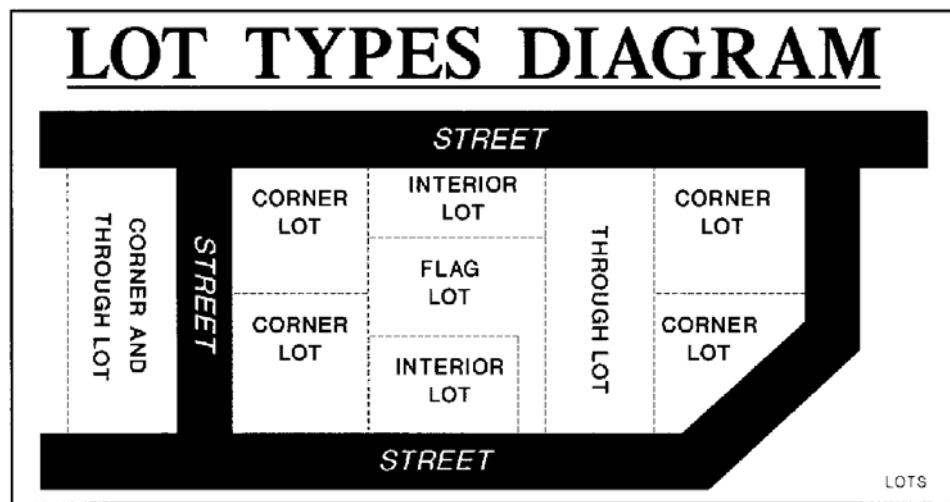
Lot, Double Frontage: A lot which fronts upon two parallel streets, or which fronts upon two streets which do not intersect at the boundary of the lot, and which has vehicular access provided to both streets.

Lot, Flag: A lot whose frontage does not satisfy the minimum width requirements for the respective zone, but that does have sufficient lot width away from the lot’s frontage.

Lot, Interior: A lot other than a corner lot, the sides of which do not abut a street.

Lot, Reverse Frontage: A double frontage lot with vehicular access solely from the street with lesser volume of traffic.

Lot, Through: An interior lot having frontage on two parallel or approximately parallel streets.



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MOBILE HOME – Any structure intended for, or capable of, permanent human habitation, with or without wheels, and capable of being transported or towed from one place to the next, in one or more pieces, by whatsoever name or title it is colloquially or commercially known, but excluding transport trucks or vans equipped with sleeping space for a driver or drivers, and travel trailers. Mobile homes placed in parks shall meet the requirements for mobile home parks. Mobile homes placed on individual lots shall be considered “dwellings” and be bound by the requirements for a dwelling.

MOBILE HOME LOT – A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.

MOBILE HOME PARK – A parcel or contiguous parcels of land which have been so designated and improved to contain two or more mobile home lots for the placement thereon of mobile homes.

ONE HUNDRED YEAR FLOOD – A flood that, on the average, is likely to occur once every 100 years (i.e., that has a 1% chance of occurring each year, although the flood may occur in any year).

ONE HUNDRED YEAR FLOOD BOUNDARY – The outer boundary of an area of land that is likely to be flooded once every 100 years (i.e., that has a 1% chance of being flooded each year). A study by the Federal Insurance Administration, the United States Army Corps of Engineers, the United States Department of Agriculture’s Soil Conservation Service, the United States Geological Survey, the Susquehanna River Basin Commission or a licensed surveyor or professional engineer, registered by the Commonwealth of Pennsylvania, is necessary to define this boundary.

ONE HUNDRED YEAR FLOOD ELEVATION – The water surface elevations of the 100-year flood.

ON-SITE SEWER SERVICE – The disposal of sewage generated by one principal use with the use of safe and healthful means within the confines of the lot on which the use is located, as approved by the Pennsylvania Department of Environmental Protection.

ON-SITE WATER SERVICE – The provision of a safe, adequate and healthful supply of water to a single principal use from a private source.

OPEN SPACE, COMMON OR PUBLIC – A parcel or parcels of land, an area of water, or a combination of land and water, designed and intended for the use of all residents, of the development (common open space) or the general public (public open space), not including streets and walkways, off-street parking areas, areas with no public accessibility, setbacks and areas at other than ground level. Open space areas may include floodplains and drainage basins. Common or public open space

shall be substantially free of structures, but may contain such improvements as are appropriate for recreational use by the residents or the general public.

PA DEP – Pennsylvania Department of Environmental Protection.

PARKING COMPOUND – A primary business where passenger vehicles may be stored for short-term, daily or overnight off-street parking and connected to a street by an access drive. Parking compounds are subject to the design standards of Section 507 of this Ordinance.

PARKING LOT – An accessory use in which required, and possibly additional, off-street parking spaces are provided, subject to the design standards of Section 507 of this Chapter.

PARKING SPACE – An off-street space available for the parking of one motor vehicle and having usable access to a street or alley.

PEDESTRIAN EASEMENT – A right-of-way, municipally or privately-owned, which cuts across a block to furnish access for pedestrians to adjacent streets or properties.

PennDOT – Pennsylvania Department of Transportation.

PLAN – The map representing a tract of land including all supplementary data specified in Part 3 of this Ordinance. The following are the types of plans specified by this Ordinance:

Plan, As-Built: A revised Final Plan, showing dimensions and locations of all streets and other public improvements as actually constructed.

Plan, Final: A subdivision and/or land development plan prepared for official recording as required by statute to define property rights, proposed streets and other public improvements.

Plan, Preliminary: A complete and exact subdivision and/or land development plan, the purpose of which is to authorize the preparation of Final Plans.

Plan, Sketch: An informal plan, not necessarily to exact scale, indicating salient existing features of a tract and its surroundings, with the general layout of a proposal for consideration prior to the formal submission of a plan.

PLANNING COMMISSION – The Planning Commission of Salisbury Township.

PUBLIC – Owned, operated or controlled by a governmental agency (Federal, state or local, including a corporation created by law for the performance of certain specialized governmental functions, not including the Board of Education).

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PUBLIC SEWER – A municipal sanitary sewer or a comparable common or package sanitary facility approved and permitted by the Pennsylvania Department of Environmental Protection. Such systems are capable of serving multiple users.

PUBLIC USES – Includes post offices, parks, fire and ambulance stations, municipal buildings and garages, and police offices.

PUBLIC UTILITIES – Use or extension thereof which is operated, owned or maintained by a municipality or municipal authority, or which is privately-owned and has an approved Certificate of Convenience by the Pennsylvania Public Utility Commission for the purpose of providing public sewage disposal and/or treatment; public water supply, storage and/or treatment; or for the purpose of providing the transmission of energy or telephone service.

PUBLIC WATER – A municipal water supply system, or a comparable common water facility approved and permitted by the Pennsylvania Department of Environmental Protection. Such systems are capable of serving more than one principal use.

PUBLIC GROUND – Public parks, playgrounds, open space, and other public areas; and sites for schools, sewage treatment, refuse disposal, and other publicly-owned or operated facilities.

RIGHT-OF-WAY – A corridor of publicly-owned land for purposes of maintaining primary vehicular and pedestrian access to abutting properties, including, but not limited to, roads, streets, highways, and sidewalks. Abutting property owners are prohibited from encroaching across the right-of-way line.

SCREENING – An assemblage of materials that are arranged to block the ground level views between grade and a height of six (6) feet. Suitable screening materials include trees, shrubs, hedges, berms, walls, sight-tight fences, other similar type materials, or any combination thereof. No wall or fence shall be constructed of plywood, corrugated metal, fiberglass, or sheet metal. Landscape screens must achieve the required visual blockage within two (2) years of installation.

SOIL SURVEY - The latest published version of the United States Department of Agriculture's Soil Survey for Lancaster County, Pennsylvania.

SOLID WASTE – Garbage, refuse and other discarded materials, including, but not limited to, solid and liquid waste materials resulting from municipal, industrial, commercial, agricultural, and residential activities. Such wastes shall not include biological excrement nor hazardous waste materials, as defined in the *Code of Federal Regulations*, Title 40, Chapter 1, Part 261, dated July 1, 1984, or as amended.

SLOPE – the degree of deviation of a surface from the horizontal. Slope is expressed in a percentage that indicates the rate of elevation change in feet per one hundred feet (100').

STREET – A strip of land over which there is a public or private right-of-way intended to serve as:

1. A means of vehicular and/or pedestrian movement; and/or,
2. A means of vehicular and/or pedestrian access to, and frontage for, abutting properties.

Streets are further classified as follows:

Arterial: A street which provides for inter-community travel connecting population centers and carrying large volumes of traffic at speeds higher than desirable on other types of streets. The secondary function of an arterial street is to provide access to frontage lots; therefore, the intensity of driveway access is limited.

Collector: A street that conducts and distributes traffic between arterial and local streets. The primary function of collector street is to promote free traffic flow. The secondary function of a collector street is to provide access to frontage lots; therefore, the intensity of direct driveway access is limited.

Cul-de-Sac: A street with a single common ingress and egress.

Local or Minor: A street that provides frontage for access to lots, and carries traffic having destination or origin on the street itself.

Alley: (see Alley)

STREET CENTERLINE – The horizontal line paralleling the street that bisects the street right-of-way into two equal widths. In those instances where the street right-of-way cannot be determined, the street centerline shall correspond to the center of the cartway.

STREET GRADE – The elevation of a street along the centerline of the cartway.

STREET LINE (RIGHT-OF-WAY LINE) – A line defining the edge of a street right-of-way and separating the street from abutting properties or lots. The street line shall be the same as the legal right-of-way line currently in existence.

STREET, PRIVATE – A street not offered for dedication or whose dedication was not accepted by the municipality.

SUBDIVISION – The division or redivision of a lot, tract or parcel of land by any means into one, two or more lots, tracts, parcels, or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership, or building, or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres,

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not involving any new streets or easements of access or residential dwelling shall be exempted.

SWALE – A wide, shallow ditch which gathers or carries surface water.

TOWNSHIP – Salisbury Township, Lancaster County, Pennsylvania.

TOWNSHIP ENGINEER – A duly-registered professional engineer, licensed as such by the Commonwealth of Pennsylvania, employed by the Township or engaged as a consultant thereto.

TRAVEL TRAILER – A portable structure, primarily designed to provide temporary living quarters for recreation, camping or travel purposes. In addition to the above, any of the following attributes are characteristic of a “travel trailer”:

1. The unit is of such size or weight as not to require a special highway movement permit from the Pennsylvania Department of Transportation when self-propelled, or when hauled by a standard motor vehicle on a highway.
2. The unit is mounted, or designed to be mounted, on wheels.
3. The unit is designed to be loaded onto, or affixed to, the bed and/or chassis of a truck.
4. The unit contains, or was designed to contain, temporary storage of water and sewage.
5. The unit contains some identification by the manufacturer as a travel trailer.

UNIT OF OCCUPANCY – A unit the use of which is not subordinate or customarily incidental to a principal unit. A unit of occupancy can be an independent unit within a building or a separate, detached building.

WAIVER – A process for alleviating specific requirements imposed by this Ordinance pursuant to the Pennsylvania Municipalities Planning Code, Act 247 of 1968, reenacted and amended by Act 170 of 1988, and as subsequently amended. Waiver provisions are in Sections 207 and 704.

WATERCOURSE - A permanent or intermittent stream, river, brook, creek, channel, or swale, pond, lake, or other body of surface water carrying or holding surface water, whether natural or artificial.

WATERSHED – All the land from which water drains into a particular watercourse.

WETLAND – Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that, under normal circumstances, do support a prevalence of hydrophytes typically adapted for life in hydric soil conditions, including swamps, marshes, bogs, and similar areas. The term

includes, but is not limited to, wetland areas listed in the State Water Plan, the United States Forest Service Wetlands Inventory of Pennsylvania, the Pennsylvania Coastal Zone Management Plan, and any areas designated as wetlands by the United States Army Corps of Engineers, a river basin commission, or the Township.

ZONING ORDINANCE – The current version of the Salisbury Township Zoning Ordinance.

CHAPTER 22

PART 2

PLAN PROCESSING PROCEDURES

§201. GENERAL.

The procedures set forth in this Part shall be followed for all subdivision and/or land development plans.

The official Township determination on any application filed under this Ordinance rests solely with the Board of Supervisors. The Township Planning Commission, Township Engineer, various Township officials, and Lancaster County Planning Commission are advisory to the Board of Supervisors.

The procedure for consideration of a subdivision and/or land development plan includes two (2) mandatory plan processing procedures (Pre-Application and Final Plan) and one (1) optional procedure (Preliminary Plan). The Preliminary Plan procedure is provided for applicants who desire to receive approval for the entire development and process Final Plans in phases. The procedures are sequential. Successful completion of a procedure must be obtained before submission under the next procedure.

ECHO Housing and Farm Housing, as provided for in the Township Zoning Ordinance, is not considered a land development. Submission of plans and applications is not required by this Ordinance. ECHO Housing and Farm Housing are regulated under the Township Zoning Ordinance.

Procedures are provided for a modification of the provisions of this Ordinance as they apply to a specific project. Modifications are referred to as Waivers. Procedures for Waivers are in Section 207.

The governing body of the contiguous municipalities may appear and comment before the Township Supervisors, Township Planning Commission, and all other review agencies that are considering proposed subdivision and land development plans.

(The above paragraph was added per Ordinance 8-7-01-1)

§202. PRE-APPLICATION REVIEW.

Applicants are required to discuss development sites and plans with the Township staff at a workshop meeting prior to submission of a Preliminary or Final Plan. The purpose of the pre-application meeting is to afford the applicant an opportunity to receive the recommendations of the Township staff, while the project is at an early stage.

A request for a Pre-Application Review shall be made to the Township Zoning Officer, or designee, at the Township Municipal Office. The request may be provided by telephone call or

the submission of one (1) application form (see Appendix No. 6) to the Township Zoning Officer or designee. To aid in the effectiveness of the Pre-Application Review, it is recommended that the applicant submit **three (3) paper copies** of the design plan that contains the information specified for a Sketch Plan in Section 301.

The **Township staff** shall meet with the applicant no later than the greater of the period of time required by the Pennsylvania Municipalities Planning Code or ninety (90) days following the date the application was filed. The Township staff may include, but is not limited to, the Township Zoning Officer, Township Planning Commission representative, Board of Supervisors representative, Township Engineer, and County Planning Commission. Submission of plans and applications is not required by this Ordinance. ECHO Housing and Farm Housing are regulated under the Township Zoning Ordinance.

The Township Zoning Officer, or designee, will advise the applicant of the meeting date at which the Pre-Application Review is scheduled.

Attendance at the Pre-Application Review meeting by the applicant or authorized agent is mandatory. The applicant or authorized agent must be prepared to describe the property location and planned features. The display of a plan which identifies at least the horizontal location of streets, parking, building, lot layout, storm water detention/retention basin, water supply, sanitary sewage disposal and other planned features would be helpful but not required.

§203. PRELIMINARY PLAN APPLICATION.

203.1. Projects That Require Preliminary Plan Procedure. A Preliminary Plan application is provided as a procedure for securing approval of the entire design and implementing the development in separate phases. The Preliminary Plan application is optional.

203.2. Submission Procedure. Preliminary Plans shall be submitted to the Township Zoning Officer, or designee, at the Township Municipal Office, on any business day. However, Preliminary Plans must be submitted by the third (3rd) Monday of the month in order to be placed on the Township Planning Commission agenda for the next Planning Commission meeting.

The Preliminary Plan Application shall not be available for revision or inclusion of additional information before the Planning Commission meeting at which the plan will be considered. This time is to provide an examination of the plans and all appropriate supporting documentation. The Township will not accept changes or amendments to the application after this date, unless the applicant authorizes a re-scheduling of the Preliminary Plan and grants an extension of the review time provided to the Township.

Applicants are required to submit a Sewer Facilities Plan Revision or Supplement in conjunction with the Preliminary Plan to avoid unnecessary delays in attaining revision or supplement approval before the Final Plan stage.

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- 203.3. Application Requirement. All Preliminary Plan applications shall include the following:
- 203.3.1. A minimum of four (4) copies of the Preliminary Plan and two (2) copies of all reports, notifications and certifications which are specified in Section 302. The Township may require additional copies of the Preliminary Plan and reports.
 - 203.3.2. One (1) application form (see Appendix No. 6).
 - 203.3.3. Filing fee, as set by resolution of the Board of Supervisors (see Fee Schedule available at the Township Municipal Office).
 - 203.3.4. The number of plans, reports and filing fee required by the Lancaster County Planning Commission for their review of the Plan. It shall be the responsibility of the applicant to provide the correct material.
 - 203.3.5. The number of plans, reports and filing fee required by the Lancaster County Conservation District for their review of the Plan. It shall be the responsibility of the applicant to provide the correct material.
- 203.4. Review for Completeness of Application. The Township Zoning Officer or designee shall have seven (7) days from the date of submission of an application to check the plans and documents to determine if, on their face, they are in proper form and contain sufficient information to perform the analysis required by this Ordinance. If defective, the application may be returned to the applicant with a statement of rejection, within the seven (7) day period; otherwise, it shall be deemed accepted for filing as of the date of submission. Acceptances for filing shall not constitute a waiver of any deficiencies or irregularities. The applicant may appeal a decision by the Township Zoning Officer to the Board of Supervisors.
- 203.5. Distribution. The Township Zoning Officer, or designee, shall distribute the Preliminary Plan to the Board of Supervisors, Township Planning Commission, Township Engineer, Lancaster County Planning Commission, and Lancaster County Conservation District. If deemed necessary, data will be submitted to other officials (e.g., School District, Park Board, adjacent municipality, Emergency Management Coordinator, PennDOT, PA DEP).
- 203.6. Reviewing Agencies. The Preliminary Plan is reviewed by the Township Zoning Officer, Township Planning Commission, Township Engineer, Lancaster County Planning Commission, Lancaster County Conservation District, and, if deemed necessary, other officials. These reviewers will report their findings to the Board of Supervisors.

All Plan reviews shall be based upon provisions of this Ordinance, as well as other applicable ordinances. All review comments to the Board of Supervisors and applicant shall cite the provision of the ordinances relied upon or be specifically designated as a suggestion.

The Preliminary Plan will be placed on the Township Planning Commission agenda for the first meeting that follows the third (3rd) Monday of the month. Attendance at the Township Planning Commission meeting by the applicant or authorized agent is mandatory to:

- 203.6.1. Display for public viewing a plan which identifies at least the horizontal location of streets, parking, building, lot layout, storm water detention/retention basin, water supply, sanitary sewage disposal, and other planned features;
- 203.6.2. Verbally describe the property location and planned features in a presentation of no more than five (5) minutes;
- 203.6.3. Establish the acceptance or rejection of any recommendation of the Township Planning Commission and other officials (see Appendix No. 8); and,
- 203.6.4. Establish the intent to avail the applicant to the procedure for complying with recommendations of the Township Planning Commission as specified in Section 203.7.

203.7. Compliance With Recommendations of the Township Planning Commission. In order to avoid the Township Planning Commission's recommendation for disapproval, the applicant is encouraged to comply with the recommendations of the Township Planning Commission prior to their report to the Board of Supervisors. Should the applicant elect to revise the Preliminary Plan, four (4) copies of the revised data and one (1) application form shall be submitted to the Township Zoning Officer, or designee, at the Township Municipal Office. The revised data shall be submitted on any business day. However, in order to be placed on the Township Planning Commission meeting agenda, the revised data must be submitted by the third (3rd) Monday of the month before the scheduled Planning Commission meeting. Revised plans will be distributed and reviewed in accordance with Sections 203.5. and 203.6. The time for a Township ruling on the Preliminary Plan (Section 203.8.) shall be based upon the submission date of the revised data.

203.8. Ruling on the Preliminary Plan. A ruling on the Preliminary Plan is made by the Board of Supervisors. The Board of Supervisors will advise the applicant of the scheduled meeting for consideration of the Preliminary Plan. Attendance at the Board of Supervisors meeting by the applicant or authorized agent is mandatory. The applicant or authorized agent must be prepared to:

- 203.8.1. Display a plan which identifies at least the horizontal location of streets, parking, building, lot layout, storm water detention/retention basin, water supply, sanitary sewage disposal, and other planned features;
- 203.8.2. Verbally describe the property location and planned features in a presentation of no more than five (5) minutes;

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203.8.3. Establish the acceptance or rejection of any recommendation of the Township Planning Commission and other officials; and,

203.8.4. Establish the acceptance of any conditions of approval. The acceptance or rejection of the conditions of approval will be entered in the minutes of the Board of Supervisors. The acceptance of conditions will also be acknowledged in writing (see Appendix No. 8). If the applicant does not accept the conditions of approval, the plan will be disapproved.

The Board of Supervisors shall render their decision and communicate it to the applicant not later than ninety (90) days following the date of the regular meeting of the Planning Commission next following the date of the application is filed, or after a final order of the court remanding an application. However, should the said next regular meeting, or final order of the court remanding an application, occur more than thirty(30) days following the filing of the application, the said ninety (90) day period shall be measured from the thirtieth (30) day following the day the application has been filed. The applicant may grant an extension of time to the Township.

(The above paragraph was added as per Ordinance 8-7-01-1)

Should the applicant grant an extension of time within which the Board of Supervisors shall act upon the Preliminary Plan and/or render a written decision, the Board of Supervisors may act in accordance with such extension of time.

203.9. Notification of Ruling. The ruling of the Board of Supervisors shall be in the form of a written notice. The written notice shall cite defects in the application and the specific sections of this Ordinance, any applicable statute, or applicable Township Ordinance relied upon. The written notice shall be presented to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision. Refusal by the applicant to accept conditions of approval shall constitute disapproval of the plan.

