



YORK TOWNSHIP

SUBDIVISION
AND
LAND DEVELOPMENT
ORDINANCE

Adopted 9/11/2012
Ordinance 2012-12
Amended 10/28/2013
Ordinance 2013-7

Table of Contents

ARTICLE I APPLICABILITY, AUTHORITY, TITLE & PURPOSE	1
SECTION 101. APPLICABILITY	1
SECTION 102. SHORT TITLE	1
SECTION 103. LEGAL AUTHORITY.....	1
SECTION 104. PURPOSE	2
SECTION 105. YORK COUNTY REVIEW OF PLANS.....	3
SECTION 106. INTERPRETATION	3
SECTION 107. ERRONEOUS PERMIT.....	4
ARTICLE 2 REFERENCES	5
SECTION 201. YORK TOWNSHIP ZONING ORDINANCE	5
SECTION 202. YORK TOWNSHIP COMPREHENSIVE PLAN UPDATE A SUSTAINABLE COMMUNITY PLAN	5
SECTION 203. YORK TOWNSHIP FLOODPLAIN MANAGEMENT ORDINANCE	5
SECTION 204. YORK TOWNSHIP STORMWATER MANAGEMENT ORDINANCE	5
SECTION 205. YORK TOWNSHIP TRANSPORTATION IMPACT FEE ORDINANCE.....	5
SECTION 206. YORK TOWNSHIP CONSTRUCTION MATERIALS & SPECIFICATIONS	5
SECTION 207. YORK TOWNSHIP WATER & SEWER AUTHORITY CONSTRUCTION AND MATERIAL SPECIFICATIONS FOR SANITARY SEWERS AND PLAN, DESIGN, AND CONSTRUCTION STANDARDS FOR SANITARY SEWERS	5
SECTION 208. YORK TOWNSHIP COMPREHENSIVE RECREATION, PARKS AND GREENWAY PLAN.....	5
SECTION 209. YORK TOWNSHIP FEE SCHEDULE RESOLUTION	5
SECTION 210. YORK TOWNSHIP OFFICIAL MAP ORDINANCE	6
SECTION 211. INTERNATIONAL FIRE CODE.....	6
SECTION 212. PENNSYLVANIA STORMWATER BEST MANAGEMENT PRACTICES MANUAL.....	6
SECTION 213. PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION “PA-DEP” EROSION AND SEDIMENT POLLUTION CONTROL PROGRAM MANUAL	6
SECTION 214. PENNSYLVANIA MUNICIPALITIES PLANNING CODE.....	6
SECTION 215. PENNSYLVANIA DEPARTMENT OF TRANSPORTATION “PENNDOT” PUBLICATIONS AS NECESSARY.....	6
SECTION 216. AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS “AASHTO” GUIDE FOR THE DEVELOPMENT OF BICYCLE FACILITIES.....	6
SECTION 217. CODORUS CREEK NONPOINT SOURCE POLLUTION CONTROL WATERSHED IMPLEMENTATION PLAN, YORK COUNTY, PENNSYLVANIA JULY 2007	7