In the event that the Board of Supervisors deems any waiver of requirements from this Ordinance necessary, the Waiver and the reasons for its necessity shall be entered in the minutes of the Board of Supervisors.

Approval of the Preliminary Plan entitles the applicant to Final Plan approval, in accordance with the terms of the Preliminary Plan, conditions of Preliminary Plan approval, and Final Plan requirements.

Preliminary approval binds the applicant to the plan as approved. The Final Plan shall be substantially consistent with the approved Preliminary Plan. Preliminary approval does not authorize construction, sale or transfer of lots, nor shall this plan be recorded in the office of the Lancaster County Recorder of Deeds.

Unconditional Preliminary Plan approval, or conditional Preliminary Plan approval, with conditions acceptable to the applicant shall expire within five (5) years after

being granted, unless an extension is requested by the applicant and approved by the Board of Supervisors. Requests for extensions shall be submitted to the Township **thirty (30) days** before any prevailing expiration **date**. The Township has no responsibility to inform the applicant of the termination or pending termination of an application.

- 203.10. Compliance With Conditions of Approval. If the Board of Supervisors conditions its Preliminary Plan approval upon receipt of additional information, alterations, changes, or notifications, such data shall be submitted and/or alterations noted on two (2) copies to be submitted to the Township Zoning Officer, or designee. The applicant shall include a brief written descriptive narrative on the submitted data. The conditions of approval must be satisfied to obtain Preliminary Plan approval.

If the plan is approved, subject to modifications or conditions, the applicant shall, in writing, approve or reject such modifications or conditions (see Appendix No. 8) within ten (10) days of receiving notice of such modifications or conditions.

Compliance with the conditions of Preliminary Plan approval must be attained within one (1) year of the Board of Supervisors' ruling on the Plan (see Section 203.8.), unless an extension is requested in writing **by** the applicant and granted by the Board of Supervisors. Preliminary Plans which have not complied with the conditions of approval within the above period are disapproved.

At the option of the applicant, and upon receipt of an unconditional Preliminary Plan approval, a Preliminary Plan may be presented to the Township for signature. (See Appendix Nos. 3 and 4 for certificate.)

§204. FINAL PLAN APPLICATION.

- 204.1. Projects That Require Final Plan Procedure. A Final Plan application is required for all subdivision and land development plans. When a Preliminary Plan application is required, in accordance with Section 203, an application for Final Plan approval can be submitted only after obtaining Preliminary Plan approval.
- 204.2. Consistency With Preliminary Plan. The Final Plan shall be substantially consistent with the Preliminary Plan. The Final Plan may include sections of an approved Preliminary Plan, provided each section independently conforms to the Ordinance, regulations and other standards of the Township, and includes a reasonable portion of the Preliminary Plan.
- 204.3. Submission Procedure. Final Plans shall be submitted to the Township Zoning Officer, or designee, at the Township Municipal Office, on any business day. However, Final Plans must be submitted by the third (3rd) Monday of the month in order to be placed on the Township Planning Commission agenda for the next Planning Commission meeting.

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The Final Plan Application shall not be available for revision or inclusion of additional information before the Planning Commission meeting at which the Plan will be considered. This time is provided to allow an examination and study the plans and all appropriate supporting documentation. The Township will not accept changes or amendments to the application after this date, unless the applicant authorizes a rescheduling of the Final Plan and grants an extension of the review time provided to the Township.

Applicants are required to submit a Sewer Facilities Plan revision or supplement in conjunction with the Final Plan to avoid unnecessary delays in attaining revisions or supplement approval.

- 204.4. Application Requirement. All Final Plan applications shall include the following:
- 204.4.1. A minimum of four (4) copies of the Final Plan, two (2) copies of all reports, notifications and certificates which are specified in Section 303. The Township may require additional copies of the Final Plan and reports.
 - 204.4.2. One (1) application form (see Appendix No. 6).
 - 204.4.3. Filing fee, as set by resolution of the Board of Supervisors (see Fee Schedule available at the Township Municipal Office).
 - 204.4.4. The number of plans, reports and filing fee required by the Lancaster County Planning Commission for their review of the Plan. It shall be the responsibility of the applicant to provide the correct material.
 - 203.3.5. The number of plans, reports and filing fee required by the Lancaster County Conservation District for their review of the Plan. It shall be the responsibility of the applicant to provide the correct material.
- 204.5. Review for Completeness of Application. The Township Zoning Officer, or designee, shall have seven (7) days from the date of submission of an application to check the plans and documents to determine if, on their face, they are in proper form and contain all information required by this Ordinance. If defective, the application may be returned to the applicant with a statement of rejection, within the seven (7) day period; otherwise, it shall be deemed accepted for filing as of the date of submission. Acceptance for filing shall not constitute a waiver of any deficiencies or irregularities. The applicant may appeal a decision by the Township Zoning Officer to the Board of Supervisors.
- 204.6. Distribution. The Township Zoning Officer, or designee, shall distribute the Final Plan to the Board of Supervisors, Township Planning Commission, Township Engineer, Lancaster County Planning Commission, and Lancaster County Conservation District. If deemed necessary, data will be submitted to other officials (e.g., School Board, adjacent municipality, Emergency Management Council).

204.7. Reviewing Agencies. The Final Plan is reviewed by the Township Zoning Officer, Township Engineer, Township Planning Commission, Township Environmental Council, Lancaster County Planning Commission, Lancaster County Conservation District, and, if deemed necessary, other officials. These reviewers will report their findings to the Township Planning Commission and Board of Supervisors.

All Plan reviews shall be based upon provisions of this Ordinance, as well as other applicable ordinances. All review comments to the applicant and Board of Supervisors shall cite the provision of the ordinances relied upon or be specifically designated as a suggestion.

The Final Plan will be placed on the Township Planning Commission agenda the first meeting that follows the third (3rd) Monday of the month. Attendance at the Township Planning Commission meeting by the applicant or authorized agent is mandatory to:

- 204.7.1. Display for public view, a plan which identifies at least the horizontal location of streets, parking, building, lot layout, storm water detention/retention basin, water supply, sanitary sewage disposal, and other planned features;
- 204.7.2. Verbally describe the property location and planned features in a presentation of no more than five (5) minutes;
- 204.7.3. Establish the acceptance or rejection of any recommendations of the Township Planning Commission, and other officials (see Appendix No. 8); and,
- 204.7.4. Establish the intent to avail the application to the below procedure for complying with the recommendations of the Township Planning Commission as specified in Section 204.8.

204.8. Compliance With Recommendations of the Township Planning Commission. In order to avoid the Township Planning Commission's recommendation for disapproval, the applicant is encouraged to comply with the recommendations of the Township Planning Commission prior to their report to the Board of Supervisors. Should the applicant elect to revise the Final Plan, four (4) copies of the revised data and one (1) application form shall be submitted to the Township Zoning Officer, or designee at the Township Municipal Office. The revised data shall be submitted on any business day. However, in order to be placed on the Township Planning Commission meeting agenda, the revised data must be submitted by the third (3rd) Monday of the month before the scheduled Planning Commission meeting. Revised plans will be distributed and reviewed in accordance with Sections 204.6. and 204.7. The time period for a Township ruling on the Final Plan (Section 204.9.) shall be based upon the submission date of the revised data.

204.9. Ruling on the Final Plan. A ruling on the Final Plan is made by the Board of Supervisors. The Board of Supervisors will advise the applicant of the scheduled

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meeting for consideration of the Final Plan. Attendance at the Board of Supervisors meeting by the applicant or authorized agent is mandatory. The applicant or authorized agent must be prepared to:

- 204.9.1. Display a plan that identifies at least the horizontal location of streets, parking, building, lot layout, storm water detention/retention basin, water supply, sanitary sewage disposal and other planned features.
- 204.9.2. Verbally describe the property location and planned features in a presentation of no more than five (5) minutes.
- 204.9.3. Establish the acceptance or rejection of any recommendation of the Township Planning Commission or other officials.
- 204.9.4. Establish the acceptance of any conditions of approval. The acceptance or rejection of the conditions of approval will be entered in the minutes of the Board of Supervisors. The acceptance of conditions will also be acknowledged in writing (see Appendix No. 8). If the applicant does not accept the conditions of approval, the plan will be disapproved.

The Board of Supervisors shall render their decision and communicate it to the applicant not later than ninety (90) days following the date of the regular meeting of the Planning Commission next following the date the application is filed, or after a final order of the court remanding an application. However, should the said next regular meeting, or final order of the court remanding an application, occur more than thirty (30) days following the filing of the application, the said ninety (90) day period shall be measured from the thirtieth (30) day following the day the application has been filed. The applicant may grant an extension of time to the Township.

(The above paragraph was added as per Ordinance 8-7-01-1)

Should the applicant grant an extension of time within which the Board of Supervisors shall act upon the Final Plan and/or render a written decision, the Board of Supervisors may act in accordance with the limits of such extension of time.

- 204.10. Notification of Ruling. The ruling of the Board of Supervisors shall be in the form of a written notice. The written notice shall cite the defects in the application and the specific sections of this Ordinance, any applicable statute, or applicable Township Ordinance relied upon. The written notice shall be presented to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision. Refusal by the applicant to accept conditions of approval shall constitute disapproval of the Plan.

When requested by the applicant, in order to facilitate financing, the Board of Supervisors shall furnish the applicant with a signed copy of a resolution indicating approval of the Final Plan contingent upon the applicant obtaining financial security in a form satisfactory to the Board of Supervisors. The resolution's contingent approval shall expire and be deemed to be revoked if the Financial Security

Agreement is not executed within ninety (90) days, unless an extension is requested in writing by the applicant and granted by the Board of Supervisors. Request for extensions shall be submitted to the Township thirty (30) days before any prevailing expiration date. The Township has no responsibility to inform the applicant of termination or pending termination of an application.

- 204.11. Compliance With Conditions of Approval. If the Board of Supervisors conditions its Final Plan approval upon receipt of additional information, alterations, changes, or notifications, such data shall be submitted and/or alterations noted on two (2) copies to be submitted to the Township Zoning Officer, or designee. The applicant shall include a brief written descriptive narrative on the submitted data. The conditions of approval must be satisfied to obtain Final Plan approval.

If the Board of Supervisors conditions its Final Plan approval upon installation of public improvements, the applicant shall comply with either the financial security provision in Section 402, or the provision for installation of public improvements specified in Section 403.

Compliance with the conditions of Final Plan approval and submission for plan certification must be attained within one (1) year of the Board of Supervisors' ruling on the plan, or the Township action on the plan shall be considered a disapproval, unless the Board of Supervisors grants a waiver by extending the effective time period. Request for extensions shall be submitted to the Township thirty (30) days before any prevailing expiration date. The Township has no responsibility to inform the applicant of the termination or pending termination of an application.

- 204.12. Final Plan Certification. After approval of the Final Plan, the applicant shall present to the Township two (2) paper copies and two (2) transparent reproductions of the original plan which shall be on stable plastic base film of the Final Plan. All four (4) copies of the Final Plan shall be in black ink and bear original signatures on each certificate.

204.12.1. Upon payment of any outstanding plan review fee or inspection fee, the Township Planning Commission and the Board of Supervisors (see Appendix Nos. 3 and 5) shall sign the Final Plan. The Township will retain one (1) paper copy of the plan.

204.12.2. Upon certification by the Township, the applicant shall submit the remaining plans to the Lancaster County Planning Commission for signatures and the office of the Lancaster County Recorder of Deeds for a Certificate of Recordation. The Recorder of Deeds will retain the two (2) transparent reproduction copies, and one (1) paper copy shall be returned by the applicant to the Township for verification of recording.

204.12.3. The Final Plan shall be filed with the office of the Lancaster County Recorder of Deeds within ninety (90) days of the Board of Supervisors' certification of approval. No lot may be sold and/or construction initi-

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ated until the Final Plan is filed with the office of the Lancaster County Recorder of Deeds. The Township will not issue further approvals or permits until the applicant provides the evidence of recordation.

204.12.4. Recording of the Final Plan shall have the effect of an irrevocable offer to dedicate all streets and other areas designated for public use shown thereon, unless reserved by the landowner as hereinafter provided. The approval of the Board of Supervisors shall not impose any duty upon the Township concerning maintenance or improvement of any such dedicated street, or public use, until the Board of Supervisors shall have accepted the same by the prevailing procedures of the Township.

204.12.5. If the Final Plan includes a notation to the effect that there is no offer of dedication to the public of common use areas, the title to such areas shall remain with the owner, their heirs and assigns, and the Township shall assume no responsibility for improvements or maintenance thereof, which fact shall also be noted on the Final Plan.

§205. ECHO HOUSING OR FARM HOUSING (AS PROVIDED IN THE TOWNSHIP ZONING ORDINANCE).

205.1. ECHO Housing is an additional temporary dwelling unit placed on a property for occupancy by elderly, handicapped or disabled persons related by blood, marriage or adoption to the occupants of the principal dwelling.

205.2. Farm Housing is an additional temporary dwelling placed on a property for one (1) farm laborer and family members.

205.3. Procedures. ECHO Housing or Farm Housing, as provided for in the Township Zoning Ordinance, is not considered a land development. Submission of plans and applications for ECHO Housing or Farm Housing is not required by the Township Subdivision and Land Development Ordinance.

ECHO Housing or Farm Housing is regulated under the Township Zoning Ordinance. All interested parties shall contact the Township Zoning Officer for applicable regulations.

§206. WAIVER.

206.1. Purpose. A Waiver is the process to receive a modification of an Ordinance requirement as it applies to a specific project.

206.2. Standards for Waiver. A Waiver may be approved when the applicant demonstrates to the Board of Supervisors that all of the following is in existence:

206.2.1. The literal enforcement of the Ordinance requirement will exact undue hardship because of a peculiar condition that pertains to the specific proposal, or that an alternative standard will provide an equal or better result.

206.2.2. The Waiver will not be contrary to the public interest.

206.2.3. The Waiver is consistent with intent of this Ordinance.

206.2.4. The Waiver is consistent with Section 102 – Purpose.

206.3. Application Requirement. All applications for waivers shall be submitted to the Township Zoning Officer, or designee, at the Township Municipal Office, on any business day. A waiver request shall include four (4) copies of all applicable plans, two (2) copies of reports and supplementary data, and one (1) application form (see Appendix No. 7). If any of this information was filed with a Preliminary Plan or Final Plan, additional copies need not be submitted.

The Township Planning Commission and Board of Supervisors reserve the right to consider verbal requests for waivers at a meeting, provided the verbal request includes the justifications, and is followed by a written request within one (1) week of the meeting.

206.4. Distribution. One (1) copy of the waiver request will be distributed by the Township Zoning Officer, or designee, to the Township Zoning Officer, Township Planning Commission, Township Engineer, Board of Supervisors, and, if necessary, other officials.

206.5. Reviewing Agency. The waiver will be placed on the Township Planning Commission agenda for the meeting that is at least three (3) weeks following submission. Attendance at the Township Planning Commission meeting by the applicant or authorized agent is mandatory to:

206.5.1. If applicable, display for public view a plan which identifies at least the horizontal location of streets, parking, building, lot layout, storm water detention/retention basin, water supply, sanitary sewage disposal, and other planned features;

206.5.2. Verbally describe the property location and planned features in a presentation of no more than five (5) minutes; and,

206.5.3. Establish the acceptance or rejection of any recommendations of the Township Planning Commission, and other officials.

206.6. Ruling on the Waiver. A ruling on the Waiver is made by the Board of Supervisors. The Board of Supervisors will advise the applicant of the scheduled meeting for consideration of the Waiver. Attendance at the Board of Supervisors meeting by the

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applicant or authorized agent is mandatory. The applicant or authorized agent must be prepared to:

- 206.6.1. If applicable, display a plan that identifies at least the horizontal location of streets, parking, building, lot layout, storm water detention/retention basin, water supply, sanitary sewage disposal, and other planned features.
- 206.6.2. Verbally describe the property location and planned features in a presentation of no more than five (5) minutes.
- 206.6.3. Establish the acceptance or rejection of any recommendation of the Township Planning Commission or other officials.
- 206.6.4. Establish the acceptance of any conditions of approval.

The Board of Supervisors shall have the authority to approve or disapprove the Waiver. The Board of Supervisors may elect to consider a Waiver independent of the Township Planning Commission review procedure.

In granting any Waiver, the Board of Supervisors may impose such conditions as will, in its judgment, secure substantially the objectives of the standards and requirements of this Ordinance.

The acceptance or rejection of the conditions of the waiver will be entered in the minutes of the Board of Supervisors. The applicant shall also acknowledge the acceptance of conditions in writing. if there is no acceptance of conditions of approval, the Waiver will be disapproved.

Action on the Waiver shall be entered in the minutes of the Board of Supervisors and forwarded to the applicant. Failure of the Board of Supervisors to render a decision and communicate it to the applicant as described herein, shall not be deemed approval of the Waiver.

CHAPTER 22**PART 3****INFORMATION TO BE SHOWN ON OR SUBMITTED WITH
SUBDIVISION AND LAND DEVELOPMENT PLANS****§301. SKETCH PLAN.**

The scale and sheet size of Sketch Plans shall be as required for Preliminary Plans in Section 302.1. A landowner or representative of the landowner (e.g., engineer, land surveyor, landscape architect, land planner) may prepare the Sketch Plan. It is suggested that the Sketch Plan display, or be accompanied by, the following data, legible in every detail, but not necessarily drawn to exact scale with precise dimensions.

- 301.1. Name and address of the landowner and applicant (if applicable).
- 301.2. Name and address of the individual and the firm that prepared the plan.
- 301.3. Location map with sufficient information to locate the property.
- 301.4. North arrow.
- 301.5. Written scale and graphic scale.
- 301.6. Approximate location of existing property boundaries.
- 301.7. Significant topographical and man-made features (e.g., streets, buildings, other improvements, steep slopes, bodies of water, quarries, floodplains, tree masses).
- 301.8. Proposed street, parking, building, lot layout, type of water supply, type of sanitary sewage disposal, landscaping, recreational facilities, and other planned features.
- 301.9. Proposed land use, if several land uses are proposed, the location of each land use shall be indicated.

§302 PRELIMINARY PLAN.

Preliminary Plans shall be prepared by an engineer, land surveyor and/or landscape architect registered in the Commonwealth of Pennsylvania to perform such duties. Land surveyors shall prepare metes and bounds descriptions. Registered **professionals** with appropriate expertise shall prepare designs that entail **their expertise**. The Preliminary Plan shall show, be accompanied by, or be prepared in accordance with, the following:

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302.1. Drafting Standard:

- 302.1.1. The plan shall be clearly and legibly drawn at a scale of 10 feet, 20 feet, 30, feet, 40 feet, 50 feet, or 100 feet to the inch. Profile plans shall maintain a ratio of 1:10 vertical to horizontal.
- 302.1.2. Dimensions for the entire property boundary shall be in feet and decimals; bearings shall be in degrees, minutes and seconds. Lot line descriptions shall read in a clockwise direction. The description shall be based upon a survey and not have an error of closure greater than one (1) foot in ten thousand (10,000) feet. If it is the intention of the landowner to retain a single lot with a lot area in excess of ten (10) acres, the boundary of that lot may be identified as a deed-plotting and may be drawn at any legible scale.
- 302.1.3. The sheet size shall be no smaller than eighteen by twenty-two inches (18"x22") and no larger than twenty-four inches by thirty-six inches (24"x36"). If the Plan is prepared in two (2) or more sections, a key map showing the location of the sections shall be placed on each sheet. If more than one (1) sheet is necessary, each sheet shall be numbered to show the relationship to the total number of sheets in the plan (e.g., Sheet 1 of 2).
- 302.1.4. Plans shall be legible in every detail to the satisfaction of the Township.
- 302.1.5. All profile sheets shall include the corresponding horizontal alignment; utilities and storm water facilities shall be located in a given area on the same sheet to show their interrelationship.
- 302.1.6. All plan information shall be provided in an easy-to-read format. Applicants are encouraged to follow the standard plan format provided in Appendix No. 9.

302.2. Location and Identification:

- 302.2.1. The proposed project name or identifying title.
- 302.2.2. The municipality in which the project is to be located. If the property is located in the vicinity of a municipal boundary line, the location of the boundary shall be shown.
- 302.2.3. A location map, drawn to scale, relating the property to at least two (2) intersections of existing road centerlines.
- 302.2.4. The name and address of the owner, authorized agent for the land, developer and firm that prepared the plans.

- 302.2.5. Source of title to the land included within the subject application, as shown in the office of the Lancaster County Recorder of Deeds. Additionally, if the property is subject to an equitable owner, the name, address, and reference to the equity agreement shall be included.
- 302.2.6. The map and lot number assigned to the property by the Lancaster County Tax Assessment Office.
- 302.2.7. The file or project number assigned by the firm that prepared the plan, the plan date and the date(s) of all plan revisions.
- 302.2.8. A north arrow, a graphic scale and a written scale.
- 302.2.9. The total acreage of the entire existing property.
- 302.2.10. A statement on the plan identifying the Zoning Ordinance district for the subject property and surrounding land. Additionally, the lot size and/or density, lot coverage, building coverage, and yard requirements of the Zoning Ordinance shall be identified for the subject property.
- 302.2.11. A statement on the plan identifying any existing waivers, variances, special exceptions, conditional use, and existing nonconforming structures/uses.