Table of Contents

SECTION 218. CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL JANUARY 1987.	7
ARTICLE 3 PLAN SUBMISSION AND PROCESSING PROCEDURES AND SPECIFICATIONS	7
SECTION 301. GENERAL	8
SECTION 302. PRE-APPLICATION CONSULTATION (OPTIONAL) AND/OR SKETCH PLAN (OPTIONAL)	9
SECTION 303. REVISED SUBDIVISION OR LAND DEVELOPMENT PLAN PROCEDURES AND SPECIFICATIONS	10
SECTION 304. LOT LINE ADJUSTMENT PLAN APPLICATION PROCEDURES AND SPECIFICATIONS.....	11
SECTION 305. MINOR PLAN APPLICATION PROCEDURES AND SPECIFICATIONS	14
SECTION 306. RESIDENTIAL CONSERVATION DEVELOPMENT PLAN PROCEDURES AND SPECIFICATIONS ..	15
SECTION 307. PRELIMINARY PLAN APPLICATION PROCEDURES	20
SECTION 308. PRELIMINARY PLAN SPECIFICATIONS.....	22
SECTION 309. FINAL PLAN APPLICATION PROCEDURES	30
SECTION 310. FINAL PLAN SPECIFICATIONS	33
SECTION 311. WATERCOURSE RESTORATION PLAN.....	40
SECTION 312. FLOODPLAIN MANAGEMENT REPORT AND PLAN REQUIREMENTS	41
SECTION 313. WATER SUPPLY FEASIBILITY REPORT	42
SECTION 314. SANITARY SEWAGE DISPOSAL FEASIBILITY REPORT	42
SECTION 315. STREET CLASSIFICATION REPORT.....	43
SECTION 316. TRAFFIC IMPACT REPORT.....	44
SECTION 317. WETLANDS REPORT AND PLAN REQUIREMENTS.....	48
SECTION 318. PHASE I ENVIRONMENTAL SITE ASSESSMENT (PESA).....	49
SECTION 319. ELECTRONIC SUBMISSION REQUIREMENT	50
APPENDIX 3-A CERTIFICATION OF PLAN ACCURACY.....	51
APPENDIX 3-B CERTIFICATION OF SURVEY ACCURACY.....	51
APPENDIX 3-C PROPERTY CORNER CERTIFICATION	51
APPENDIX 3-D CERTIFICATE OF OWNERSHIP, ACKNOWLEDGEMENT OF PLAN AND OFFER OF DEDICATION (INDIVIDUAL).....	52
APPENDIX 3-E CERTIFICATE OF OWNERSHIP, ACKNOWLEDGEMENT OF PLAN AND OFFER OF DEDICATION (PARTNERSHIP)	53
APPENDIX 3-F CERTIFICATE OF OWNERSHIP, ACKNOWLEDGEMENT OF PLAN AND OFFER OF DEDICATION (CORPORATION).....	54
APPENDIX 3-G YORK COUNTY PLANNING COMMISSION REVIEW CERTIFICATE	55
APPENDIX 3-H YORK TOWNSHIP PLANNING COMMISSION REVIEW CERTIFICATE	55

Table of Contents

APPENDIX 3-I YORK TOWNSHIP BOARD OF COMMISSIONERS FINAL APPROVAL CERTIFICATE	55
APPENDIX 3-J RECORDER OF DEEDS CERTIFICATE	55
APPENDIX 3-K STORMWATER MANAGEMENT SITE PLAN ACCURACY	56
APPENDIX 3-L LANDSCAPE PLAN ACCURACY	56
APPENDIX 3-M CERTIFICATE OF WATERCOURSE RESTORATION PLAN ACCURACY	56
APPENDIX 3-N EROSION AND SEDIMENT CONTROL PLAN ACCURACY	57
APPENDIX 3-O FLOODPLAIN MANAGEMENT REPORT ACCURACY	57
APPENDIX 3-P PHASE I ENVIRONMENTAL SITE ASSESSMENT ACCURACY	57
APPENDIX 3-Q APPLICATION FOR A SUBDIVISION AND/OR LAND DEVELOPMENT PLAN	58
APPENDIX 3-R APPLICATION FOR CONSIDERATION OF A WAIVER/MODIFICATION	61
ARTICLE 4 IMPROVEMENT AND MAINTENANCE GUARANTEES	63
SECTION 401. GENERAL STATEMENT	63
SECTION 402. FINANCIAL SECURITY FOR IMPROVEMENT GUARANTEE	63
SECTION 403. INSPECTION OF IMPROVEMENTS DURING CONSTRUCTION	67
SECTION 404. MAINTENANCE OF STREETS	69
SECTION 405. CONSTRUCTION IN ACCORDANCE WITH PLANS	69
SECTION 406. AS BUILT PLANS	69
SECTION 407. DEDICATION OF IMPROVEMENTS	70
SECTION 408. MAINTENANCE GUARANTEE	71
ARTICLE 5 DESIGN AND IMPROVEMENT STANDARDS	72
SECTION 501. PURPOSE	72
SECTION 503. SITE DESIGN	72
SECTION 504. BLOCKS	73
SECTION 505. LOTS AND PARCEL CONFIGURATION	73
SECTION 506. STREET SYSTEM DESIGN AND CONSTRUCTION	75
SECTION 507. SIDEWALKS	94
SECTION 508. CURBS AND REINFORCED SHOULDERS	95
SECTION 509. PARKING LOTS	96
SECTION 510. STREET SIGNS, NAMES AND NUMBERING	98
SECTION 511. LIGHTING	98
SECTION 512. DRIVEWAYS AND ACCESS DRIVES	99