302.3. Existing Feature:

- 302.3.1. Existing contours, at a minimum vertical interval of two (2) feet for land with average natural slope of four percent (4%) or less, and at a minimum vertical interval of five (5) feet for more steeply sloping land. Contours shall be accompanied by the location of the benchmark within or immediately adjacent to the subject property and a notation indicating the datum used. Contours plotted from the Lancaster County GIS mapping system may only be used for plans which require no new streets, drainage swales, or other public improvement.

Unless required by the Township for site evaluation, contour data is not necessary beyond the property of the applicant. The United States Geodetic Survey shall be used for benchmark datum. This information is not subject to recording with the office of the Lancaster County Recorder of Deeds.

- 302.3.2. The names of all immediately adjacent landowners and the names and plan book record numbers of all previously recorded plans for adjacent projects.
- 302.3.3. The location and description of existing lot line markers and monuments along the perimeter of the entire existing property.

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302.3.4. The following items, when located on the subject property, within two hundred (200) feet of the subject property, or beyond two hundred (200) feet of the subject property when the item affects the property.

A. The location, size and name of existing rights-of-way and cartways for streets, access drives, driveways, and service streets.

B. The location and size of the following existing features (e.g., public sanitary sewer facilities, water supply facilities, assigned alternate location of on-lot sanitary sewer facilities, nitrate easement areas, fire hydrants, buildings, swales, watercourses, bodies of water, floodplain, wetland, and storm water management facilities which affect storm water runoff on the subject property) and any related rights-of-way.

C. The location and size of existing rights-of-way for electric, telephone, cable television, gas and oil transmission lines, and railroads.

302.3.5. The location and size of the existing individual on-lot sanitary sewer disposal facility and water supply facility when located on the subject property or within fifty (50) feet of the subject property.

302.3.6. The location of existing healthy tree masses.

302.3.7. The soil types as described in the latest edition of the *Soil Survey of Lancaster County*.

302.4. Proposed Feature:

302.4.1. Complete description of the centerline for all new streets. This description shall include distances and bearings with curve segments comprised of radius, tangent, arc, and chord. The description shall not have an error of closure greater than one (1) foot in ten thousand (10,000) feet.

302.4.2. Approximate lot line dimensions and lot areas for all proposed parcels. Along existing street rights-of-way, the description shall utilize the existing deed lines.

302.4.3. Lot numbers in consecutive order.

302.4.4. For all land development plans, the location and configuration of proposed buildings, parking compounds, streets, access drives, driveways, and all other significant facilities.

302.4.5. A statement on the plan indicating the proposed total number of lots, units of occupancy, density, minimum lot size lot coverage, building coverage, types, of sanitary sewage disposal, type of water supply, name

of authority providing sanitary sewage disposal and water supply (if applicable), and proposed land use. The location of each land use, if several types of uses are proposed. This statement shall also include the criteria needed to calculate off-street parking, lot coverage and other requirements of the prevailing Township Zoning Ordinance.

- 302.4.6. Easements for utilities, access, storm water facilities, etc.
- 302.4.7. Building setback lines, with distances from the property and street right-of-way. A typical example may be used to identify side and rear yard setback; however, odd or unusual-shaped lots shall be plotted with all setback lines.
- 302.4.8. Identification of buildings and other structures to be demolished. Additionally, the schedule for demolition shall be acknowledged on the Plan.
- 302.4.9. Typical street cross-section for each proposed street and typical cross-section for any existing street which will be improved as part of the application. Each cross-section shall include the entire right-of-way width. Cross-sections for improvements to existing streets shall be provided for each fifty (50) foot station location.
- 302.4.10. Vertical and horizontal alignment on the same sheet for each proposed street, storm water management facility, sanitary sewer (including manhole numbers), and water distribution system. All street profiles shall show at least the existing (natural) profile along the centerline, proposed grade at the centerline, and the length of all proposed vertical curves for streets. All water distribution and sanitary sewer systems shall provide manhole locations, size and type of material. This information is not subject to recording with the office of the Lancaster County Recorder of Deeds.
- 302.4.11. Proposed names for new streets, pavement markings and traffic control devices.
- 302.4.12. Location and material of all permanent monuments and lot line markers, including a note that all monuments and lot line markers are set or indicating when they will be set.
- 302.4.13. For all land development plans, a grading plan. The grading plan shall include finished grades and ground floor elevations. This information may be provided on separate sheets and is not subject to recording in the office of the Lancaster County Recorder of Deeds.
- 302.4.14. A statement on the plan indicating any proposed waivers, special exceptions, conditional uses or variances. This statement must be revised,

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upon action on the request to acknowledge the outcome of the requested waiver or variance prior to recordation of the Plan.

- 302.4.15. Identification of any lands to be dedicated or reserved for public, semi-public or community use.

302.5. Report:

- 302.5.1. Sketch Plan. When, in the opinion of the Township, the application significantly impacts the undeveloped portion of the landholding, a plan drawn to the standards of a Sketch Plan shall identify the future development scheme.
- 302.5.2. Sanitary Sewer. When required by the Pennsylvania Sewage Facilities Act 537 of 1966, as amended, a Sewer Facilities Plan Revision (Plan Revision Module for Land Development), or Supplement must be submitted.
- 302.5.3. Storm Water Management Plan. Projects that include only the subdivision of land with no on-site or off-site improvements shall provide guidelines for lot grading. This information shall identify the direction of storm water flow within each lot and the areas where storm water runoff will be concentrated. Flow arrows and plan notes or topography may show this information.

Projects that include the installation of impervious or semi-impervious surfaces, diversion or piping of watercourse; removal of ground cover, or excavation shall comply with the Township Storm Water Management Ordinance. The Storm Water Management Plan and application shall be submitted, together with the Preliminary Plan.

- 302.5.4. Traffic Impact Report. A Traffic Impact Report shall be submitted for projects that generate greater than one hundred (100) vehicle trips (inbound or outbound).

In addition to the above, the Board of Supervisors may require a Traffic Impact Report when, in their opinion, the following conditions exist:

Current traffic problems exist in the local area (e.g., high accident location, confusing intersection, congested intersection), or

The capability of the existing road system to handle increased traffic questionable.

The Traffic Impact Report shall conform to the following:

- A. **Area of Traffic Impact Report**. The Traffic Impact Report area shall be based on the characteristics of the surrounding area. The

intersections to be included in the Report shall be adjacent to the site or have direct impact upon the access to the site. The intersections shall be mutually agreed upon by the Board of Supervisors, with the advice of the Township Engineer and the traffic engineer preparing the Report. The Board of Supervisors shall resolve any disputes between the Township Engineer and the traffic engineer.

- B. **Preparation by Transportation Engineer Required.** Traffic Impact Reports shall be prepared under the supervision of qualified and experienced transportation engineers with specific training in traffic and transportation engineering, and at least two (2) years experience related to preparing traffic reports for existing or proposed developments.
- C. **Horizon Year.** The traffic forecasts shall be prepared for the anticipated opening year of the development, assuming full buildout and occupancy. This year shall be referred to as the horizon year in the remainder of this Ordinance.
- D. **Non-Site Traffic Estimates.** Estimates of non-site traffic shall be made, and will consist of through traffic and traffic generated by all other developments within the Report area for which preliminary final plans have been approved. Non-site traffic may be estimated using any one of the following three methods. “Build-up” technique, area transportation plan data or modeled volumes, and trends or growth rates.
- E. **Trip Generation Rates Required.** The Traffic Impact Report shall include a table showing the categories and quantities of land uses, with the corresponding trip generation rates or equations (with justification for selection of one or the other), and resulting number of trips. The trip generation rates used must be either from the latest edition of *Trip Generation* by ITE, or from a local study of corresponding land uses and quantities. All sources must be referenced in the Report.
- F. **Consideration of Pass-By Trips.** If pass-by trips or shared trips are a major consideration for the land use in question, studies and interviews at similar land uses must be conducted or referenced.
- G. **Rate Sums.** Any significant difference between the sums of single-use rates and proposed mixed-use estimates must be justified in the Report.
- H. **Explanations Required.** The reasoning and data used in developing a trip generation rate for special/unusual generators must be justified and explained in the Report.

- I. **Definition of Influence Area.** Prior to trip distribution of site-generated trips, an influence area must be defined which contains eighty percent (80%) or more of the trip ends that will be attracted to the development. A market study can be used to establish the limits of an influence area, if available. If no market study is available, an influence area should be estimated based on a reasonable documented estimate. The influence area can also be based on a reasonable maximum convenient travel time to the site, or delineating area boundaries based on locations of competing developments.

Other methods, such as using trip data from an existing development with similar characteristics, or using an existing origin-destination survey of trips within the area, can be used in place of the influence area to delineate the boundaries of the impact.

- J. **Estimates of Trip Distribution Required.** Trip distribution can be estimated using any one of the following three methods:

- (1) Analogy
- (2) Trip distribution model
- (3) Surrogate data

Whichever method is used, trip distribution must be estimated and analyzed for the horizon year. A multi-use development may require more than one distribution and coinciding assignment for each phase (for example, residential and retail phases on the same site). Consideration must also be given to whether inbound and outbound trips will have similar distributions.

- K. **Trip Assignments.** Assignments must be made considering logical routings, available roadway capacities, left turns at critical intersections, and projected (and perceived) minimum travel times. In addition, multiple paths should often be assigned between origins and destinations to achieve realistic estimates, rather than assigning all of the trips to the route with the shortest travel time. The assignments must be carried through the external site access points and, in large projects (those producing five hundred [500] or more additional peak direction trips to or from the site during the development's peak hour), through the internal roadways. When the site has more than one access driveway, logical routing and possibly multiple paths should be used to obtain realistic driveway volumes. The assignment should reflect conditions at the time of the analysis. Assignments can be accomplished either manually or with applicable computer models.

If a thorough analysis is required to account for pass-by trips, the following procedures should be used:

- (1) Determine the percentage of pass-by trips in the total trips generated.
- (2) Estimate a trip distribution for the pass-by trips.
- (3) Perform two separate trip assignments, based on the new and pass-by trip distributions.
- (4) Combine the pass-by and new trip assignment.

Upon completion of the initial site traffic assignment, the results should be reviewed to see if the volumes appear logical, given characteristics of the road system and trip distribution. Adjustments should be made if the initial results do not appear to be logical or reasonable.

- L. **Total Traffic Impacts.** Traffic estimates for any site with current traffic activity must reflect not only new traffic associated with the site's redevelopment, but also the trips subtracted from the traffic stream because of the removal of a land use. The Traffic Impact Report should clearly depict the total traffic estimate and its components.
- M. **Capacity Analysis.** Capacity analysis must be performed at each of the major street and project site access intersection locations (signalized and unsignalized) within the Report area. In addition, analyses must be completed for roadway segments, deemed sensitive to site traffic within the Report area. These may include such segments as weaving sections, ramps, internal site roadways, parking facility access points, and reservoirs for vehicles queuing off-site and on-site. Other locations may be deemed appropriate depending on the situation.

The recommended level of service analysis procedures detailed in the most recent edition of the *Highway Capacity Manual* must be followed. The Township considers the overall level of service ratings A, B, C, and D to be acceptable for signalized intersections (levels C or better are considered desirable); level of service E or F is considered to be unacceptable.

The operational analyses in the *Highway Capacity Manual* should be used for analyzing existing conditions, traffic impacts, access requirements, or other future conditions for which traffic, geometric and control parameters can be established.

- N. **Required Levels of Service.** The Traffic Impact Report shall identify the improvements necessary to meet the goals of the Report. The applicant shall be responsible for the improvements required to meet the goals of the Traffic Impact Report. The goals of the Traffic Impact Report are to:

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- (1) Provide safe and efficient movement of traffic within the site and on surrounding roads,
- (2) Minimize the impact of the project upon non-site trips,
- (3) Not allow the levels of service at intersections currently rated A or B to be worse than C, and,
- (4) Not reduce the current levels of service at intersections with ratings of C or lower.

O. **Documentation Required.** A Traffic Impact Report shall be prepared to document the purpose, procedures, findings, conclusions, and recommendations of the Report.

- (1) The documentation for a Traffic Impact Report shall include, at a minimum:
 - a. Statement of purpose and objectives.
 - b. Description of the site and study area.
 - c. Existing conditions in the area of the development.
 - d. Recorded or approved nearby development.
 - e. Trip generation, trip distribution and modal split.
 - f. Projected future traffic volumes.
 - g. An assessment of the change in roadway operating conditions resulting from the development traffic.
 - h. Recommendations for site access and transportation improvements needed to maintain traffic flow to, from, within, and past the site at an acceptable and safe level of service.
- (2) The analysis shall be presented in a straightforward and logical sequence. It shall lead the reader step-by-step through the various stages of the process and resulting conclusions and recommendations.
- (3) The recommendations shall specify the time period within which the improvements should be made (particularly if the improvements are associated with various phases of the development construction), and any monitoring of operating conditions and improvements that may be required.
- (4) Data shall be presented in tables, graphs, maps, and diagrams wherever possible for clarity and ease of review.
- (5) To facilitate examination by the Township Planning Commission and Board of Supervisors, an executive summary of one or two pages shall be provided, concisely summarizing the purpose, conclusions and recommendations.

- (6) The report documentation outlined above provides a framework for site traffic access/impact reports. Some studies will be easily documented using this outline. However, the specific issues to be addressed, local study requirements and the Report results may warrant additional sections.

302.5.5. Park and Recreation Report. A Park and Recreation Report for residential developments of fifty (50) or more units. Said report shall be prepared by a Certified Leisure **Professional** (CLP) with the following minimum considerations:

- A. A description of the total projected number of residents in their respective age groups.
- B. A description of those existing public recreation facilities located within a one-half mile radius of the site.
- C. A discussion on the adequacy of existing recreation facilities to **serve** the proposed residents, taking into consideration current usage.
- D. A 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.
- E. A description of any recreation facilities to be provided by the developer.
- F. A description of responsibility for maintenance of any recreational facilities to be provided by the developer.
- G. A description of accessibility of the proposed facilities to general Township residents.
- H. A description of any contributions that the developer plans to make for Township recreation to compensate for expected impacts.
- I. Source of standards used in the data presented.

302.5.6. Groundwater Supply Capacity Report.
(The above section was deleted as per Ordinance 8-7-01-1)

302.5.7. Wetland Study. All subdivision and land development plans shall have a Wetland Study performed by a professional soil scientist, biologist, hydrologist, wetland ecologist, or other demonstrated qualifications. The Township may require a second study, at the applicant's expense, by another mutually-chosen professional or a "Jurisdictional Delineation" by the U. S. Army Corps of Engineers.

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The Wetland Study shall identify the location of existing wetland as determined by the standards of either the U. S. Environmental Protection Agency, U.S. Army Corps of Engineers, PA DEP, or the U.S. Soil Conservation Service. Wetland areas are not limited to those areas delineated on wetland maps prepared by the U.S. Fish and Wildlife Service.

All subdivision and land development plans shall identify by plan note the Wetland Study and the location of all wetland areas.

302.5.8. Steep Slope Report. A Steep Slope Report for all applications involving construction on lands that possess slopes exceeding fifteen percent (15%). Standards for boundary interpretation are provided in Section 519. The Steep Slope Report shall include the following:

- A. A topographic map of the site which highlights those areas that possess slopes exceeding fifteen percent (15%). Also reflected on this map shall be all existing and proposed site alterations and improvements (e.g., buildings, streets, access drives, driveways, parking compounds, utilities, etc.) that are located within the steep slope area.
- B. Only in those instances where construction and/or modifications are proposed to the existing topography and vegetative cover within areas of fifteen percent (15%) or greater slope, the applicant shall provide a detailed description of the methods that are being used to:
 - (1) Protect and stabilize areas that have a high potential for soil erosion;
 - (2) Accommodate storm water runoff;
 - (3) Assure structural safety and minimize harm to the environment associated with construction on steep slopes;
 - (4) Protect and preserve on-site and off-site valuable natural wildlife, plant habitats and water quality;
 - (5) Protect steep slopes on adjoining properties; and,
 - (6) Assure adequate foundations for buildings and/or structures.
- C. Only in those instances where construction and/or modifications to the existing topography and vegetative cover in areas of fifteen percent (15%) or greater slopes, the applicant shall provide a soils engineering report.

A soils engineering report shall be prepared by a registered professional engineer with expertise in soil, geology and construction. The report shall include:

- (1) The nature, types, distribution, and stability of the surface and subsurface soils for load bearing, stability and compaction;

- (2) Extent, description and location of exposed rock and bedrock;
- (3) Erodability of surface soil; and,
- (4) Depth to seasonal high water table.

302.5.9. Additional Studies and Reports. The Township may require the applicant to prepare studies and reports that address the proposal's coordination with the existing facilities necessary to service the development, accommodate prospective traffic, facilitate fire protection, prevent flooding, conform to the Township Comprehensive Plan, and conform to all regulations or maps adopted in furtherance thereof.

The development must insure that other properties will continue to have safe and convenient vehicular access, sanitary sewer service, water supply, and storm water management in accordance with the standards of this Ordinance, or to the level of service that existed prior to the development.

302.6. Certification and Notification:

- 302.6.1. Where the land included in the subject application has an electric, telecommunication or telephone transmission line, a gas pipeline, or a petroleum or petroleum products transmission line located within the property, the application shall be accompanied by a copy of the right-of-way agreement, or a letter from the owner or lessee of such right-of-way stating any conditions on the use of the land and the minimum building setback and/or right-of-way lines. This requirement may also be satisfied by submitting a copy of the recorded agreement.
- 302.6.2. A statement by the individual responsible for the data to the effect that the survey, plan and/or other general data are correct (see Appendix No. 1). This statement must be placed on both plans and reports.
- 302.6.3. A statement acknowledging that the subdivision or land development shown on the Plan is presented with the consent of the landowner.
- 302.6.4. A statement that a Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), as amended, before any improvements are initiated within a State highway, or a street, access drive, or driveway intersection to a State highway is permitted.
- 302.6.5. An application (see Appendix No. 6).
- 302.6.6. (Optional) A statement acknowledging Township action (see Appendix Nos. 3 and 4).

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302.6.7. Fees, applications and design data required for review by the Lancaster County Planning Commission and Lancaster County Conservation District.

302.7. Filing Fee. The Preliminary Plan shall be accompanied by:

302.7.1. A check or money order drawn to Salisbury Township in an amount specified on the fee schedule adopted by resolution of the Board of Supervisors and available at the Township Municipal Office.

302.7.2. A check or money order drawn to Lancaster County Treasurer in the amount specified on the Lancaster County Planning Commission fee schedule.

302.7.3. A check or money order drawn to the Lancaster County Conservation District in the amount specified on the District's fee schedule.

§303 FINAL PLAN.

Final Plans shall be prepared by an engineer, land surveyor and/or landscape architect registered in the Commonwealth of Pennsylvania to perform such duties. Land surveyors shall prepare metes and bounds descriptions. Registered engineers with appropriate expertise shall prepare designs that entail engineering. The Final Plan shall show, be accompanied by, or be prepared in accordance with the following:

303.1. Drafting Standard. The same standards are required for a Final Plan as specified for a Preliminary Plan in section 302.1.

303.2. Location and Identification. The same standards are required for a Final Plan as specified for a Preliminary Plan in Section 302.2.

303.3. Existing Feature – The same standards are required for a Final Plan as specified for a Preliminary Plan in Section 302.3.

303.4. Proposed Feature. In addition to the following data, the same standards are required for a Final Plan as specified for a Preliminary Plan in Section 302.4.

303.4.1. Complete description of the centerline and right-of-way line for all new and existing streets. This description shall include distances and bearings with curve segments comprised of radius, tangent, arc, and chord. The description shall not have an error of closure greater than one (1) foot in ten thousand (10,000) feet.

303.4.2. Complete description of all lot lines, with accurate bearings and distances, and lot areas for all parcels. Curve segments shall be comprised of arc, chord, bearing, and distance. Along existing street rights-of-way, the description may utilize the existing deed lines or road

centerlines. Along all proposed street rights-of-way, the description shall be prepared to the right-of-way lines. The description shall not have an error of closure greater than (1) foot in ten thousand (10,000) feet.

- 303.4.3. Locational dimensions for easements with sufficient detail to provide easy on-site location. Easements which do not follow property lines shall be located by a centerline metes and bounds description.
- 303.5. Report. The same standards are required for a Final Plan as specified for Preliminary Plan in Section 302.5. If the reports were submitted with the Preliminary Plan and the contents are unchanged, they may be submitted by reference, as opposed to full text submission.
- 303.6. Certification and Notification. In addition to the following data, the same standards are required for a Final Plan, as specified for Preliminary Plan in Section 302.6.
- 303.6.1. A statement acknowledging Final Plan approval (see Appendix No. 5). This statement must be placed on all sheets which are subject to recording with the office of the Lancaster County Recorder of Deeds.
- 303.6.2. A statement acknowledging Plan Review by the Township Planning Commission (see Appendix No. 3). This statement must be placed on all sheets which are subject to recording with the office of the Lancaster County Recorder of Deeds.
- 303.6.3. Notice from the PA DEP that a Sewer Facilities Plan Revision or Supplement has been approved.
- 303.6.4. Storm Water Management Permit where applicable.
- 303.6.5. A notarized statement signed by the landowner, duly acknowledged before an officer authorized to take acknowledgment of deeds, to the effect that the subdivision or land development shown on the plan is the act and the deed of the owner, that all those signing are all the owners of the property shown on the survey and plan, and that they desire the same to be recorded (see Appendix No. 2). This must be dated following the last change or revision to said plan.
- 303.6.6. A statement of dedication of streets and other public property, as well as area that is not to be offered for dedication (see Appendix No. 2).
- 303.6.7. Deed of dedication to the Township where applicable.
- 303.6.8. The submission of a controlling agreement in accordance with Section 502.2. when an application proposes to establish areas which are not offered for dedication to public use.

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- 303.6.9. Such written notices of approval as required by this Ordinance, including written notices approving the **street name**, water supply systems, sanitary sewage systems, and storm water runoff to adjacent properties.
- 303.6.10. A statement that a Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), as amended, before street or driveway access to a State highway is permitted.
- 303.6.11. A statement to accommodate the Lancaster County Recorder of Deeds information (see Appendix No. 3).
- 303.6.12. Improvement guarantees in accordance with Part 4.
- 303.6.13. An application (see Appendix No. 6).
- 303.6.14. An executed Memorandum of Understanding which sets forth the responsibilities of all parties regarding the installation and inspection of the required improvements (see sample memorandum available at the Township Municipal Office).
- 303.6.15. **Fees, applications and design data required for review by the Lancaster County Planning Commission and Lancaster County Conservation District.**

303.7. Filing Fee. The Final Plan shall also be accompanied by:

- 303.7.1. A check or money order drawn to Salisbury Township in an amount specified on the fee schedule adopted by the resolution of the Board of Supervisors and available at the Township Municipal Office.
- 303.7.2. A check or money order drawn to Lancaster County Treasurer in the amount specified on the Lancaster County Planning Commission's fee schedule.
- 303.7.3. A check or money order drawn to Lancaster County Conservation District in the amount specified on the District's fee schedule.

CHAPTER 22

PART 4

IMPROVEMENT GUARANTEES

§401. GENERAL.

No project shall be considered in compliance with this Ordinance until the streets, street signs, street trees, sidewalks, curbs, survey monuments and markers, landscaping required by this Ordinance, storm drainage for dedication or which affects adjacent properties or streets, sanitary sewer facilities for multiple use, water supply facilities for multiple use, fire hydrants, and other such improvements required by this Ordinance, have been installed in accordance with this Ordinance and other applicable Township ordinances.

When sanitary sewer and water supply facilities are to be installed under the jurisdiction, and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the Township, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority, and shall not be included with the financial security as otherwise required by this section.

The applicant is not required to provide financial security for the cost of any improvements for which financial security is required by, and provided to, the Pennsylvania Department of Transportation in connection with the issuance of a Highway Occupancy Permit pursuant to Section 420 of Act 420 of June 1, 1945 (P.L. 1242, No. 428) known as the State Highway Law.

(The above paragraph was added as per Ordinance 8-7-01-1)

No Final Plan shall be signed by the Board of Supervisors for recording in the office of the Lancaster County Recorder of Deeds, unless: (1) a financial security in accordance with Section 402 is accepted by the Board of Supervisors, and the Board of Supervisors has received confirmation that the public utility or municipal authority has been provided with financial security, if applicable, and/or (2) the improvements required by this Ordinance have been installed, in accordance with Section 403.

§402. FINANCIAL SECURITY.

The administration of the financial security shall comply with the provisions of this Part, the Pennsylvania Municipalities Planning Code, Act 247, as reenacted and amended by Act 170 of 1988, and as subsequently amended, and other applicable laws of the Commonwealth.

402.1. Submission of Financial Security. Final Plan applications which include required improvements that have not been installed, shall include a financial security and Memorandum of Understanding (see sample memorandum available at the Township Municipal Office).

SUBDIVISION AND LAND DEVELOPMENT

- 402.1.1. Type of Financial Security. Financial security must comply with the following, and is subject to review by the Township Solicitor and Board of Supervisors for adequacy:
- A. Irrevocable Letter of Credit. A letter provided by the developer from a Federally-chartered financial institution.
 - B. Escrow Account. A deposit of cash, either with the Township, or in escrow, with a Federally-chartered financial institution.
- 402.1.2. General Contents. The terms of any financial security documents shall be acceptable to the Township Solicitor. In addition to other information required by the Township, financial securities shall include the following:
- A. The amount of secured funds.
 - B. In case of failure on the part of the developer to complete the specified improvements within a time period specified in a written agreement, the funds shall be paid to the Township immediately and without further action, upon presentation of a signed draft in an amount necessary to finance the completion of those improvements, up to the limit of the security.
 - C. The security is irrevocable and may not be withdrawn, or reduced in amount by other than the Township, until release or partially released by the Township.
- 402.1.3. Amount of Financial Security. The amount of financial security shall be equal to one hundred ten percent (110%) of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the developer. Annually, the Township may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and estimated cost for the completion of the remaining improvements, as of the expiration of the 90th day after either the original date scheduled for completion, or a re-scheduled date of completion. Subsequent to said adjustment, the Township may require the developer to post additional security in order to assure that the financial security equals said one hundred ten percent (110%). Any additional security shall be posted by the developer in accordance with this Ordinance.

The amount of financial security required shall be based upon an estimate of the cost of completion (including quantities and unit cost) of the required improvements, submitted by a developer, and prepared and certified by an engineer to be a fair and reasonable estimate of such cost.

If the party posting the financial security requires more than one (1) year from the date of posting of the financial security to complete the re-

quired improvements, the amount of financial security may be increased by an additional ten percent (10%) for each one (1) year period beyond the first anniversary date from posting of financial security, or to an amount not exceeding one hundred ten percent (110%) of the cost of completing the required improvements, as reestablished on or about the expiration of the preceding one (1) year period by using the above procedure.

- 402.2. Release of Financial Security. When all or part of the financially-secured improvements are completed, the developer may notify the Board of Supervisors and request a release of the financial security. Requests for a reduction of a portion of the financial security shall be limited to an amount that is at least a minimum twenty percent (20%) of the original total financial security, unless a smaller percentage equals at least one hundred thousand dollars (\$100,000).

All requests for release of financial security shall be in writing, by certified or registered mail, to the Board of Supervisors, at the Township Municipal Office, and a copy thereof shall be sent to the Township Engineer. This notice shall include the “As-Built Plan” in accordance with Section 407 and specifically identify in writing the improvements for which a reduction in the financial security is requested.

After receipt of notice for release of financial security, the Board of Supervisors shall, within ten (10) days, authorize the Township Engineer to inspect all of the aforesaid improvements. The Township Engineer shall, within thirty (30) days of authorization, file a written report with the Board of Supervisors, and shall promptly mail a copy of the same to the developer by certified or registered mail. The 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, are not approved by the Township Engineer, said report shall contain a statement of reasons for such rejection.

The Board of Supervisors shall notify the developer, within fifteen (15) days of receipt of the Township Engineer’s report in writing, by certified or registered mail, of the action of the Board of Supervisors with relation thereto.

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

A portion of the financial security may be retained as a maintenance guarantee in accordance with Section 405.

- 402.3. Other Remedies. If proceeds of the financial 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 Supervisors may, at its option, install all or part of such improvements and may institute appropriate legal or equitable action to recover the funds necessary to complete the remainder of the improvements. All of the pro-

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ceeds, whether resulting from the security or from any legal or equitable action brought against the applicant, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.

§403. INSTALLATION OF PUBLIC IMPROVEMENT IN CONJUNCTION WITH CONDITIONAL FINAL PLAN APPROVAL.

The procedure is available for the installation of required improvements in-lieu-of placing financial security with the Township.

- 403.1. Authorization for Construction. The applicant may receive approval to construct only the improvements required as part of this Ordinance, upon receipt of conditional Final Plan approval with the only outstanding condition being the guarantee of public improvements, and the recording of the Plan. However, the approvals/permits from other agencies with jurisdiction shall be obtained.

The construction of improvements is limited to streets, street signs, street trees, sidewalks, curbs, survey monuments and markers, landscaping required by this Ordinance, storm drainage for dedication or which affects adjacent properties or streets, sanitary sewer facilities for multiple use, water supply facilities for multiple use, fire hydrants, and other such improvements.

The application (see Appendix No. 10) shall be submitted to the Township Zoning Officer, or designee, at the Township Municipal Office, on any business day. The Zoning Officer shall review the application and notify the applicant in writing if all conditions are met and the construction of public improvements is authorized.

- 403.2. Completion of Public Improvement. When all or part of the required improvements are complete, the developer shall notify the Board of Supervisors. Except for mandatory inspection during construction, notification of completion of a portion of the required improvements is only necessary should the developer elect to financially secure the remaining improvements in accordance with Section 402.

Notification of completion of improvements shall be in writing, by certified or registered mail, and a copy thereof shall be sent to the Township Engineer. This notice shall include the “As-Built Plan” in accordance with Section 407.

After receipt of notice that improvements are completed, the Board of Supervisors, within ten (10) days shall authorize the Township Engineer to inspect all of the previously mentioned improvements. The Township Engineer, within thirty (30) days of authorization, shall file a report, in writing, with the Board of Supervisors, and shall promptly mail a copy of the same to the developer, by certified or registered mail. The 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, are not approved by the Township Engineer, said report shall contain a statement of reasons for such rejection.

The Board of Supervisors shall notify the developer, within fifteen (15) days of receipt of the Township Engineer’s report in writing, by certified or registered mail, of the action of the Board of Supervisors with relation thereto.

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If any portion of the said improvements shall not be approved by the Board of Supervisors, 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 Supervisors or the Township Engineer.

§404. DEDICATION OF IMPROVEMENT.

All improvements shall be deemed to be private improvements and only for the benefit of the specific project, until such time as the same have been offered for dedication, and formally accepted by the Board of Supervisors. No responsibility of any kind with respect to improvements shown on the plan shall be transferred until the improvements have been formally accepted. All requests for dedication shall be made in accordance with Township rules and regulations, shall include all information required by the Township for processing such a request and shall be accompanied by an required filing fee.

§405. MAINTENANCE GUARANTEE.

The Board of Supervisors may, at its discretion, require the developer to submit a maintenance guarantee or other approved guarantee as specified herein, guaranteeing the structural integrity, as well as function of any improvement shown on the Final Plan for a term not to exceed eighteen (18) months from the date of acceptance of dedication by the Board of Supervisors. Said guarantee shall be fifteen percent (15%) of the actual cost of installation of said improvements and be of the same type of financial security as required in this Part.

§406. INSPECTION OF PUBLIC IMPROVEMENT DURING CONSTRUCTION.

Inspections shall be required before the start of construction, during installation of materials and structures, and upon the completion of all improvements. Before the initiation of construction, the developer shall arrange a pre-construction meeting with the Township Engineer, or designee, so that an inspection schedule can be coordinated within the construction schedule. The Township Engineer, or designee, shall be notified two (2) working days in advance of any intended date of construction. The provisions stated herein shall not be construed as mandating periodic inspections and the undertaking of periodic inspections shall not be construed as an acceptance of the work during construction or as a final inspection of the construction.

The Township, at the expense of the developer, reserves the right for the Township Engineer to require drawing detail or shop drawing, and/or tests by an approved testing facility to determine whether the improvement complies in all respects with the requirements of the Township.

A specific schedule and procedure for information will be established for each project. The following is intended to describe the format of inspections:

- 406.1. Subsoil System. Inspection and testing to determine subsoil compaction to required density, and inspection of subsoil elevation to insure grade and profile compatibility.
- 406.2. Subgrade. Inspection and testing of subgrade type and required density.
- 406.3. Underground Utilities and Storm Drainage System. Inspection and testing of pipe installation, including service laterals, inlets, manholes, endwalls, and bridges prior to backfilling. Air testing of water and sanitary sewer main distribution systems are required.
- 406.4. Concrete Curb. Inspection before installation of string line to show type of curb, grade and alignment. Material inspection, including the submittal of all certified material delivery slips.
- 406.5. Street Sub Base Course. Inspection of materials placed as sub base before installation of base course, including the submittal of all certified material delivery slips.
- 406.6. Street Base Course. Inspection of materials placed as base, including the submittal of all certified material weight slips.
- 406.7. Street Wearing Course. Inspection of materials placed as wearing surface, including the submittal of all certified material weight slips.
- 406.8. Sidewalk. Inspection of sub base grade and form grade and alignment prior to any pour.
- 406.9. Right-of-Way Profile. Inspection of required finish grade elevations to limits of street right-of-way.
- 406.10. Storm Drainage. Inspection of required finish grade elevations, alignments and profiles to limits of easement.
- 406.11. Seeding, Sodding and Erosion Control. Inspection as required to assure compliance with storm drainage regulations.

§407. AS-BUILT PLAN.

Upon completion of all required improvements, and prior to final inspections of improvements, the developer shall submit a Plan labeled “As-Built Plan,” showing the actual location, dimension and elevation of all existing improvements. In addition, the plan shall demonstrate that the existing grading, drainage structures and/or drainage systems and erosion and sediment control practices, including vegetative measures, are in substantial conformance with the previously approved drawings and specifications. The plan shall specifically identify all deviations from the previously approved drawings. The applicant’s engineer shall certify that the construction of the storm water management facility was completed in accordance with the plans and specifications as originally submitted and approved by the Township. Three (3) paper copies

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of the plan shall be submitted to the Township Zoning Officer, or designee, who shall distribute a paper copy to the Township Engineer and retain two (2) copies for the Township files.

CHAPTER 22

PART 5

DESIGN STANDARDS

§501. GENERAL.

The standards and requirements contained in this Part shall apply as minimum design standards for subdivisions and/or land developments. Whenever other Township ordinances or regulations impose more restrictive standards and requirements than those contained herein, the more restrictive shall apply.

- 501.1. Property Analysis. Characteristics, such as site configuration, geology, soil, topography, water bodies, ecology, vegetation, structures, road network, visual features and past/present use shall be considered in the design of the proposal. To greatest extent possible, designs should:
- 501.1.1. Preserve the natural features of the site;
 - 501.1.2. Avoid areas of environmental sensitivity; and,
 - 501.1.3. Minimize negative impacts and alteration of natural features.
- 501.2. Preservation of Natural and Cultural Features. The following specific areas shall be preserved and incorporated into the overall design:
- 501.2.1. Wetlands, as defined by this Ordinance, except in those situations where permits or approvals from applicable State and Federal agencies have been obtained (see Section 517);
 - 501.2.2. Floodplain, as defined by the Salisbury Township Zoning Ordinance (see Section 516);
 - 501.2.3. Steep slopes in excess of twenty-five percent (25%) (see Section 519); and,
- 501.3. General Design Goals. The development shall be laid out to avoid unnecessary impervious cover and to mitigate adverse effects of shadow, noise, glare, odor, traffic, drainage, and utilities on neighboring properties.
- 501.4. Conformance With Adopted Plans. Design of the development shall take into consideration all adopted Township, County and State plans for the Township and surrounding community.

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§502. STREET.

502.1. General Street Circulation. Streets, alleys, driveways, and access drives form the circulation system. The circulation system shall be designed to:

- 502.1.1. Permit the safe, efficient and orderly movement of vehicles;
- 502.1.2. Provide, when possible, two directions of vehicular access by means of a street or access drive to and within a development;
- 502.1.3. Meet the needs of the present and future population;
- 502.1.4. Provide a simple and logical pattern;
- 502.1.5. Function under a hierarchy system where the intensity of intersections decreases as traffic volumes and speed increase;
- 502.1.6. Respect the natural features and topography; and,
- 502.1.7. Present an attractive streetscape.

502.2. Private Street. Private streets are prohibited, unless such streets meet the design standards of this Ordinance and the objectives of the development warrant private ownership of streets. In all situations, the approval of a private street shall be at the discretion of the Board of Supervisors.

Applications that propose private streets shall include an agreement that shall be recorded with the office of the Lancaster County Recorder of Deeds in conjunction with the Final Plan. To avoid a delay, the applicant is encouraged to submit the agreement with the Preliminary Plan. Said agreement shall stipulate the following:

- 502.2.1. The street shall be constructed and maintained in conformance with the public street standards of this Ordinance.
- 502.2.2. Any future offer of dedication will include sufficient funds, as estimated by the Township.
- 502.2.3. That an offer for dedication will include whole streets and adequate circulation.
- 502.2.4. The method of assessing maintenance and repair cost to the owners of adjacent lots.
- 502.2.5. That an agreement by the owners of a set percentage of the frontage is binding on the remaining lot owners.

502.3. Improvements to Existing Street. Where a subdivision and/or land development abuts an existing Township street and/or State Route, the application shall conform

to the improvements shown on the adopted Township plans or studies. Where, in the opinion of the Township Board of Supervisors, the level of required improvements exceeds the ability of the applicant, a portion of the improvement, or contribution of funding, may be accepted.

502.3.1. Compliance With Traffic Impact Report. Where the Traffic Impact Report indicates that improvements are required, the application that include the installation of the improvements. The applicant shall be responsible for the improvements required to meet the goals of the Traffic Impact Report. The goals of the Traffic Impact Report are to:

- A. Provide safe and efficient movement of traffic within the site and on surrounding roads;
- B. Minimize the impact of the project upon non-site trips;
- C. Not allow the levels of service at intersections currently rated A or B to be worse than C; and,
- D. Not reduce the current levels of service at intersections with ratings of C or lower.

502.3.2. Guarantee of Improvements. Improvement guarantees in the form permitted by this Ordinance shall assure that such improvements will be made within such period of time as the Township shall determine, such determination to be based on the likely timing of the project and the improvements of the other portion of said street.

502.4. Arterial Street. The arterial street provides for traffic flow between municipalities. Direct access to adjoining properties is a minor and secondary responsibility of an arterial street. The design standards for arterial streets shall be as specified by PennDOT and based upon the projected average daily traffic, vehicle type and speed limit. Development that adjoins arterial streets is required to conform to the following:

502.4.1. No vehicular access is permitted along an arterial street when alternative access is possible from a street of less classification.

502.4.2. Access to arterial streets must be designed for use by adjoining properties to coordinate and reduce the number of access points. Shared access drives, feeder roads, marginal access streets, reverse frontage lots, or other such treatment shall be utilized to reduce the number of intersections along arterial streets.

502.4.3. Intersections of streets, access drives, or alleys with arterial streets shall not be located closer than five hundred (500) feet, measured along the centerline of the arterial street.

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502.5. Street Function. Streets shall be designed to form continuations of streets with similar function and access streets of a greater function. Local streets shall be laid out to discourage use by through traffic and excessive speeds. Streets shall conform with the circulation routes of the Township, adjoining development patterns, topography, and natural features.

502.6. Street Provisions for Future Development. Where appropriate, areas shall be reserved for future street usage in conjunction with the development of adjacent properties. Areas reserved solely for street usage at a future date will not be required to be improved; however, the right-of-way for these areas shall be reserved for street improvements to be provided by the developer of the adjacent tract.

Wherever there exists a dedicated or platted area reserved for future street usage along the boundary of a property being developed, the adjacent street shall be extended into the proposed project, provided this use is not adverse to significant man-made or natural features of the site.

When connecting a proposed street to an existing temporary cul-de-sac, such connection and all restoration work required to restore the adjacent lots in the area of the existing turnaround shall be the responsibility of the developer proposing the connection.

502.7. Street Sign and Traffic Control. Street signs, including name, and traffic controls shall be installed by the Township and funded by the developer. Streets which are continuations of existing streets shall be known by the same name. Names for new streets shall not duplicate or closely resemble names of existing streets within the same postal area. All new street names are subject to approval by the Township, Lancaster County Emergency Management, and local U.S. Postal Office.

502.8. Vertical Street Alignment. Vertical street alignments shall be measured along the centerline. The minimum grade of all streets shall be three-quarter percent (¾%). The maximum grade for streets shall not exceed ten percent (10%). Minor streets where access is also available over streets with ten percent (10%) or less may have grades up to twelve percent (12%).

502.8.1. Vertical curves shall be used in changes of grade exceeding one percent (1%). The minimum lengths (in feet) of vertical curves shall be as follows:

A. Minor Street – Two hundred (200) feet.

B. Collector Street – Three hundred (300) feet.

502.8.2. Where the approaching grade, within one hundred (100) feet of the centerline intersection, exceeds seven percent (7%) on streets at a four-way street intersection, or the terminating street at a three-way intersection, a leveling area shall be provided. Such leveling area shall have a

maximum grade of five percent (5%) for a minimum length of one hundred (100) feet measured from the intersection of the centerlines.

502.8.3. The grade, in all directions, within the diameter of a turnaround at the terminus of a permanent cul-de-sac shall be at least three-quarter percent (¾%) and not exceed five percent (5%) in all directions.

502.8.4. All areas within the street right-of-way shall be graded substantially consistent with the street centerline. The maximum slopes of banks located outside of the street right-of-way, measured perpendicular to the right-of-way of the street, shall not exceed three to one (3:1) for fills and two to one (2:1) for cuts. The Board of Supervisors may accept steeper slopes to avoid disruption of significant natural features, provided adequate safety and maintenance issues are addressed.

502.9. Horizontal Street Alignment. Horizontal street alignments shall be measured along the centerline. Horizontal curves shall be used at all angle changes.

Single, long radius curves shall be used, rather than a series of curves with varying radii and/or a series of short curves separated by short, straight segments. A minimum tangent of one hundred (100) feet on collector streets, and fifty (50) feet on local streets, shall be provided between reverse curves.

502.9.1. Perimeter Street. Street locations along the perimeter of a property shall be required to provide building setback lines and clear sight triangles within the adjacent properties; permission for these encroachments shall be obtained in the form of a right-of-way from the adjacent landowner.

502.9.2. Cartway Alignment. The centerline of the street cartway shall correspond with the centerline of the street right-of-way.