Table of Contents

SECTION 513. MONUMENTS AND MARKERS.....	104
SECTION 514. WATER SUPPLY.....	105
SECTION 515. SEWAGE SERVICE FACILITIES.....	106
SECTION 516. GRADING AND EARTH DISTURBANCE ACTIVITIES.....	109
SECTION 517. COMMON FACILITIES	110
SECTION 518. REFUSE COLLECTION STATIONS	112
SECTION 519. PUBLIC DEDICATION OF PARK AND RECREATION LAND.....	112
SECTION 520. UTILITIES.....	113
SECTION 521. EASEMENTS.....	114
SECTION 522. STEEP SLOPES.....	115
SECTION 523. FIRE APPARATUS ACCESS ROADS AND FIRE HYDRANTS	118
SECTION 524. YORK TOWNSHIP CONSTRUCTION AND MATERIALS SPECIFICATIONS.....	118
SECTION 525. YORK TOWNSHIP WATER AND SEWER AUTHORITY AND THE CONSTRUCTION AND MATERIAL SPECIFICATIONS FOR SANITARY SEWERS AND PLAN, DESIGN, AND CONSTRUCTION STANDARDS FOR SANITARY SEWERS.....	119
ARTICLE 6 LANDSCAPING	120
SECTION 601. PURPOSE	120
SECTION 602. GENERAL	120
SECTION 603. GENERAL STANDARDS	120
SECTION 604. LANDSCAPE PLAN REQUIREMENTS	122
SECTION 605. PLANT MATERIAL SIZE AND SPACING REQUIREMENTS.....	122
SECTION 606. GUARANTEE AND MAINTENANCE	123
SECTION 607. EXISTING TREE PRESERVATION.....	124
SECTION 608. TREE PROTECTION STANDARDS.....	124
SECTION 609. STREET TREES.....	125
SECTION 610. BUFFERS AND SCREENS	126
SECTION 611. PARKING LOT LANDSCAPING DESIGN.....	130
SECTION 612. LANDSCAPING AND STORMWATER BEST MANAGEMENT PRACTICES.....	131
APPENDIX 6-A.....	134
ARTICLE 7 GREENWAY CORRIDORS AND RIPARIAN BUFFERS	139
SECTION 701. GENERAL STATEMENT.....	139