502.10. Street Right-of-Way and Cartway Width. The minimum street rights-of-way and cartway widths for new streets are based upon the following street functions:

Street Function	Minimum Right-of-Way Width	Minimum Cartway Width
Local Street	50 feet	28 feet
Turnaround ¹	100 feet ²	80 feet ²

¹The Board of Supervisors may permit an alternative turnaround design, including a turnaround incorporated into a parking court or a landscaped island, provided safe movement of traffic is assured, adequate radii are used, and guaranteed long-term maintenance is provided.

²Width/diameter.

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The extension of existing streets that are presently constructed with a cartway different from the standards of this Ordinance shall be provided with a transition area, the design of which is subject to Township approval.

502.11. Street Improvement Specification. All streets shall be designed and constructed in accordance with the latest edition of the PennDOT *Manual Form 408*, standards acceptable to the Township Engineer, and the following:

502.11.1. Subgrade. The subgrade shall be prepared as specified below:

- A. All rock shall be removed and covered with a six (6) inch cushion of suitable material meeting the physical, placement and compaction requirements of the PennDOT *Manual Form 408*.
- B. Preparation of subgrade shall conform to the construction requirements of Section 210 of PennDOT *Manual Form 408*.

502.11.2. Residential Street Sub-base. Crushed stone at a depth of three (3) inches, according to PennDOT *Manual Form 408*.

502.11.3. Residential Street Base. B.C.B.C. (110 lbs. per sq. yd.) at a depth of four (4) inches, according to PennDOT *Manual Form 408*.

502.11.4. Residential Street Wear Surface. ID2A at a depth of one and one-half (1½) inches, according to PennDOT *Manual Form 408*.

502.11.5. Commercial/Industrial Street Sub-base. Crushed stone at a depth of three (3) inches, according to PennDOT *Manual Form 408*.

A. No stone shall be laid on frozen ground.

B. Geotextile fabric shall be used in accordance with the specific street design or at the direction of the Township Engineer.

502.11.6. Commercial/Industrial Street Base. B.C.B.C. (110 lbs. per sq. yd.) at a depth of five (5) inches, according to PennDOT *Manual Form 408*.

502.11.7. Commercial/Industrial Street Wear Surface. ID2A at a depth of two (2) inches, according to PennDOT *Manual Form 408*.

502.11.8. Finished Streets. All finished streets must maintain one-quarter (¼) inch per foot crown, except on super-elevations, and conform with the horizontal and vertical alignments of the approved street design.

502.12. Street Intersection:

502.12.1. All intersections with a State Route shall be subject to the approval of PennDOT. Copies of Highway Occupancy Permits from PennDOT shall

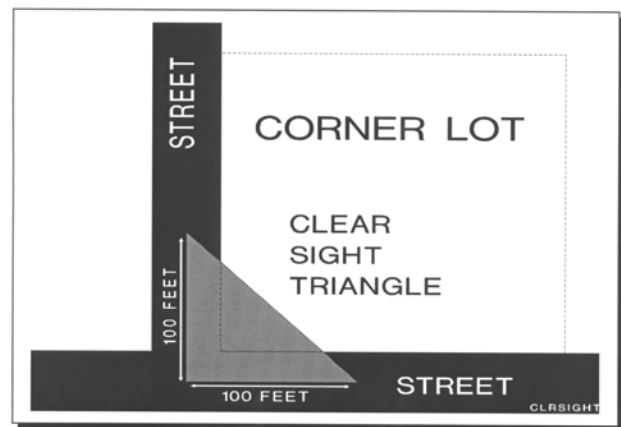
be submitted for all proposed intersections with a State Route before Final Plan approval.

- 502.12.2. Multiple intersections involving the junction of more than two (2) streets are prohibited. Only two (2) and four (4) way intersections are permitted.
- 502.12.3. The distance between the centerline intersections of streets shall be measured along the centerline of the street being intersected and conform with the following:

Function	Minimum Separation
Arterial	1,000 feet
Collector	300 feet
All Other Streets	150 feet

- 502.12.4. Right angle intersections shall be used whenever possible. No street shall intersect another at an angle of less than seventy-five degrees (75°).
- 502.12.5. The cartway edge at intersections shall be rounded with a tangential arc. The arc shall be a minimum radii of fifty-five (55) feet for collector and/or arterial streets and thirty (30) feet for minor streets. The right-of-way radii at intersections shall be substantially concentric with the cartway edge.

502.12.6. On corner lots, there shall be provided and maintained a clear sight triangle of at least one hundred (100) feet, as measured along the centerline from the intersecting roads. No structure, planting, excavation, nor other visual obstruction shall be



permitted at a height greater than three (3) feet within such area. All such clear sight triangles shall be depicted upon proposed subdivision and land development plans and sketch plans for zoning permit applications. A public right-of-way shall be reserved for removing any visual obstruction within the clear sight triangle.

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502.12.7. Sight Distance. All intersections shall be designed to provide adequate sight distance with regard to both horizontal and vertical alignment. The sight distance shall be measured at the centerline of the cartway to an object one and one-half (1½) feet above the pavement, from a height of three and one-half (3½) feet, and ten (10) feet from the edge of paving at the intersection. The following are minimum sight distances:

SPEED (M.P.H.)*	STREET GRADE IN PERCENT												
	<1	+1	-1	+2	-2	+3	-3	+4	-4	+5	-5	+6	-6
15	75'	74'	75'	73'	76'	73'	77'	73'	77'	73'	78'	72'	79'
20	109'	108'	110'	107'	111'	106'	112'	105'	113'	105'	114'	104'	115'
25	147'	145'	148'	144'	150'	143'	151'	142'	153'	140'	155'	139'	157'
30	196'	194'	198'	191'	201'	189'	204'	187'	207'	185'	210'	183'	214'
35	249'	245'	252'	242'	256'	238'	260'	236'	265'	233'	269'	231'	274'
40	314'	309'	319'	309'	325'	299'	331'	295'	337'	291'	345'	287'	352'
45	383'	376'	390'	370'	398'	364'	406'	358'	415'	353'	425'	348'	435'
50	462'	453'	471'	444'	481'	436'	492'	429'	504'	421'	517'	415'	531'
55	538'	527'	550'	517'	562'	508'	576'	494'	590'	490'	605'	422'	622'

SPEED (M.P.H.)*	STREET GRADE IN PERCENT													
	+7	-7	+8	-8	+9	-9	+10	-10	+11	-11	+12	-12	+13	-13
15	72'	79'	71'	80'	71'	81'	71'	82'	70'	83'	70'	84'	70'	85'
20	103'	117'	102'	118'	102'	119'	101'	121'	101'	123'	100'	125'	100'	127'
25	138'	159'	137'	161'	136'	164'	135'	166'	134'	169'	134'	172'	133'	175'
30	182'	217'	180'	221'	178'	226'	177'	230'	175'	235'	174'	241'	173'	247'
35	228'	280'	226'	286'	224'	292'	221'	299'	219'	306'	217'	314'	215'	323'
40	284'	360'	280'	369'	277'	379'	274'	389'	271'	401'	268'	414'	266'	428'
45	343'	447'	338'	459'	334'	472'	330'	487'	326'	503'	322'	521'	319'	540'
50	409'	547'	403'	563'	397'	581'	392'	600'	388'	622'	382'	647'	378'	674'
55	475'	641'	467'	660'	461'	682'	454'	706'	448'	733'	442'	762'	437'	795'

*If the 85th percentile speed varies by more than ten (10) miles per hour from the speed limit, the Township may require the 85th percentile speed to be used.

Sight distance for roads with grades greater than thirteen percent (13%) shall be calculated in accordance to the following:

$$SSSD = 1.47 Vt + \frac{V^2}{30(f \pm g)}$$

SSSD = Minimum safe stopping sight distance (feet).

V = Velocity of vehicle (miles per hour).

t = Perception time of motorist (average = 2.5 seconds).

f = Wet friction of pavement (average = 0.30).

g = Percent grade of roadway divided by 100.

Source: Pennsylvania Code, Title 67, Transportation, Chapter 44, Access To and Occupancy of Highways by Driveways and Local Roads (January, 1982).

502.13. Cul-de-Sac Street. A cul-de-sac is not permitted, unless required by topography or land configuration. Temporary or permanent cul-de-sac streets shall have a minimum length of two hundred fifty (250) feet and not exceed eight hundred (800) feet in length. The cul-de-sac length is measured from the centerline intersection with a street that is not a cul-de-sac, to the center of the cul-de-sac turnaround. All cul-de-sac streets, whether permanently or temporarily designed, shall be provided at the closed end with a fully paved turnaround to the specifications stated in Section 502.10. The use of a temporary turnaround shall be guaranteed until the street is extended. A snow drop-off area shall be provided at the terminus of the turnaround area. The snow drop-off area shall be twenty-eight (28) feet wide and twenty (20) feet deep from the street curb line. The snow drop-off area shall be centered on the centerline of the street as the street approaches the turnaround area. The snow drop-off area shall be free of utility terminal boxes, mailboxes, and other facilities that may hamper snow storage or may require accessibility during snow periods.

502.14. Postal Service Mail Receptacle. The use of individual mail receptacles for each address should be avoided. Postal Service-approved, multiple-address receptacles are preferred.

502.15. Street Lights. Street lighting shall be provided in accordance with an illumination plan designed by Pennsylvania Power and Light Company, or in conformance with IES lighting standards. Spacing of standards shall be equal to approximately four times the height of the standard. The maximum height of standards shall not exceed the maximum permitted building height, or twenty-five (25) feet, whichever is less. The height and building of light standards shall provide proper illumination without hazard to drivers or nuisance to residents, and the design of the lighting standard shall be subject to approval of the Township.

§503. ALLEY.

The use of alleys is encouraged to provide access to off-street parking. The use of alleys shall be limited to providing a secondary means of access to the side and/or rear of those lots with street

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frontage and designed to discourage through traffic. Alleys shall conform to the following standards:

- 503.1. No part of any dwelling, garage or other structure shall be located within eighteen (18) feet of the cartway of an alley.
- 503.2. Alleys shall be designed in accordance with the street standards in Sections 502.1., 502.2., 502.7., 502.8., 502.9., 502.11., 502.12., and 502.13.
- 503.3. An alley that terminates in a dead-end (cul-de-sac) shall be provided with an improved turnaround to the standards of a street.
- 503.4. A minimum right-of-way width of thirty (30) feet and a minimum cartway width of twenty (20) feet shall be provided for alleys.
- 503.5. On-street parking is prohibited along alleys and this prohibition must be acknowledged both on the Plan and on the site.
- 503.6. All alleys shall be privately maintained. The plan shall contain a note which shall state that the alley shall not be offered for dedication and shall be privately maintained.
 - 503.6.1. If an alley is to be for the common use of two (2) or more properties, the applicant shall provide for the maintenance of such alley. The applicant shall provide for private maintenance through the formation of a homeowners' association, or through the setting forth of the maintenance responsibilities in easements in the deeds to the lots which have the right to use the alley. If a homeowners' association is formed, a document setting forth the maintenance responsibilities of such association, and the right of such association to assess lots within the development, shall be recorded at the same time as the Final Plan is recorded. All such documents shall be in a form acceptable to the Township Solicitor.

§504. DRIVEWAY.

Driveways shall only be used to provide vehicular access between a street and a tract of land containing one single family dwelling. Driveways shall conform to the standards contained in the Township Zoning Ordinance, as may be amended from time to time.

§505. ACCESS DRIVE.

Access drives are private drives which provide vehicular movement between a street and a tract of land containing any use other than one (1) single-family dwelling unit or farm. Access drives shall conform to the following:

- 505.1. Number Per Lot. Except as specified elsewhere, the number of access drives intersecting with a street may not exceed two (2) per lot. A waiver for additional access points may be requested to meet exceptional circumstances, such as intensity of development and extensive road frontage.
- 505.2. Vertical Alignment. The vertical alignments of access drives shall conform to the specifications for streets, as stated in Section 502.8.
- 505.3. Horizontal Alignment. The horizontal alignments of access drives shall be measured along the centerline. Horizontal curves shall be used at all angle changes more than two degrees (2°). All curves shall be tangential arcs. The minimum horizontal curve radius shall be seventy-five (75) feet.
- 505.4. Intersection. All access drive intersections shall be:
- 505.4.1. Subject to approval of PennDOT when intersecting a State Route. Copies of Highway Occupancy Permits from PennDOT shall be submitted for all proposed intersections with a State Route before Final Plan approval.
 - 505.4.2. Set back one hundred (100) feet from the intersection of any street right-of-way lines.
 - 505.4.3. Set back one hundred (100) feet from the intersection of any other access drive located upon the same lot (measured from cartway edges).
 - 505.4.4. Set back ten (10) feet from any side and/or rear property lines; however, this setback, except when located along the property line of a joint parking lot, is shared by adjoining uses.
 - 505.4.5. Located in relationship to access drive intersections on adjacent properties to provide safety and efficient movement of vehicles.
 - 505.4.6. Designed in accordance with Section 502.12.
 - 505.4.7. Access drive intersections with arterial and collector streets shall be illuminated in accordance with the street illumination requirements in Section 502.15.
- 505.5. Cul-de-Sac. Access drives which form a cul-de-sac shall not exceed eight hundred (800) feet in length, measured from the centerline intersection of a street or access drive which is not a cul-de-sac. Access drive cul-de-sacs that do not terminate in a parking compound shall be provided at the terminus with a fully paved turnaround with a minimum diameter of eighty (80) feet.

The Township may permit an alternative turnaround design, including a turnaround incorporated in a parking court or a landscaped island, provided safe movement of traffic is assured.

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505.6. Parking. When vehicular parking is prohibited along access drives, the prohibition must be acknowledged on the Plan and properly signed along the cartway.

505.7. Improvement. The cartway of all access drives shall be constructed to the street improvement specification stated in Section 502.11.

505.8. Cartway Width. The following table specifies various access drive width requirements:

Function	Required Cartway Width
Two lanes of traffic with parallel parking along the cartway	36 feet
Two lanes of traffic without parking along the cartway	24 feet
One lane of traffic with one lane of parallel parking along the cartway*	20 feet
One lane of traffic without parking along cartway*	12 feet
*The one-way direction of traffic must be identified along the cartway.	

505.9. Side Slope. The maximum slopes of banks located within twenty (20) feet of the cartway shall not exceed three to one (3:1) for fills and two to one (2:1) for cuts. The Board of Supervisors may accept steeper slopes to avoid disruption of significant natural features provided safety and maintenance issues are addressed.

§506. RECREATION OR NON-LICENSED VEHICLE CROSSING.

All recreation or non-licensed vehicle trail crossings (e.g., equestrian, golf carts, off-road vehicles, and snowmobiles) of a street, alley, access drive, or driveway shall be:

506.1. Designed in a manner consistent with the existing storm water drainage of the area being crossed.

506.2. Easily identifiable in all directions.

506.3. Perpendicular to the street, alley, access drive, or driveway.

506.4. Location no less than fifteen (15) feet from the cartway edge of a street, alley, access drive, or driveway intersection.

506.5. Provided with a clear-sight triangle and sight distance as required for a street, in accordance with Sections 502.12.6. and 502.12.7.

506.6. Not exceed a slope of eight percent (8%) within twenty-five (25) feet of the cartway being crossed.

506.7. Signed to warn both motorists and individuals crossing of the location. The surface of the crossing shall be brightly painted with angle stripes.

§507. VEHICULAR PARKING.

- 507.1. Schedule of Required Number of Parking Spaces. The required number of off-street parking spaces is specified in the Township Zoning Ordinance, as amended.
- 507.2. Access Drive. All parking lots shall connect to streets by way of an access drive. The design standards for access drives are provided in Section 505.
- 507.3. Surfacing. All parking lots and loading areas shall be constructed and maintained with a paved surface of concrete or bituminous materials, or another dust-free surface, approved by the Township.
- 507.4. Separation from Streets and Sidewalks. Parking spaces shall be guarded by curbs or other protective devices, which are arranged so that parked vehicles cannot project into the streets, sidewalks or setback areas.
- 507.5. Setback. Unless otherwise indicated, all parking lots shall be set back a minimum of ten (10) feet from all property lines. Such setbacks shall be used for landscape strips.
- 507.6. Drainage. Parking lots shall be provided with adequate facilities to collect and convey storm water in accordance with Section 515.
- 507.7. Parking Space Sizes. The following lists required minimum space sizes in feet:

- Parallel - 22 x 8
- Non-parallel - 9 x 19

The above section was amended by Ordinance 6-19-07-2.

- 507.8. Design Standard for Handicapped Parking Space. Off-street parking facilities shall conform to the latest copy of the Americans With Disabilities Act Accessibility Guidelines.
- 507.9. Aisle. Aisles are intended principally to provide vehicular access within a parking compound and entrance/exit area for individual parking spaces. Aisles may not be used to intersect streets. All aisles shall have the minimum widths indicated in the following table:

Angle of Parking	Width of Driveway in Feet One-Way Traffic	Width of Driveway in Feet Two-Way Traffic
90 Degrees	24	24
60 Degrees	18	22
45 Degrees	13	22
30 Degrees	12	22
Parallel	12	22

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All aisles in areas where there is no parking permitted shall be twelve (12) feet wide for each lane of traffic.

- 507.10. Marking of Parking Space and Interior Drive. All parking lots shall be adequately marked and maintained for defining parking stalls and interior drives. For paved parking areas, the lines of all parking stalls and interior drives (including directional arrows, etc.) shall be solid and four (4) inches in width. Painted lines, arrows and dividers shall be provided and maintained to control parking and direct vehicular circulation. Parking lots with greater than thirty (30) parking spaces shall define parking areas from aisles by raised curb.
- 507.11. Curb Radius. Not less than a four (4) foot radius of curvature shall be permitted for horizontal curves in parking areas.
- 507.12. End Stall. All dead-end parking lots shall be designed to provide sufficient backup area for all end stalls.
- 507.13. Lighting. Adequate lighting shall be provided if the parking lot is to be used at night. The lighting shall be arranged so as not to reflect or glare on adjoining lots or streets.
- 507.14. Landscaped Strip. When a parking lot is located in a yard which abuts a street, a landscaped strip shall be provided on the property along the entire street line. If there is no building or other structure on the property, the parking lot shall be separated from the street by the landscaped strip. This strip shall be measured from the street right-of-way. The strip may be located within any other landscaped strip required to be located along a street. The following lists required width of landscape strips:

Number of Spaces in Parking Lot, Including Joint Facilities	Landscape Strip Width Measured from Street Right-of-Way
Less than 100	15 feet
100 to 250	20 feet
Over 250	25 feet

The landscape strip shall be designed in accordance with Section 518.4.

When a parking lot is located on property that adjoins land in a residential zone, the parking lot shall be screened from the adjoining residential property. Screening strips shall be designed in accordance with Section 518.5.

- 507.15. Interior Landscaping. In any parking lot containing twenty (20) or more parking spaces (except a parking garage), five percent (5%) of the total area of the lot shall be devoted to interior landscaping. Interior landscaping may be used at the end of parking space rows to break up parking areas at least every ten parking spaces, and to help visually define travel lanes through or next to the parking lot.

Landscaped areas situated outside of the parking lot, such as peripheral areas and areas surrounding buildings, shall not constitute interior landscaping.

For computing the total area of any parking lot, all areas within the perimeter of the parking lot shall be counted, including all parking spaces and access drives, aisles, islands, and curbed areas.

Ground cover alone is not sufficient to meet this requirement. Trees, shrubs or other approved material shall be provided. At least one shade tree shall be provided for each three hundred (300) square feet (or fraction) of required interior landscaping area. These trees shall have a clear trunk at least five (5) feet above finished-grade level.

Parked vehicles may not overhang interior landscaped areas more than two and one-half (2½) feet. Where necessary, wheel stops or curbing shall be provided to insure no greater overhang.

If a parking lot of under twenty (20) spaces is built without interior landscaping and later additional spaces are added so that the total is twenty (20) or more, the interior landscaping shall be provided for the entire parking lot.

- 507.16. Speed Bump. All speed bumps provided as part of access drives or parking lot aisles shall be marked with permanent, yellow diagonal stripes. Speed bumps may be in the form of mounds or depressions in the pavement. There shall be warning signs posted at each entrance to a parking area that has speed bumps. In no case shall the overall height (or depth) or speed bumps exceed two (2) inches.

§508. OFF-STREET LOADING.

- 508.1. Schedule of Require Loading Space. The required number of off-street loading spaces is specified in the Township Zoning Ordinance, as amended.
- 508.2. Location. Ground level loading areas may be located in the side and rear yard. No exterior portion of a loading facility and its access drive shall be located within fifty (50) feet of a residential zoning district. Where possible, loading facilities shall be located along the wall of a building that does not face a residential zoning district.
- 508.3. Access. Every loading space shall be connected to a street by means of an access drive. The access drive shall be at least twenty-four (24) feet wide for two-way travel, or fifteen (15) feet wide for one-way travel, exclusive of any parts of the curb and gutters. Section 505 specifies other requirements for access drives;
- 508.4. Circulation. Off-street loading spaces shall be designed so that there will be no need for service vehicles to back over streets or sidewalks. Furthermore, off-street loading spaces shall not interfere with off-street parking lots.

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508.5. Surface. The surface of the loading area shall be constructed according to the access drive standards in Section 505.7.

508.6. Storm Water Management. Off-street loading facilities shall conform to the storm water management provisions of Section 515.