Table of Contents

SECTION 702. GREENWAY CORRIDORS	139
SECTION 703. RIPARIAN BUFFERS/RIPARIAN FOREST BUFFERS.....	140
SECTION 704. TRAILS	141
SECTION 705. TRAIL CONSTRUCTION SPECIFICATIONS.....	142
ARTICLE 8 MANUFACTURED/MOBILE HOME PARK REGULATIONS.....	144
SECTION 801. PURPOSE	144
SECTION 802. PLAN REQUIREMENTS AND PROCESSING PROCEDURE	144
SECTION 803. DESIGN STANDARDS AND OTHER REQUIREMENTS.....	144
SECTION 804. WATER SUPPLY.....	146
SECTION 805. SEWAGE DISPOSAL.....	146
SECTION 806. STORMWATER MANAGEMENT, EROSION AND SEDIMENT CONTROL, AND FLOODPLAIN MANAGEMENT.....	146
SECTION 807. REFUSE COLLECTION STATIONS	146
SECTION 808. RECREATION FACILITIES	146
SECTION 809. IMPROVEMENT AND CONSTRUCTION REQUIREMENTS.....	147
SECTION 810. FEES.....	147
SECTION 811. INSPECTION OF MANUFACTURED/MOBILE HOME PARKS	147
SECTION 812. MANUFACTURED/MOBILE HOME PLACEMENT AND REMOVAL	147
SECTION 813. MODIFICATION OF REQUIREMENTS	147
SECTION 814. ENFORCEMENT, AMENDMENTS, REMEDIES, SEVERABILITY, AND REPEALER.....	147
ARTICLE 9 FEES.....	149
SECTION 901. FEES.....	149
SECTION 902. REVIEW AND INSPECTION FEES	149
SECTION 903. OTHER FEES.....	150
ARTICLE 10 WAIVER OR MODIFICATION OF REQUIREMENTS	151
SECTION 1001. GENERAL STATEMENT.....	151
SECTION 1002. PROCEDURE FOR REQUESTING WAIVER OR MODIFICATION OF PROVISIONS OF THIS ORDINANCE.....	151
ARTICLE 11 DEFINITIONS.....	152
SECTION 1101. DEFINITIONS.....	152
ARTICLE 12 ENFORCEMENT, AMENDMENTS, REMEDIES, APPEALS, SEVERABILITY AND REPEALER.....	165

Table of Contents

SECTION 1201. ADMINISTRATION AND ENFORCEMENT	165
SECTION 1202. AMENDMENTS	165
SECTION 1203. REMEDIES AND JURISDICTION	167
SECTION 1204. APPEALS	168
SECTION 1205. INTERPRETATION AND APPLICATION OF PROVISIONS.	168
SECTION 1206. CONSTRUCTION	168
SECTION 1207. SEVERABILITY	168
SECTION 1208. REPEALER	168
SECTION 1209. CODIFICATION STATEMENT	169
SECTION 1210. ENACTMENT.....	169

Article 1 – Applicability, Authority, Title & Purpose

ARTICLE I **APPLICABILITY, AUTHORITY, TITLE & PURPOSE**

SECTION 101. APPLICABILITY

The following Subdivision and Land Development Ordinance shall be in full force and effect including plan requirements and processing procedures, design standards, improvements and construction requirements, and conditions of acceptance of public improvements by York Township.

- A. No lot in a subdivision may be sold; no permit to erect or alter any building in a land development may be issued; and no building may be erected or altered in a land development, unless and until a Final Plan has been approved by the York Township Board of Commissioners “Commissioners” and recorded. No Final Plan shall be signed by the Commissioners for recording in the Office of the York County Recorder of Deeds unless the improvements required in connection therewith have been installed or guaranteed in the manner prescribed herein.
- B. Unit or condominium land development of real property is included within the meaning of land development as defined herein, and must comply with these regulations

SECTION 102. SHORT TITLE

This Ordinance may be known as "The York Township Subdivision and Land Development Ordinance of 2012" and may be referred to herein as the "Ordinance" or "this Ordinance."

SECTION 103. LEGAL AUTHORITY

No land development or subdivision of any lot, tract or parcel of land shall be made and no street, sanitary sewer, storm sewer, water main, or other improvements in connection therewith shall be laid out, constructed, opened, or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Ordinance.

- A. The authority for the control and regulation of subdivision and land development within the Township shall be as follows:
 - 1. Approval by the Commissioners. The Commissioners shall be vested with the authority to approve or disapprove all Subdivision and/or Land Development Plans.
 - 2. Review by the York Township Planning Commission “Township Planning Commission”. Plans for subdivision and/or land development shall be submitted to the Township Planning Commission for review and recommendation. Said submission shall take place before approval of any plans by the Commissioners. However, if a report is not received from the Township Planning Commission prior to the date on which the Commissioners are required to render a decision, the Commissioners may proceed without the report.
 - 3. Review by the York County Planning Commission “County Planning Commission”. Plans for subdivision and/or land development located within York Township shall be submitted to the County Planning Commission for review and report. Said submission shall take place before approval of any plans by the Township. However, if a report is not received from the County Planning Commission within thirty (30) days after submission, the Commissioners may proceed without the report.

Article 1 – Applicability, Authority, Title & Purpose

4. Review by the York Township Water and Sewer Authority “YTWSA”. Plans for Subdivision and/or Land Development located within York Township shall be submitted to the YTWSA for review. The YTWSA review will be for the purpose of determining the adequacy of the proposed sanitary sewer facilities. Said submission shall take place prior to action by the Township Planning Commission and/or Commissioners. However, if a report is not received from the YTWSA prior to the date on which the Commissioners are required to render a decision, the Commissioners may proceed without the report.

SECTION 104. PURPOSE

This Subdivision and Land Development Ordinance is adopted for the following purposes:

- A. To promote and protect the public health, safety and welfare.
- B. To promote orderly, efficient, integrated and harmonious development in the Township.
- C. To promote and encourage the use of renewable energy systems and energy-conserving building design.
- D. To require sites suitable for building purposes and human habitation in keeping with the standards of quality existing in the Township and to alleviate peril from fire, flood, erosion, water pollution, soil contamination, excessive noise, smoke, or other menace.
- E. To coordinate proposed streets and other improvements with existing or proposed streets, parks or other features or those proposed by the Official Map or Comprehensive Plan and to provide for stormwater management, water supply, sewage disposal and other appropriate utility services.
- F. To encourage preservation of adequate open spaces for recreation, light and air and maintenance of the natural amenities characteristic of the Township and its residential, commercial, agricultural, industrial, and public areas.
- G. To ensure conformance of subdivision and land development plans with the local, state and federal guidelines and requirements and to ensure coordination of intergovernmental improvement plans and programs.
- H. To secure equitable treatment of all subdivision and land development plans by providing uniform procedures and standards.
- I. To ensure that developments are environmentally sound by requiring preservation of the natural features of the areas to be developed to the greatest extent practicable, to maintain the economic well-being of the Township and to prevent unnecessary or undesirable blight, runoff and pollution.
- J. To secure the protection of water resources (both surface and subsurface), wetlands and other waters of this Commonwealth.
- K. To regulate the subdivision and development of land within any flood hazard area or floodplain district in order to promote the health, safety and welfare of the citizens of this and other municipalities;

Article 1 – Applicability, Authority, Title & Purpose

- L. To establish the standards by which streets shall be improved, and walkways, curbs, gutters, street lights, fire hydrants, potable water facilities, sewage disposal facilities, erosion and sediment control best management practices and stormwater best management practices and facilities, and other improvements shall be installed as a condition precedent to final approval of plans.
- M. To regulate the modification of the natural terrain and alterations of existing drainage from subdivisions and new land developments in order to minimize accelerated erosion and sediment pollution; to preserve stream channels, floodplains and water quality. The York Township Stormwater Management Ordinance provides the design, construction and maintenance information for Erosion and Sediment Control “E&S” and Stormwater Management “SWM” of the watersheds within the Township.
- N. To promote the preservation of agricultural lands within the Township.

SECTION 105. YORK COUNTY REVIEW OF PLANS

Applications for subdivision and land development located within York Township will be submitted, with the appropriate review fee, to the County Planning Commission for review and report. The Commissioners will not approve any subdivision or land development until the County Planning Commission review and report is received or until the expiration of thirty (30) days from the date the application was submitted to the County Planning Commission. As evidence of their review and report, officials of the County Planning Commission shall sign Final Plans which have been formally approved by the municipality before such plans are presented for recording.

SECTION 106. INTERPRETATION

Unless otherwise expressly stated, the succeeding shall, for the purposes of this Ordinance, be interpreted in the following manner:

- A. The provisions of this Ordinance shall be held to be the minimum requirements for the promotion of public health, safety, and general welfare;
- B. In any case where a provision of this Ordinance is found to conflict with any other reference identified in Article 2, or code of this municipality or law, rule or regulation of the Commonwealth of Pennsylvania “Commonwealth”, the provisions which establish the higher standard for the promotion and protection of the health and safety of the people shall prevail.
- C. Words used in the present tense imply the future tense, and vice versa.
- D. Words used in the singular imply the plural, and vice versa.
- E. Words of masculine gender include feminine gender, and vice versa.
- F. The words and abbreviations “include”, “includes,” “including,” “shall include,” “such as,” and “e.g.” are not limited to the specific example(s) given but are intended to extend the word’s or words’ meaning(s) to all other instances of like kind and character.
- G. The words “person”, “applicant”, or “developer” include; a partnership, corporation, or other legal entity, as well as an individual.