508.7. Required Size. The following lists required minimum loading space sizes, in feet (excluding access drives, entrances and exits):

Facility	Length	Width	Height (If Covered or Obstructed)
Industrial, Wholesale and Storage Uses	63 feet	12 feet	15 feet
All Other Uses	33 feet	12 feet	15 feet

508.8. Lighting. Adequate lighting shall be provided if the loading facility is to be used at night. The lighting shall be arranged so as not to be directed, reflected or cause glare off the site;

508.9. Perimeter Landscaping. A fifteen (15) foot wide landscape screen shall surround all off-street loading facilities. The landscape screen shall be designed in accordance with Section 518.5.

§509. SIDEWALK.

509.1. Sidewalk shall be provided in all residential areas where the majority of lot areas are less than one (1) acre per dwelling unit. Additionally, sidewalk shall be required in the following circumstances:

509.1.1. To continue existing sidewalk systems to the terminus of a service area or block.

509.1.2. To provide access to vehicular parking compounds, school bus zones, or recreational facilities.

509.1.3. To provide access to and/or within a commercial, industrial or other community facilities.

509.2. Sidewalk which is located along streets or access drives shall be located along the side(s) of the street upon which lots front and pedestrian traffic anticipated.

509.3. Sidewalk which is provided off-street or off-access drives shall be located along anticipated pedestrian traffic routes.

509.4. Sidewalks shall be constructed of Class A cement concrete four (4) inches thick, containing steel mesh of six by six by fourteen (6 x 6 x 14) inch gauge, upon a properly prepared subgrade. Where sidewalks are subject to vehicle crossings (e.g.,

driveways), a minimum concrete thickness of six (6) inches is required. Four (4) inches of AASHTO #57 crushed stone shall be properly compacted using a mechanical tamper. Concrete shall be poured in separate slabs twenty-four (24) feet in length. The slabs shall be completely separated by one-quarter (1/4) inch expansion joint and scored every four (4) feet.

- 509.5. Sidewalk located outside of the public right-of-way (e.g., adjacent to driveways, access drives and parking compounds) may be constructed of any stable and mud-free material. Sufficient protection shall be provided to restrict parked vehicles from encroaching on the sidewalk.
- 509.6. Sidewalk shall have a minimum width of four (4) feet.
- 509.7. Sidewalk shall be graded to discharge storm water runoff. A minimum cross slope of two percent (2%) shall be provided.
- 509.8. Sidewalk along streets shall be located two (2) feet inside the street right-of-way and physically divided from the street cartway by curb or grass strip.
- 509.9. Maintenance and repair cost for sidewalk is the sole responsibility of the landowner.
- 509.10. Pedestrian easements, which may be required by the Township to facilitate pedestrian circulation or to give access to community facilities, shall have a minimum right-of-way width of ten (10) feet to accommodate a walkway width of five (5) feet. This walkway shall be improved to the standards assigned by the Township.
- 509.11. Sidewalk shall conform to the Americans With Disabilities Act Accessibility Guidelines.

§510. CURB.

- 510.1. Curb shall be provided along all streets and wherever sidewalks are installed along access drives.
- 510.2. Depending on storm drainage conditions, curb may be required in blocks where a street grade exceeds five percent (5%).
- 510.3. The Township may require curb where unusual or particular conditions prevail with respect to storm water runoff, traffic, on-street parking, and/or safety of pedestrians.
- 510.4. Transitions in curb type shall be subject to approval by the Township.
- 510.5. Curb shall be constructed in accordance with PennDOT *Manual Form 408*, Section 641, "Plain Cement Concrete Curb Gutter, Type A, C and D," as amended.

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- 510.6. Curb shall conform with the Americans With Disabilities Act Accessibility Guidelines.
- 510.7. Vertical curb shall be twenty (20) inches deep, eight (8) inches wide at the top, and nine (9) inches wide at the base. The distance from the top of the curb to the flow line of the gutter shall be eight (8) inches.
- 510.8. Slant curb shall be sixteen (16) inches deep at the back, twelve (12) inches deep at the front, and fourteen (14) inches wide at the top and base. The distance from the top of the face of curb to the flow line of the gutter shall be one (1) inch.

§511. BLOCK AND LOT.

- 511.1. General. The configuration of blocks and lots shall be based upon the lot area requirements of the Township Zoning Ordinance, traffic circulation, salient natural features, existing man-made features and land use. Lot configurations should provide for flexibility in building locations, while providing safe vehicular and pedestrian circulation.
- 511.2. Residential Block. All blocks in a residential subdivision shall have a maximum length along any side of sixteen hundred (1,600) feet and a minimum length of any side of two tiers of lots that conform to the prevailing standards.
- 511.3. Nonresidential Block. Block configurations in nonresidential areas shall be based primarily upon safe and efficient traffic circulation, and salient natural features.
- 511.4. Lot Configuration:
- 511.4.1. Whenever practical, side lot lines shall be radial to street lines.
- 511.4.2. In order to avoid jurisdictional problems, lot lines shall, wherever feasible, follow municipal boundaries rather than cross them. Where a lot is divided by a municipal boundary, the minimum standards of both municipalities shall apply.
- 511.4.3. Lots with areas that are two (2) or more times the minimum area requirements shall, wherever feasible, be designed with configurations that allow for additional subdivision. The Township may require a sketch plan of such large lots that indicates the potential future subdivision is generally in conformance with the design standards.
- 511.4.4. All lots shall front on a street.
- 511.4.5. Double Frontage Lots are prohibited. Double frontage lot fronts upon two parallel streets or upon two streets which do not intersect and vehicular access is provided to both streets. The Township permits Reverse Frontage Lots as provided below.

- 511.4.6. Reverse Frontage Lots front upon two parallel streets, or upon two streets that do not intersect, and vehicular access is provided to only one (1) of the streets. All Reverse Frontage Lots shall designate one (1) frontage as the rear yard and have a planted buffer easement of at least twenty (20) feet in width located immediately contiguous to the street right-of-way. Vehicular access shall be prohibited from the rear of Reverse Frontage Lots. All Reverse Frontage Lots shall include an identification of the frontage for use as a road access.
- 511.4.7. Flag Lots. Flag lots shall only be permitted where specifically provided for within the Salisbury Township Zoning Ordinance.
- 511.4.8. All remnants of land (areas remaining after subdivision) shall conform to the lot area and configuration requirements.
- 511.4.9. All lots shall be designed to provide sufficient building area based upon building setbacks, easements, floodplains, etc.
- 511.5. Lot Size and/or Intensity. Lot areas shall conform to the prevailing Salisbury Township Zoning Ordinance requirements.

§512. BUILDING SETBACK LINE AND BUILDING SEPARATION.

The building setback lines and building separations shall conform to the prevailing Salisbury Township Zoning Ordinance requirements.

§513. EASEMENT.

Easements for sanitary sewer facilities, storm water drainage facilities, public utilities, or pedestrian access shall meet the following standards:

- 513.1. To the fullest extent possible, easements shall be adjacent to property lines.
- 513.2. Nothing shall be placed, planted, set, or put within the area of an easement that would adversely affect the function of the easement or conflict with the easement agreement.
- 513.3. The Plan notes and easement agreement shall clearly identify who has the right of access and responsibility for function of the easement area.
- 513.4. Pedestrian easements shall have a minimum width of ten (10) feet.
- 513.5. Sanitary sewer and water supply easements shall have a minimum width of twenty (20) feet. In the case of a shared utility easement, sufficient area shall be provided to allow a minimum of ten (10) feet between the centerline of the utility and the edge of the right-of-way.

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- 513.6. Storm water easements shall have a minimum width of twenty (20) feet and shall be adequately designed to provide area for:
- 513.6.1. The collection and discharge of water.
 - 513.6.2. The maintenance, repair and reconstruction of the drainage facilities, and,
 - 513.6.3. The passage of machinery for such work.
- 513.7. Where any electric or telephone transmission or petroleum product transmission line traverses a property, the applicant shall determine from the applicable company, the minimum distance required between each structure and the centerline of such transmission line. All applications shall include a copy of the recorded agreement or a letter from the owner of the transmission line stating any conditions on the use of the property and the right-of-way width.

§514 SURVEY MONUMENT AND MARKER.

- 514.1. Permanent stone or concrete monuments shall be accurately placed along one side of the right-of-way lines of each street and on the property lines of the parent property. Monuments shall be placed at the intersection of all street lines forming angles, changes in direction, and at the end of each curved line. An intermediate monument shall be placed wherever topographical or other conditions make it impossible to sight between two otherwise required monuments.
- 514.2. Markers shall be set all points where lot lines intersect curves and/or other property lines, and at both high and low elevation points to provide easy identification.
- 514.3. Monuments shall be of concrete or stone, with a flat top having a minimum width or diameter of four (4) inches and a minimum length of thirty (30) inches. Concrete monuments shall be marked with a three-quarter ($\frac{3}{4}$) inch copper or brass dowel; stone or pre-cast monuments shall be marked on the top with a proper inscription and a drill hole.
- 514.4. Markers shall consist of iron pipes or steel bars at least thirty (30) inches long and not less than three-quarters ($\frac{3}{4}$) of an inch in diameter.
- 514.5. All monuments and markers shall be placed by a registered land surveyor so that the scored or marked point shall coincide exactly with the point of intersection of the lines being monumented or marked.
- 514.6. All monuments/markers shall be set flush with the finished grade, except for temporary placement and/or woodland conditions.

- 514.7. Existing monuments and lot line markers shall be delineated on the Preliminary Plan. All existing and proposed monuments and lot line markers shall be delineated on the Final Plan.

§515. STORM WATER MANAGEMENT.

Subdivision and land development plans shall conform to the Salisbury Township Storm Water Management Ordinance, as amended

§516 FLOODPLAIN.

All subdivision and land development plans shall conform to the floodplain standards specified in the Salisbury Township Zoning Ordinance, as amended.

§517. WETLAND.

Wetland Studies are required by Section 302.5.

Any proposed encroachment into the wetland shall include a copy of the permit or approval from the applicable State and Federal agencies. No subdivision or land development shall involve uses, activities or improvements that will entail encroachment into, the grading of, or the placement of, fill in wetlands in violation of State or Federal regulations. No action by the Township shall be relied upon instead of a permit issued by the appropriate agency.

§518. LANDSCAPING.

- 518.1. Protection of Natural Features. The finished topography of the site shall adequately facilitate the proposed development without excessive earth moving, and destruction of natural amenities. Natural features shall be preserved and incorporated into the final landscaping wherever possible and desirable. The applicant shall demonstrate the means whereby the natural features are protected during construction.
- 518.2. Existing Wooded Area. Existing wooded areas shall be protected to prevent unnecessary destruction. Healthy trees with a caliper of six (6) inches or more as measured at a height of four and one-half (4½) feet above existing grade, shall not be removed unless their location interferes with a planned improvement that cannot be relocated to coordinate with the existing wooded areas. At least twenty-five percent (25%) of the number of trees (size described above) that exist at the time of Plan submission shall be maintained or replaced immediately following construction. Replacement trees shall be a minimum trunk caliper of two (2) inches at a height of six (6) inches above finished grade. Plans shall be submitted showing the location of existing tree masses and proposed construction in conformance with this section. The Township may require an assessment of the number of trees by a forester or landscape architect.

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518.3. Street Trees. Street trees shall be provided along all road frontages. Street trees shall conform to the following standards:

518.3.1. The trees shall be nursery-grown in a climate similar to that of the locality of the project. Varieties of trees shall be subject to the approval of the Township. The applicant is encouraged to be creative in selecting tree varieties and locations to achieve a pleasing appearance.

518.3.2. All trees shall have a normal habit of growth and shall be sound, healthy and vigorous; they shall be free from disease, insects, insect eggs, and larvae.

518.3.3. The trunk diameter, measured at a height of six (6) inches above finish grade, shall be a minimum of two (2) inches.

518.3.4. Trees shall be planted between the street right-of-way line and the building setback line, at a maximum spacing of one hundred (100) feet. The following varieties are acceptable trees:

American Linden	Green Ash	Shingle Oak
American Red Maple	Greenspire Linden	Silver Linden
Black Oak	Little Leaf European	Sugar Maple
Bradford Pear	Marshall's Seedless Ash	Sycamore
Bur Oak	Norway Maple	Thornless Locust
Columar Norway Maple	Pin Oak	Tulip Poplar
Common Hackberry	Purple Beech	Willow Oak
Crimean Linden	Red Oak	White Oak
Eastern Poplar	Sawtooth Oak	
European Beech	Scarlet Oak	

518.3.5. All planting shall be performed in conformance with good nursery and landscape practice.

518.3.6. Requirements for the measurements, branching, grading, quality, balling, and the burlapping of trees shall follow the code standards recommended by the American Association of Nurserymen, Inc., in the American Standard for Nursery Stock, ANSIZ60, 1-1973, as amended.

518.4. Strip and Interior Landscaping. Any required landscaping shall include a combination of deciduous trees, ground covers, evergreens, shrubs, vines, flowers, rocks, gravel, earth mounds, berms, walls, fences, screens, sculptures, fountains, sidewalk furniture, or other approved materials. Artificial plants, trees, and shrubs may not be used to satisfy any requirement for landscaping or screening. No less than eighty percent (80%) of the required landscape area shall be vegetative in composition, and no outdoor storage shall be permitted within required landscape areas.

For each seven hundred fifty (750) square feet of required area for landscape strips, one shade/ornamental tree shall be provided. If deciduous, these trees shall have a clear trunk at least five (5) feet above finished grade; if evergreen, these trees shall

have a minimum height of six (6) feet. All required landscape strips shall have landscaping materials distributed along the entire length of the lot line abutting the yard.

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- 518.5. Landscape Screening. Any required landscaping screening shall include a combination of evergreens (trees, hedges or shrubs), walls, fences, earth berms, or other approved similar materials. Wall or fence shall not be constructed of corrugated metal, corrugated fiberglass, or sheet metal. Screening shall be arranged to block the ground level views between grade, and a height of six (6) feet. Landscape screens must achieve this visual blockage within two (2) years of installation.
- 518.6. Landscape Material. Trees and shrubs shall be typical of their species and variety; have normal growth habits, well-developed branches, densely foliated, vigorous, fibrous root systems. Landscape material shall be selected from stock that was grown under climatic conditions similar to the locality of the property. Landscaping treatments shall be properly maintained and replaced if dead.
- 518.7. Ground Cover. Ground cover shall be provided on all areas of the project to prevent soil erosion. All areas that are not covered by paving, stone, pine needles, bark mulch, or other solid material shall be protected with a vegetative growth. Varieties of ground cover shall be subject to the approval of the Township.

§519. STEEP SLOPE CONSERVATION.

Steep slope conservation standards shall apply to where construction and/or modifications to the existing topography or vegetative cover is located within areas which contain fifteen percent (15%) or greater slope.

- 519.1. Boundary Interpretation. An initial determination as to whether the steep slope conservation standards apply to a subdivision or land development plan shall be based upon the presence of fifteen percent (15%) or greater slope, as documented in one of the following:
 - 519.1.1. Topographic survey prepared by a registered land surveyor,
 - 519.1.2. The Lancaster County Soil Survey, the U.S. Soil Conservation Service; or,
 - 519.1.3. The topographic survey prepared by the U.S. Geodetic Survey.

Should a dispute arise concerning the boundaries of the steep slope conservation area, a topographic survey prepared by a registered land surveyor with minimum vertical intervals of five (5) feet shall be submitted. The Township shall make final boundary interpretation.

- 519.2. General Design Requirement. The following requirements are based upon the average slope of a lot. Whenever other ordinances or regulations impose more restrictive standards than those contained herein, the more restrictive shall apply.

Average Slope of Lot	Minimum Percent of Undisturbed Area ¹	Maximum Impervious Surface
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15–30%	85%	10%
Over 30%	90%	10%

¹Undisturbed area shall be defined as land in its natural state before development.

- 519.3. Setback. No change in existing topography, which results in a slope greater than the predevelopment condition, may be located within twenty-five (25) feet of the neighboring property.

§520. SANITARY SEWAGE DISPOSAL.

- 520.1. When the Pennsylvania Sewage Facilities Act, Act 537 of 1966, as amended, requires a Sewer Facilities Plan Revision (Plan Revision Module for Land Development), or Supplement, approval of the Revision or Supplement shall be submitted with the Final Plan Application.
- 520.2. The applicant shall provide the type of sanitary sewage disposal facility consistent with the Pennsylvania Sewage Facilities Act, Act 537 of 1966, as amended.
- 520.3. Sanitary sewer systems shall be designed in accordance with the prevailing rules and regulations of the PA DEP and any applicable bona fide sewer authority, or cooperative association of low owners.

520.3.1 Sanitary Sewer Pipe

- A. PVC Pipe shall meet requirements of ASTM D 3034, as modified herein. Pipe with blisters, bubbles, cuts, or scrapes on inside or outside surfaces, which appreciably damage the wall thickness, or other imperfections which impair the performance or life of the pipe, will be rejected.
1. Joints shall be elastomeric gasket joints resulting in watertight seals.
 2. PVC pipe shall be legibly marked as follows at intervals of five feet maximum; manufacturer's name or trademark, pipe size, PVC cell classification, appropriate legend such as PSM SDR-35 PVC Sewer Pipe, ASTM D 3034, manufacturer's lot number, date of manufacture and point of origin. Pipe not marked as indicated herein may be rejected.

520.3.2 Precast Concrete Manhole:

- A. Precast concrete manholes shall meet requirements of ASTM C 478, except the minimum compressive strength of the concrete shall be 5000 psi using Type II cement and a minimum compression cylinder test of 4000 psi; the variance in accordance with ASTM C 478, with configurations as shown on the Plans and Standard Details and with joints meeting requirements of ASTM C 443. Furnish in lengths of one foot minimum. Precast manhole cone section shall have bolt inserts provided. Inserts shall be embedded a minimum of 3-inches, accommodate ¾-inch diameter bolts and shall be manufactured by, Monarch

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Products Co., Inc., Hackman Building Products, Pennsylvania Insert Corporation or approval equal.

- B. Flexible gasket connectors for connecting pipes to sewer manholes shall be in accordance with ASTM C 924. In addition to the mechanical devices specified in C 923, stainless steel Type 304 may be used, provided it will not be in contact with the sewage or sewage gas. Each connector shall have permanent identification as to the date and production runs of its manufacturer marked thereon, and this information shall appear on the certificate of compliance. Acceptable connectors are "A-LOK" as manufactured by A-LOK Products Corporation, "Lock Joint Flexible Manhole Sleeve", as manufactured by Press-Seal Gasket Corporation.
- C. Precast channels/benches in manholes shall have a minimum 28 day compressive strength of 4000 psi using Type II portland cement. The minimum channel lining for precast channel/bench is 2 inches, in lieu of the 4 inches shown on the Standard Details. The bench shall be sloped toward the channel a maximum of 1-inch vertical drop for each foot horizontal. The channels shall be sloped smoothly and uniformly from the incoming pipes to the outlet pipe. The channel width and height shall match the inside diameters of the incoming and outgoing pipes and be blended to a smooth contour. Top surfaces of the bench shall have a brush or light broom finish and the channels a troweled smooth surface. Once the channel/bench has been poured and the initial set of the concrete taken place, no additional concrete shall be added to modify the shape or repair defects. The precast channel/bench shall provide access for jointing pipes to the flexible manhole connectors. Deviations to the channel width above the spring line of the pipe and at the flexible connectors will be permitted for this purpose, as approved by the Township Inspector.
- D. Each manhole shall be clearly marked on the inside near the top with the following information where applicable: ASTM Specification designation, manhole setting number (bases only), date of manufacture, and name or trademark of manufacturer. Additionally, manhole sections with flexible connectors shall be marked above connector openings with connector type and size, and type of pipe for which connector is designed. Markings may be engraved or stenciled with waterproof paint or ink in minimum one-inch high letters.
- E. Approved manufacturers of precast manhole sections are:
 - 1. Monarch Products Company
 - 2. Concrete Products of America
 - 3. Atlantic Concrete Products Company
 - 4. Concrete Pipe and Products Company
 - 5. Terre Hill Concrete Products Company
- F. Precast concrete adjustments rings shall meet requirements of ASTM C 478, except the minimum strength of the concrete shall be 5000 psi using Type II cement and configurations. Rings shall be drilled with minimum 1½-inch diameter holes to accommodate frame anchor bolts. Adjustment rings shall be free of continuous cracks or fractures extending for a length of ½ inch , or more, regardless of location on ring and shall be made to dimensional tolerances of plus or minus ¼ inch for plan dimensions and horizontal plane surfaces.

520.3.3 Castings shall meet the following requirements:

- A. Manhole steps shall conform to requirements of ASTM C 478, as supplemented herein:
 - 1. Exposed materials shall be resistant to corrosion and deterioration.
 - 2. Steps manufactured from re-bars shall be fabricated from steel reinforcing bar minimum 3/8 inch diameter meeting requirements of ASTM A-615 and shall be coated with polypropylene plastic, grade 10-10-14.
 - 3. Tread shall have non-slip surface.
 - 4. Spacing shall be one (1) foot center to center.
- B. Manhole and lamphole frames, covers, inlet frames, and grates shall be gray iron, watertight and shall conform to ASTM A48 grade 35.

520.3.4 Installation & Testing

- A. Gravity (Sanitary) Sewers and Appurtenances:
 - 1. Trench excavation and backfill shall be specified per respective trench detail. Earthwork, sufficiently in advance of trench construction so that reasonable changes in line and grade can be made where the location of existing structures varies from that shown. Excavate a sufficient amount of the trench to assure that no unforeseen obstructions exist before commencing pipe installation.
 - 2. The Contractor shall verify existing inverts and locations of existing lines, manholes, etc. prior to laying any pipe.
 - 3. The Contractor must maintain sewage flows at all times during construction, including connections to existing system.
 - 4. Laying Pipe
 - a. Lay pipe to a true uniform line and grade as indicated with continuous bearing of barrel on cradle or bedding material. Handle pipe and fittings with care so as to avoid damage.
 - b. Lay pipe up-grade with the bell or groove pointing in the direction of upstream. Lay each section of pipe in such a manner as to form a close concentric joint with the adjoining section and to prevent sudden offsets in the flow line.
 - c. Place sufficient backfill on each section of pipe, as it is laid to hold it firmly in place.
 - d. Clean out the interior of the pipe as the work progresses. Utilize a suitable swab, or drag in small diameter pipe and pull forward past each joint immediately after the jointing has been completed.
 - e. Keep trenches and excavations free of water during construction and until final inspection. When the work is not in progress, securely close open ends of pipe and fittings to prevent trench water, earth or other substances from entering the pipes or fittings.
 - f. Provide minimum three feet and maximum 22 feet of cover over polyvinyl chloride pipe.

5. Joints

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- a. Joints for polyvinyl chloride pipe shall be elastomeric gasket joints assembled in accordance with the manufacturer's recommendations.
6. Connections with existing systems shall be provided by the construction of a new manhole.
7. Manholes
 - a. Manholes shall be watertight. Coat exterior with asphalt based waterproof coating.
 - b. Construct manholes of precast sections. Provide base of precast construction. Make watertight connection between base and risers. Place axis of manholes directly over the centerline of the pipes unless otherwise shown.
 - c. Construct appropriate flow channel in the bottom of manholes. Place non-shrink grout all around pipe fitting into concrete channel.
 - d. Cut the pipe flush with the inside wall of the structures.
 1. In 48-inch sewer manholes, provide flexible gasket for connection to existing manhole. Provide field sleeve where required to assure a tight fit. In manholes larger than 48 inches, tightly mortar in pipe with quick setting non-shrink grout.
 - e. Install manhole steps and cast iron watertight frame and cover for each manhole and adjust the frame and cover to proper grade by precast grade rings.
 1. Provide flexible plastic gasket as specified hereinbefore between the top of the manhole and the frame cover.
 2. Cement rubber gasket to frame with a material not affected by water such as 3 M Super Weather Strip Adhesive, part 8001.
8. Testing Manholes
 - a. General: Test each manhole constructed by the vacuum test procedure specified herein. If the manhole is constructed on an existing sewer where sewage flow must be maintained, the test may be waived at the discretion of the Township Inspector.
 1. Conduct tests in presence of and to complete satisfaction of the Township Inspector.
 2. Should a manhole not satisfactorily pass testing, discontinue manhole construction until such manhole does test satisfactorily.
 3. Provide tools, materials (including water), equipment and instruments necessary to conduct manhole testing specified herein.
 4. Prior to testing manholes, thoroughly clean such and seal openings, both to complete satisfaction of the Township Inspector. Seal openings using properly sized plugs.
 5. Perform testing with frames installed. The joint between the manhole and the manhole frame shall be included in the test.
 6. The Contractor may elect to make a test prior to backfilling for his own purposes; however, the tests of the manholes for acceptance, shall be conducted after the backfilling has been completed.
 - b. Vacuum Test Procedure
 1. Perform vacuum testing in accordance with the testing equipment manufacturer's written instructions.
 2. Draw a vacuum of 10 inches of mercury and close the valves.
 3. Consider manhole acceptable when manhole does not drop below 9 inches of mercury for the following manhole sizes and times:

- (a) 4' diameter = 60 secs.
- c. Repair and Retest: Determine source(s) of leak(s) in manholes failing acceptable limits.
 - 1. Repair or replace defective materials and workmanship, and conduct such additional manhole acceptance tests and such subsequent repairs and retesting as required until manholes meet test requirements.
 - 2. Materials and methods used to make manhole repairs must meet with Township Inspector's approval prior to use.
- 9. Gravity Sewer Line Tests
 - a. Alignment:
 - 1. Light Test: After the mains have been laid and backfilled, a light will be flashed between manholes or manhole locations to determine whether the alignment of the sewer is true and whether any pipe has been displaced, broken or otherwise damaged subsequent to laying. This test will again be conducted before final acceptance of the sewer. Each section (manhole to manhole) of sewer shall show a good light circle throughout its length and any and all defects shall be corrected to the satisfaction of the Township Inspector.
 - 2. Mandrel Test: If less than a full circle of light is observed during the light test, Township Inspector may require the use of a mandrel test.
 - (a) No pipe shall exceed a deflection of five percent (5%).
 - (b) The rigid ball or mandrel used for the deflection test shall have a diameter not less than 95 percent of the base inside diameter or the average inside diameter of the pipe, depending on which is specified in the ASTM Standard (including the appendix) to which the pipe is manufactured, for the type of pipe used. The pipe shall be measured in compliance with ASTM D2122 Standard Test Method of Determining Dimensions of Thermoplastic Pipe and Fittings. The test shall be performed without mechanical pulling devices.
 - b. Leakage Tests:
 - 1. Air Testing: The Contractor shall test each section of sewer between manholes and all laterals (if any) to the limit of this contract using low pressure air. Testing shall not be performed, until all backfilling has been completed. The Contractor may, at his option, test the section of sewer for his own purposes, prior to completion of backfilling; however, the requirements of this subsection shall not be deemed to be completed until the lines have been tested after the backfilling has been completed and trench settlement has been minimized.
 - 2. A minimum of two minutes shall be provided to allow equilibrium of the air temperature with pipe wall before test readings shall commence. The rate of air loss shall be determined by measuring the time interval required for the average internal pressure to decrease by 1.0 psig or 0.5 psig.
- 3. The initial test pressure to be developed in the sewer and laterals shall be determined as follows:
 - a. For depths six (6) feet or less, the internal pressure shall not be less than 6.0 psig.
 - b. For depths greater than six (6) feet, the internal pressure in psig shall be calculated as the sum of 3.5 plus the maximum height in feet divided by 2.3 between the invert of the sewer and the final grade elevation in the section of sewer to be tested. (For example, if the maximum height is

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determined to be 9.2 feet, the added pressure would be 4.0 psig. The initial test pressure in the sewer would then be 7.5 psig. The allowable drop would be to 6.5 psig within the time indicated elsewhere in this subsection.

- c. In no case shall the test pressure in the sewers or laterals be greater than the maximum internal differential joint pressure recommended by the manufacturer of the pipe.
- 4. The pipe shall be considered acceptable if the air loss rate does not exceed 0.0015 cubic feet per minute per square foot of internal pipe surface when tested at the initial pressure previously defined in this subsection. The time for the air pressure to decrease 0.5 psig shall not be less than the time indicated below:

<u>PIPE</u>	<u>DIAMETER</u>	<u>SECONDS</u>
6"	2	55
8"	3	57
10"	4	43
12"	5	5
15"	7	5
18"	8	30
21"	9	50

- 5. If the above rates of leakage are exceeded, the Owner or Contractor shall, at his expense, determine source of leakage and make all necessary corrections and retest.
- 6. The Contractor shall submit to the Township Inspector for approval the detailed test procedure and list of test equipment he proposes to use prior to testing.
- C. Acceptance: Observation of successful testing of manholes, sewer or force mains by the Township Inspector does not constitute acceptance of the system or any portion thereof. Upon completion of any determined portion of a total system, and successful testing thereof, the Township Inspector may recommend final acceptance to the Owner. Only upon final inspection by the Owner or Township Inspector, and upon written acceptance for same will the system or portion thereof be considered substantially completed.
 - 1. If, during this final inspection, any irregularities are observed, the condition must be corrected at the Contractor's/Owner's expense prior to acceptance.
 - 2. All costs associated with repairs and retesting of sewers and laterals shall be paid by the Contractor/Owner.

10. Service Connections

- A. Fittings, (Wye branches, risers and bends) and service pipe shall be provided in strict accordance with these specifications and any and all practices and precautions required for the sewer main are equally applicable to the service connections from the sewer to the right-of-way line, or to a location designated by the Township Inspector.
- B. The Contractor shall submit to the Township Inspector, on a monthly basis, all as-built information which shall include: manhole run, station, length from centerline of sewer, invert elevation at the termination point of lateral and the address or property owner's name for whom the lateral is provided.

1. Provide lateral information sheets as required by the Owner prior to commencing with testing of sewer mains.
 - C. If rock is encountered during the installation of the lateral, the Contractor shall extend the lateral to the required distance as specified elsewhere in these specifications, and he shall provide a minimum “rock-free” distance of one foot beyond the end of the lateral. No lateral shall be “butted” against rock.
 - D. Plugs: Close free ends of branches and service connections with a carefully fitted plug. Type of plug used and method of installation to Township Inspector’s approval. Installed plugs shall successfully pass Line Acceptance Tests.
- 520.4. When sanitary sewage disposal is provided by means other than by an individual on-lot system for use by a single unit of occupancy, the Final Plan Application shall include:
- 520.4.1. Evidence that the supplier is a certified public utility; a bona fide cooperative association of lot owners; or 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.
 - 520.4.2. Notice of approval of the design, capability to service, method of installation, and possible financial guarantee from the provider.
 - 520.4.3. Appropriate measures as deemed necessary by the Board of Supervisors, to ensure adequate future maintenance of the system.
- 520.5. Where individual on-site sanitary sewage disposal facilities are to be utilized, each lot so served shall be of a size and shape to accommodate the necessary subsurface sewage disposal system and a replacement system at a safe distance from building and water supply in accordance with Title 25, Chapter 73, Rules and Regulations of the Pennsylvania Department of Environmental Protection, as amended, and the Pennsylvania Sewage Facilities Act, Act 537 of 1966, as amended.

§521. WATER SUPPLY.

- 521.1. When, in accordance with Section 302.5.6., a report on groundwater supply is required, the application must demonstrate that the groundwater recharge on the subject property after development, during drought conditions (precipitation at forty percent [40%] below normal) will exceed the anticipated water usage and that the project will not lower the groundwater table in the area to the extent of decreasing the groundwater supply available to other property below safe levels.
- 521.2. Water supply systems shall be designed in accordance with the prevailing rules and regulations of the PA DEP and any applicable bona fide water authority, or cooperative association of lot owners.

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- 521.3. Fire hydrants shall be provided wherever the water supply system contains sufficient capability, or will in the near future, with or without developer assistance. Type and location of fire hydrants shall meet the specifications of the fire department that services the project. Fire hydrants shall typically be located at street intersections no more than ten (10) feet from the curb. All fitting types shall be in accordance with the standards of the applicable fire department. The large fitting shall face the street and be a minimum of sixteen (16) inches above the ground level.
- 521.4. Where an individual on-site water supply system is to be utilized, each lot so served shall be of a size and shape to allow safe location of such a system, in accordance with all applicable standards.
- 521.5. If water is to be provided by means other than by an individual on-site water supply system (wells that are owned and maintained by the individual lot owners), the Final Plan application shall include:
- 521.5.1. Evidence that the supplier is a certified public utility; a bona fide cooperative association of lot owners; or 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.
 - 521.5.2. Notice of approval of the design, installation and possible financial guarantee from the provider.
 - 521.5.3. Appropriate measures as deemed necessary by the Board of Supervisors, to ensure adequate future maintenance of the system.

§522. HISTORICAL FEATURE.

- 522.1. This section applies to all applications involving structures or land that are:
- 522.1.1. Listed on the National Register of Historic Places,
 - 522.1.2. Eligible for the National Register, and received a determination of eligibility from the National Park Service, or
 - 522.1.3. Listed on the Lancaster County Historical Society Register.
- 522.2. All applications that include historic features shall be designed to preserve, adaptively reuse, or otherwise provide for the historic features. Modifications and exterior alterations to historic features or sites, or new construction adjacent to historic

features, shall be consistent with the Zoning Officer of the Interior's Standards for Rehabilitation of Historic Properties, as published by the National Park Service.

- 522.3. Subdivisions and land developments shall also be designed so that new structures do not block historic views, or obstruct the view of historic properties. Landscape screening shall be provided in accordance with Section 518.5. in all cases where the proposed size, construction material, or type of use would jeopardize the historic value of a site or structure.

§523. PARK AND OPEN SPACE PROVISION.

- 523.1. General. This section shall only apply to proposals that would result in the creation of new dwelling units located within an area designated as a residential zone in the Township Zoning Ordinance. It is the purpose of this section to implement the language contained in Section 503(11) of the Pennsylvania Municipalities Planning Code and thereby provide needed recreation/open space to accommodate growth.

- 523.2. Mandatory Dedication. Any proposal that would result in the creation of one or more new dwelling units shall be required to dedicate a minimum of 0.02 acres of park and/or open space per dwelling unit to the Township, prior to Final Plan approval.

- 523.3. Dedication Alternative. The applicant may request that the Board of Supervisors permit the provision of parkland and open space other than through public dedication of land as set forth above. The applicant shall set forth, in writing, the means by which he will fulfill this requirement which may include construction of recreational facilities, the payment of a fee in lieu of dedication of all or a portion of the amount of land required to be dedicated, the private reservation of land, or any combination of construction of recreational facilities, fees, or private reservation subject to the following:

- 523.3.1. Construct and/or improve existing recreation facilities. If the applicant proposes to construct and/or improve existing recreation facilities, the applicant shall present a sketch plan of such facilities and an estimate of the cost of construction.

- 523.3.2. Fee in Lieu of Dedication. When so requested by the applicant, the Township may accept a fee in lieu of dedication because size, shape, location, access, topography or other physical features render it impractical for the applicant to dedicate parkland or open space as required by this Section. If the developer proposes a fee in-lieu-of dedication, said fee shall be computed and paid in accordance with Section 523.6 below. At the option of the applicant, the applicant may elect to pay the per lot or dwelling unit fee in lieu of dedication established by resolution of the Board of Supervisors.

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523.3.3. Guarantee the private reservation and maintenance of parkland or open space. If the applicant proposes the private reservation of land, the applicant shall provide for the maintenance of such land through either the inclusion of such land as common elements of a condominium or the creation of a homeowners' association. Such documentation shall be recorded, shall provide that the land cannot be further developed and shall give the Township the rights to maintain the land as set forth in MPC Article VII dealing with the maintenance of common open space in planned residential developments. Notwithstanding the foregoing, the applicant may request that the Township approve transfer of the land to an organization dedicated to the conservation of natural resources with deed restrictions preventing further development acceptable to the Township Solicitor.

523.3.4. Provide for any combination of the above. The applicant shall clearly specify how applicant shall meet the requirements of this Section 523.

Should the applicant decide not to dedicate the required open space, nor pay the fee-in-lieu of dedication, then any of the other preceding alternatives must be at least equal to the pre-development fair market value of the open space which would have been otherwise required for dedication. Fair market value shall be determined in accordance with the policies adopted by the Board of Supervisors.

523.3.5 The applicant shall enter into an agreement with the Township setting forth the facilities to be constructed, the fees to be paid, or the land to be privately reserved and the method of maintenance. All such agreements shall be in a form satisfactory to the Township Solicitor.

The above sections were amended by Ordinance 6-19-07-2.

523.4. Parkland and Open Space Design Requirements. In general, parklands and open spaces provided for by this section shall involve areas for active recreational pursuits. Accordingly, the following design requirements shall apply:

523.4.1. The site shall be located and designed so that safe and convenient access shall be provided to all existing and proposed inhabitants. Additionally, each site shall have at least one area available for vehicular access that is no less than twenty-four (24) feet in width;

523.4.2. The site shall be sized and configured so as to accommodate its intended uses. Sufficient lot width/depth dimension shall be provided so as to accommodate, where practicable, ballfields, courts and other open play areas. Furthermore, should a development be proposed at a location contiguous to an existing park, dedicated parklands should be provided, where practicable, as an expansion of the existing facility;

523.4.3. The site shall have suitable topography and soil conditions for use and development as active play areas. No more than twenty-five (25) percent of the site shall be comprised of floodplains, storm water management

facilities and/or slopes exceeding three (3) percent. Any unimproved site shall be provided with a healthy and vibrant grass ground cover;

523.4.4. The site shall be located and designed to conveniently access proximate public utilities (e.g., sewer, water, power, etc.). However, no part of any overhead utility easement, nor any above-ground protrusion of an underground utility, shall be permitted in active play areas of the site;

523.4.5. No part of the site shall be calculated as part of any required setback, yard and/or open space for adjoining lots or uses as regulated by the Zoning Ordinance; and,

523.4.6. The site shall comply with any applicable design, orientation, size, and location guidelines listed in the Township's Official Comprehensive Plan.

In special instances, the Township may waive any or all of the preceding design standards. In such instances, the applicant must demonstrate that the public will be better served by some alternate design that would accomplish at least one of the following objectives:

- A. Protection of important natural resources (e.g., streams, ponds, wetlands, steep slopes, woodlands, unique geologic features, wildlife habitats, aquifer recharge areas, etc.);
- B. Protection of important historical and/or archaeological sites; and,
- C. Integration of greenbelts throughout the development that link residences with on-site or adjoining parks, schools or other similar features.

523.5. Parkland Capital Reserve Fund. Any funds collected as fees-in-lieu of dedication of open space shall be deposited in an interest-bearing account. This account shall be separate from other municipal accounts and shall be clearly identified for the purpose of funding acquisition and development of recreation facilities. Interest earned on all monies deposited in such accounts shall become funds of that account. Funds from such accounts shall be expended at the discretion of the Board of Supervisors in properly allocable portions of the cost incurred to design, construct or acquire the specific recreation facilities that will benefit the subdivision or land development for which they were collected. Funds collected under this section shall be expended within three (3) years of receipt, or the Township shall refund such fee, plus interest accumulated thereon from the date of payment, to the developer upon presentation of a written request for refund.

523.6 Calculation of Fee in Lieu of Dedication. If the applicant desires to pay a fee in lieu of dedication and does not desire to pay the per lot fee established by resolution of the Board of Supervisors, the applicant shall provide the Township with applicant's estimate of the fair market value of the land per acre. The estimated fair market value shall be determined using the following criteria:

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- 523.6.1 If the applicant is the equitable owner of all of the land which is included within the proposed development, the applicant shall present the Township with a copy of the fully executed agreement of sale. The price per acre contained within such agreement of sale shall be considered the fair market value of the parkland and open space if the developer presents evidence to the satisfaction of the Township that the price has been established by a seller who is not related to the applicant who does not have a business relationship with the applicant, and who is not under pressure to sell the land. If the applicant cannot present such evidence to the Township, the fair market value shall be determined in accordance Section 523.6.3 below.
- 523.6.2 If the applicant is the record owner of all of the land within the development and has acquired all of the land within the development as a single parcel within the past 12 months, then the price per acre actually paid by the applicant shall be considered fair market value per acre of parkland and open space if the applicant presents evidence to the satisfaction of the Township that the price has been established by a seller who is not related to the applicant, who does not have a business relationship with the applicant, and who is not under pressure to sell the land. If the applicant cannot present such evidence to the Township, the fair market value shall be determined in accordance with Section 523.6.3 below. The applicant shall provide the Township with a copy of the deed and any realty transfer tax statement of value filed with the Recorder of Deeds of Lancaster County, Pennsylvania, demonstrating the price paid for the land within the proposed development.
- 523.6.3 If the applicant purchased the land within the proposed development in separate, smaller parcels, or if the applicant acquired the land within the proposed development more than 12 months prior to the filing of the final plan, the applicant shall present the Township with an appraisal, performed by a Member of the Appraisal Institute of the American Institute of Real Estate Appraisers (MAI), of the entire tract of land being developed. The appraisal shall compute the fair market value as if the applicant were to transfer the parcel to a successor developer. The appraisal shall specifically consider the zoning classification of the tract, the total land area of the tract, and the intensity of development which is permitted upon the tract by the applicable zoning. The appraisal shall be prepared at the applicant's expense. If the Township in its sole discretion is not satisfied with the information set forth in the appraisal, the applicant at the applicant's sole expense, shall provide a second appraisal to the Township which meets the requirement of this Section.
- 523.6.4 It is the responsibility of the applicant to furnish any information which applicant considers pertinent to the determination of the fair market value of the land to the Township.
- 523.6.5 The Board of Supervisors shall establish the fair market value per acre of the land at a public meeting using the data submitted by the applicant in accordance with the requirements of this Section.

The above section was amended by Ordinance 6-19-07-2

CHAPTER 22**PART 6****MOBILE HOME PARK****§601. GENERAL.**

The standards and requirements contained in this Part shall apply as minimum design standards for mobile homes, mobile home lots and mobile home parks. Whenever other Township ordinances or regulations impose more restrictive standards and requirements than those contained herein, the more restrictive shall apply.

§602. PROCEDURE.

In addition to the requirements of this Part, all new mobile home parks and expansions to mobile home parks shall follow the procedure specified in this Ordinance for Preliminary Plans and Final Plans (see Part 3) and the Salisbury Township Mobile Home and Mobile Home Park Ordinance.

§603. AREA AND DENSITY REQUIREMENT.

- 603.1. Minimum Density Size. The minimum size of a mobile home park shall conform to the prevailing Salisbury Township Mobile Home and Mobile Home Park Ordinance.
- 603.2. Density. The maximum permitted density of a mobile home park shall conform to the prevailing Salisbury Township Mobile Home and Mobile Home Park Ordinance.
- 603.3. Mobile Home Lot Dimension. The minimum lot dimensions and density of a mobile home park shall conform to the prevailing Salisbury Township Mobile Home and Mobile Home Park Ordinance.
- 603.4. Mobile Home Unit Requirement:
- 603.4.1. Mobile Home Stand. Each mobile home lot shall be provided with a mobile home stand that is constructed to the prevailing Salisbury Township Mobile Home and Mobile Home Park Ordinance.
- 603.4.2. Address. All mobile homes shall be assigned a numerical identification. Identification numbers shall be sequential from the main entrance, and signed on each lot in a location that is easily visible from the front of the unit.

SUBDIVISION AND LAND DEVELOPMENT

§604. STREET.

Streets shall conform to the street standards of Section 502 and the prevailing Salisbury Township Mobile Home and Mobile Home Park Ordinance.

§605. ALLEY.

Alleys shall conform to the standards of Section 503.

§606. DRIVEWAY.

Driveways shall conform to Section 504. Driveways to all mobile homes must access onto the interior street or access drive system of the mobile home park. Direct driveway access to an existing adjoining public street is prohibited.

§607. ACCESS DRIVE.

Access drives shall conform to Section 505. Additionally, a tangential arc shall round the cart-way edge at all intersections of both streets and access drives with minimum radii of fifty-five (55) feet.

§608. RECREATION AND NON-LICENSED VEHICLE CROSSING.

Recreation and non-licensed vehicle crossings shall conform to Section 506.

§609. VEHICULAR PARKING FACILITY.

Off-street parking spaces shall comply with the Township Zoning Ordinance and Section 507 of this Ordinance.

§610. SIDEWALK.

Sidewalks shall comply with Section 509. Sidewalks shall be provided along both sides of streets and access drives and, where necessary, to connect mobile homes to parking compounds and service buildings.

§611. SANITARY SEWAGE DISPOSAL.

611.1. Mobile home parks shall be served by public sanitary sewer facilities.

- 611.2. Sanitary sewage disposal systems that are part of a mobile home park shall conform to Section 520.
- 611.3. Connection. All mobile home units shall be provided with individual riser pipes having a minimum inside diameter of four (4) inches; these shall be located on each mobile home stand and shall extend at least one (1) inch above the mobile home stand. The sewer riser pipe shall be sealed with a securely fastened plug or cap when the mobile home lot is unoccupied.
- 611.4. Protection. Adequate provision shall be made to protect sanitary sewers from storm water infiltration and damage. All sewer lines shall be constructed with materials and by methods approved by the Sewer Authority and PA DEP.

§612. WATER SUPPLY.

- 612.1. All mobile home parks shall be serviced by a public water supply system.
- 612.2. All water supply systems that are part of a mobile home park shall conform to Section 521.
- 612.3. Connection. All mobile home units and service buildings shall be connected to the water supply system. Individual water riser pipes having an inside diameter or not less than three-quarter ($\frac{3}{4}$) inches shall be provided for each mobile home stand and shall terminate no less than four (4) inches above the mobile home stand.
- 612.4. Protection of Water Lines. Adequate provisions shall be made to protect water service lines from damage, including a shut-off valve, below the frost line for each mobile home stand.

§613. STORM WATER MANAGEMENT.

Mobile home parks shall conform to the Storm Water Management standards specified in Section 615.

§614. FLOODPLAIN.

Mobile home parks shall conform to the floodplain standards specified in the Township Zoning Ordinance.

§615. WETLAND.

Mobile home parks shall conform to the wetland standards specified in Section 517.

SUBDIVISION AND LAND DEVELOPMENT

§616. STEEP SLOPE CONSERVATION.

All mobile home parks shall conform to the steep slope conservation standards specified in Section 519.

§617. REFUSE DISPOSAL.

Mobile home park refuse disposal sites shall be provided at locations which are not more than one hundred (100) feet from any mobile home space, and no less than fifty (50) feet from the mobile home park boundary. Containers shall be provided in sufficient number and capacity to properly store all refuse.

- 617.1. Community refuse disposal sites shall be screened with densely planted evergreens or other thick foliage, solid or closely woven fences, stone walls or planted earth berms.
- 617.2. The storage area shall be provided with a minimum six (6) inch thick poured concrete slab over a minimum six (6) inch stone base. The concrete slab shall be certified to develop a compressed stress of at least three thousand, five hundred (3,500) P.S.I. at twenty-eight (28) days.
- 617.3. The storage, collection and disposal of refuse in the mobile home park shall be so managed as to create no health hazards, rodent harborage, insect-breeding areas, accident, fire or air pollution. All refuse shall be stored in fly-tight, watertight, rodent-proof containers.
- 617.4. Racks or holders shall be provided for all refuse containers. Such containers shall be so designed as to prevent tipping, to minimize spillage and container deterioration, and to facilitate cleaning around them.
- 617.5. All refuse shall be collected at least once weekly and comply with current recycling requirements. Where suitable collection service is not available, the mobile home park operator shall provide this service. All refuse shall be collected and transported in enclosed vehicles or containers.

§618. EXTERIOR LIGHTING.

Streets, access drives, driveways, and walkways shall be lighted at night with an average illumination of at least 0.2 footcandles. Lighting fixtures shall be so spaced and so equipped as to provide adequate levels of illumination throughout the mobile home park for the safe movement of vehicles and pedestrians. Lighting fixtures shall be shielded to avoid glare on adjacent properties and streets.

§619. LANDSCAPING.

Landscaping shall be provided within the fifty (50) foot wide setback area located along the perimeter of the mobile home park. This area shall conform to Section 518.4.

§620. EASEMENT.

Easements located within a mobile home park shall conform to Section 513.

§621. SURVEY MONUMENT AND MARKER.

All mobile home parks shall conform to monumentation specified in Section 514.

§622. PARK AND OPEN SPACE PROVISION.

All mobile home parks shall conform to the park and open space provisions of Section 523.

CHAPTER 22

PART 7

ADMINISTRATION

§701. GENERAL.

This Part outlines the procedures for enforcement and amendment of this Ordinance, as well as procedures for challenges and appeals of decisions rendered under this Ordinance.

§702. INTERPRETATION.

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the health, safety and general welfare of the residents of the Township.

In interpreting the language of this Ordinance, to determine the extent of the restriction upon the use of the property, the language shall be interpreted, where doubt exists as to the intended meaning of the language written and enacted by the governing body in favor of the property owner and against any implied extension of the restriction.

§703. AMENDMENT.

Amendments to this Ordinance shall become effective only after a public hearing held pursuant to public notice in the manner prescribed for enactment of a Subdivision and Land Development Ordinance in the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as reenacted and amended by Act 170 of 1988, and as subsequently amended.

§704. WAIVER.

The provisions of this Ordinance are intended as minimum standards for the protection of the public health, safety and welfare. The Board of Supervisors may modify any mandatory provision of these regulations in accordance with the provisions of Section 207.

§705. CHALLENGE AND APPEAL.

The decision of the Board of Supervisors may be appealed, as provided for in the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as reenacted and amended by Act 170 of 1988, and as subsequently amended.

§706. FEE AND CHARGE.

The Township may impose fees and charges to recover all costs incurred in the administration of this Ordinance. All fees and charges shall be adopted by resolution or ordinance. These fees shall include, but not be limited to, an application fee; fees for the review of the plans, studies, financial security, and associated documentation by the Township Engineer, Township Solicitor or other professional consultant; fees for the inspection of improvements installed in connection with development authorized by a plan; and fees for the acceptance of dedication of improvements.

Such review fees shall be reasonable and in accordance with the ordinary and customary charges by the Township Engineer or consultant for similar service in the community, but in no event shall the fees exceed the rate or cost charged by the Township Engineer or consultant to the municipality when fees are not reimbursed or otherwise imposed on applicants.

In the event the applicant disputes the amount of any such review fees, the applicant shall, within fourteen (14) days of the applicant's receipt of the bill, notify the Supervisors that such fees are disputed, in which case the Township shall not delay or disapprove a subdivision or land development application due to the applicant's request over disputed fees.

In the event that the Supervisors and the applicant cannot agree on the amount of review fees which are reasonable and necessary, then the applicant and the Supervisors shall follow the procedure dispute resolution set forth in Section 510(g) of the Pennsylvania Municipalities Planning Code, provided that the professionals resolving such dispute shall be of the same profession or discipline as the consultants whose fees are being disputed.

(The above 3 paragraphs were added as per Ordinance 8-7-01-1)

§707. VIOLATION.

Any person, partnership or corporation, or the members of such partnership, or the officers of such corporation, who or which, being the owner or agent of the owner of any lot, tract or parcel of land, shall:

- 707.1. Lay out, construct, open and/or dedicate any street, sanitary sewer, storm sewer, water main or other improvement for public use, travel or other purposes or for the common use of occupants of buildings abutting thereon, or
- 707.2. Sell, transfer or agree or enter into an agreement to sell or transfer any land in a subdivision or land development, whether by reference to, or by use of, a plan of such subdivision or land development or otherwise; or
- 707.3. Erect any building or buildings which constitute a land development thereon; or
- 707.4. Commence site grading or construction of improvements before recording of a Final Plan, unless such grading or construction is for the sole purpose of installing improvements as prescribed in Section 403.

SUBDIVISION AND LAND DEVELOPMENT

unless, and until, a Final Plan has been prepared in full compliance with the provisions of this Ordinance, and has been recorded as provided herein, or who, or which, in any other way is in violation of, or violates any of the provisions of, this Ordinance, shall be subject to the penalties and remedies set forth in Section 708.

§708. PENALTY AND REMEDY FOR VIOLATION.

District Justices shall have initial jurisdiction in proceedings brought under this Ordinance.

In addition to other remedies, the Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties, or from the remedies herein provided.

The Township may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed, or which has resulted from a subdivision of real property in violation of this Ordinance. The authority to deny such a permit or approval shall apply to any of the following:

- 708.1. The owner of record at the time of such violation.
- 708.2. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
- 708.3. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
- 708.4. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee, or lessee for the development of any such real property, the Township may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

Any person, partnership or corporation who or which has violated the provisions of this Ordinance, upon being found liable thereof in a civil enforcement proceeding commenced by the Township, must pay a judgment of not more than five hundred dollars (\$500), plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or be payable, until the date of the determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, the Salisbury Township may enforce the judgment pursuant to the applicable rules of civil pro-

cedure. 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 (1) such violation until the fifth (5th) 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 of 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.

No person shall proceed with any site grading or construction of improvements prior to recordation of a Final Plan, unless such grading or construction is for the sole purpose of installing the public improvements, as prescribed in Section 204.8., Compliance With Conditions of Approval.

No deeds shall be executed or recorded for lots, nor shall the construction of any structure be initiated, before the Board of Supervisors has approved the Final Plan, and such Plan is recorded with the office of the Lancaster County Recorder of Deeds.

§709. RECORDER CUSTODY.

The Township shall keep an accurate, public record of its findings, decisions and recommendations relevant to all applications filed with it for review or approval.

§710. VALIDITY.

Should any section, subsection or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decisions shall not affect the validity of the Ordinance as a whole, or of any other part thereof.

§711. CONFLICT.

Whenever there is a difference between the standards specified herein and those included in other applicable regulations, the more stringent requirement shall apply.

§712. REPEAL.

The Subdivision and Land Development Ordinance of the Township of Salisbury, enacted in 1979, and as subsequently amended, is hereby repealed in total; provided, however, that this

SUBDIVISION AND LAND DEVELOPMENT

repeal shall in no manner be construed as a waiver, release or relinquishment of the right to initiate, pursue, or prosecute, as the case may be, any proceeding at law or in equity pertaining to any act done which would have constituted a violation of the Salisbury Township Subdivision and Land Development Ordinance of 1975, as amended. All provisions of the Salisbury Township Subdivision and Land Development Ordinance of 1975, as amended, shall remain in full force and effect, and are not repealed hereby, as they pertain to such acts, and to the processing of such plans filed prior to the effective date of this Ordinance which are protected from the effect of intervening ordinances by Section 508(4) of the Pennsylvania Municipalities Planning Code.

§713. ERRONEOUS APPROVAL.

An approval issued in violation of the provisions of the Ordinance is void without the necessity of any proceedings for revocation. Any work undertaken pursuant to such an approval is unlawful. No action may be taken by a board, agency, or employee of the Township purporting to validate such a violation.

§714. ADOPTION AND EFFECTIVE DATE.

This Subdivision and Land Development Ordinance shall become effective five (5) days after its enactment by the Board of Supervisors of Salisbury Township, County of Lancaster, Commonwealth of Pennsylvania.

This Ordinance, ordained and enacted this _____ day of _____, 2000.

BOARD OF SUPERVISORS OF SALISBURY TOWNSHIP

By: _____
Chairman

Vice-Chairman

Secretary-Treasurer

ATTESTED:

Secretary

(SEAL)

CHAPTER 22

PART 8

APPENDICES

APPENDIX NO. 1

STATEMENT OF ACCURACY

SURVEY DATA

I hereby certify that, to the best of my knowledge, the survey and plan shown and described hereon is true and correct to the accuracy required by the Salisbury Township Subdivision and Land Development Ordinance. The error of closure is no greater than one foot in ten thousand feet.

_____, 20____ * _____

*Signature and seal of the registered land surveyor responsible for the preparation of the plan.

GENERAL PLAN/REPORT DATA

I hereby certify that, to the best of my knowledge, the * _____ shown and described hereon is true and correct to the accuracy required by the Salisbury Township Subdivision and Land Development Ordinance.

_____, 20____ ** _____

*Title of Plan/Report Data

** Signature and seal of the registered land surveyor responsible for the preparation of the plan.

(See Sections 302.6. and 303.6.)

APPENDIX NO. 2

STATEMENT OF OWNERSHIP, ACKNOWLEDGMENT OF PLAN, AND OFFER OF DEDICATION

INDIVIDUAL

On this, the _____ day of _____, 20____, before me, the undersigned officer, personally appeared _____, who being duly sworn according to law, disposes and says that he/she is the _____ of the property shown on this plan, that the plan thereof was made at his/her direction, that he/she acknowledges the same to be his/her act and plan, that he/she desires the same to be recorded, and that all streets and other property identified as proposed public property (excepting those areas labeled “NOT FOR DEDICATION”) are hereby dedicated to the public use.

CO-PARTNERSHIP

On this, the _____ day of _____, 20____, before me, the undersigned officer, personally appeared _____, being one of the firm of _____, who being duly sworn according to law, disposes and says that the co-partnership is the _____ of the property shown on this plan, that the plan thereof was made at its direction, that it acknowledges the same to be its act and plan, that it desires the same to be recorded, and that all streets and other property identified as proposed public property (excepting those areas labeled “NOT FOR DEDICATION”) are hereby dedicated to the public use.

CORPORATE

On this, the _____ day of _____, 20____, before me, the undersigned officer, personally appeared _____, being _____ of _____, the _____ of the property shown on this plan, that he/she is authorized to execute said plan on behalf of the corporation, that the plan is the act and deed of the corporation, that the corporation desires the same to be recorded, and on behalf of the corporation further acknowledges that all streets and other property identified as proposed public property (excepting those areas labeled “NOT FOR DEDICATION”) are hereby dedicated to the public use.

(See Section 303.6.)

APPENDIX NO. 3

PLANNING COMMISSION REVIEW STATEMENT

At a meeting on _____, 20____, the Salisbury Township Planning Commission reviewed this plan.

SALISBURY TOWNSHIP PLANNING COMMISSION

Chairman or Designee

RECORDER OF DEEDS CERTIFICATE

Recorded in the Office of the Recorder of Deeds, in and for Lancaster County, Pennsylvania, in Subdivision Plan Book _____, Volume _____, Page _____.

Witness my hand and seal of office this _____ day of _____, 20____.

Recorder

APPENDIX NO. 4

PRELIMINARY PLAN APPROVAL STATEMENT

At a meeting on _____, 20____, the Board of Supervisors of Salisbury Township granted PRELIMINARY PLAN APPROVAL of this project, including the complete set of plans marked sheet(s) _____ through _____, which form a part of the application dated _____, 20____, last revised _____, 20____. This plan may not be recorded in the office of the Lancaster County Recorder of Deeds, nor may any construction be initiated.

SALISBURY TOWNSHIP BOARD OF SUPERVISORS

Chairman or Designee

ATTEST:

Salisbury Township Secretary

(See Section 302.6.)

APPENDIX NO. 5

FINAL PLAN APPROVAL STATEMENT

At a meeting on _____, 20____, the Board of Supervisors of Salisbury Township granted FINAL PLAN APPROVAL of this project, based upon its conformity with the standards of the Salisbury Township Subdivision and Land Development Ordinance, and all conditions of approval have been met. This approval includes the complete set of plans/reports that are filed with the Township and available for public review.

SALISBURY TOWNSHIP BOARD OF SUPERVISORS

Chairman or Designee

ATTEST:

Salisbury Township Secretary

(See Section 303.6.)

APPENDIX NO. 6

SALISBURY TOWNSHIP

APPLICATION FOR CONSIDERATION OF A SUBDIVISION AND/OR LAND DEVELOPMENT PLAN

<i>(For Township Use Only)</i>		
Township File No.: _____	Date of Filing: _____	Deadline for Action: _____
Date of Revisions: _____	Date of Revisions: : _____	
Date of Revisions: _____	Date of Revisions: : _____	

The undersigned hereby applies for approval under the Salisbury Township Subdivision and Land Development Ordinance for the Plan, submitted herewith and described below:

1. Plan Name: _____

2. Plan No. : _____ Plan Date: _____
Project Location: _____

3. Name of Property Owner(s): _____
Address: _____ Phone No.: _____

4. Land Use and Number of Lots and/or Units (indicate answer by number of lots or units):

_____ Single-Family (Detached)	_____ Commercial
_____ Multi-Family (Attached - Sale)	_____ Industrial
_____ Multi-Family (Attached - Rental)	_____ Institutional
_____ Mobile Home Park	_____ Other (please specify) _____

5. Total Acreage: _____

6. Application Classification:

_____ Pre-Application Review Section 202)	_____ Revised Preliminary Plan (Sections 203.7. & 203.9.)
_____ Preliminary Plan (Section 203)	_____ Revised Final Plan (Section 204.8. & 204.11.)
_____ Final Plan (Section 204)	

7. Name of Applicant (if other than owner): _____
Address: _____ Phone No.: _____

8. Firm Which Prepared Plan: _____
Address: _____ Phone No.: _____
Person Responsible for Plan: _____

9. Is a Zoning Variance, Special Exception, Conditional Use, or Waiver approval requested? _____ If yes, please specify.

10. Type of Water Supply Proposed:
____ Individual ____ Public ____ Semi-Public ____ Capped

11. Type of Sanitary Sewage Disposal Proposed:
____ Individual ____ Public ____ Semi-Public ____ Capped

12. Lineal Feet of New Street: _____

13. Sewer Facilities Plan Revision or Supplement Number _____ and Date Submitted _____

The undersigned hereby represents that, to the best of his/her knowledge and belief, all information listed above is true, correct and complete.

Date: _____
Signature of Landowner or Applicant

Revision Date: _____
Signature of Landowner or Applicant

Revision Date: _____
Signature of Landowner or Applicant

Revision Date: _____
Signature of Landowner or Applicant

Revision Date: _____
Signature of Landowner or Applicant

(See Sections 301, 302.6. and 303.6.)

APPENDIX NO. 7

SALISBURY TOWNSHIP

APPLICATION FOR CONSIDERATION OF A WAIVER

<i>(For Township Use Only)</i>
Plan No.: _____
Date of Receipt/Filing: _____

The undersigned hereby applies for approval of a waiver, submitted herewith and described below:

1. Name of Project: _____

2. Project Location: _____

3. Name of Property Owner(s): _____

Address: _____ Phone No.: _____

4. Name of Applicant (if other than owner): _____

Address: _____ Phone No.: _____

5. Specify section(s) of the Salisbury Township Subdivision and Land Development Ordinance for which a Waiver is requested:

6. The proposed alternative to the requirement: _____

APPENDIX NO. 8

ACCEPTANCE OF CONDITIONS UPON APPROVAL OF SUBDIVISION AND/OR LAND DEVELOPMENT PLAN

I have reviewed the conditions imposed by the (Planning Commission/Board of Supervisors) of Salisbury Township upon the approval of the subdivision and/or land development plan entitled _____

prepared by _____, dated _____, 20____, last revised _____, 20____. In my capacity as landowner/landowner's agent, and being authorized to do so, and intending to be legally bounded, I hereby accept the imposition of the conditions attached hereto as part of the approval of the above-described subdivision and/or land development plan. If signing as agent, I expressly state that I have been authorized to agree to the conditions imposed upon the approval of the above-described subdivision and/or land development plan.

Date: _____

(Signature)

[Printed Name]

APPENDIX NO. 9

STANDARD PLAN FORMAT

APPENDIX NO. 10

SALISBURY TOWNSHIP

APPLICATION FOR INSTALLATION OF PUBLIC IMPROVEMENTS

<i>(For Township Use Only)</i>
Plan No.: _____
Date of Receipt/Filing: _____

The undersigned hereby applies for approval to construct public improvements in conjunction with conditional Final Plan approval:

1. Name of Project: _____

2. Project Location: _____

3. Name of Property Owner(s): _____

Address: _____ Phone No.: _____

4. Name of Applicant (if other than owner): _____

Address: _____ Phone No.: _____

5. Specify the specific public improvements for construction:

The undersigned hereby represents that, to the best of his knowledge and belief, all information listed above is true, correct and complete.

Date: _____ Signature: _____