Article 1 – Applicability, Authority, Title & Purpose

- H. The words “shall”, “required”, or “must” are mandatory; the words “may” and “should” are permissive.

SECTION 107. ERRONEOUS PERMIT

Any permit or authorization issued or approved based on false, misleading or erroneous information provided by an applicant is void without the necessity of any proceedings for revocation. Any work undertaken or use established pursuant to such permit or authorization is unlawful. No action may be taken by a board, agency or employee of York Township purporting to validate such a violation.

Article 2 – References

ARTICLE 2 **REFERENCES**

The following References are to be used in conjunction with the York Township Subdivision and Land Development Ordinance. For purposes of this Ordinance, references below shall be read to require compliance with the provisions of the most current versions of same, as such versions become effective. All applications submitted for approval under the provisions of this Ordinance shall utilize the references listed below:

SECTION 201. YORK TOWNSHIP ZONING ORDINANCE

The Ordinance sets forth the requirements for land uses within the Township.

SECTION 202. YORK TOWNSHIP COMPREHENSIVE PLAN UPDATE A SUSTAINABLE COMMUNITY PLAN

The plan identifies community goals and objectives, analysis of trends, a vision of future development and implementation strategies.

SECTION 203. YORK TOWNSHIP FLOODPLAIN MANAGEMENT ORDINANCE

Areas along Waters of this Commonwealth are subject to the requirements of the Floodplain Ordinance, as amended, for land development, earth disturbance and/or building.

SECTION 204. YORK TOWNSHIP STORMWATER MANAGEMENT ORDINANCE

All areas of land development, earth disturbance and/or building within the Township are subject to the requirements of the York Township Stormwater Management Ordinance as amended.

SECTION 205. YORK TOWNSHIP TRANSPORTATION IMPACT FEE ORDINANCE

All applications submitted for approval under the provisions of this Ordinance shall comply with the York Township Transportation Impact Fee Ordinance, as amended.

SECTION 206. YORK TOWNSHIP CONSTRUCTION MATERIALS & SPECIFICATIONS

All public improvements/construction within the Township shall comply with the York Township Construction Materials and Specifications, as amended.

SECTION 207. YORK TOWNSHIP WATER & SEWER AUTHORITY CONSTRUCTION AND MATERIAL SPECIFICATIONS FOR SANITARY SEWERS AND PLAN, DESIGN, AND CONSTRUCTION STANDARDS FOR SANITARY SEWERS

The Construction and Materials Specifications provide the standards for design and construction of sanitary sewers within the Township.

SECTION 208. YORK TOWNSHIP COMPREHENSIVE RECREATION, PARKS AND GREENWAY PLAN

The plan provides guidance on parks, facilities, open space, recreation programs, operations and financing.

SECTION 209. YORK TOWNSHIP FEE SCHEDULE RESOLUTION

The resolution provides periodic updates of fees charged by the Township.

Article 2 – References

SECTION 210. YORK TOWNSHIP OFFICIAL MAP ORDINANCE

The map is a planning tool for potential future public improvements.

SECTION 211. INTERNATIONAL FIRE CODE

The code sets forth the minimum standards for fire safety.

SECTION 212. PENNSYLVANIA STORMWATER BEST MANAGEMENT PRACTICES MANUAL

The manual provides guidance for stormwater design, construction and maintenance.

SECTION 213. PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION “PA-DEP” EROSION AND SEDIMENT POLLUTION CONTROL PROGRAM MANUAL

The program sets forth guidelines for the protection of the soil and water resources of the Commonwealth.

SECTION 214. PENNSYLVANIA MUNICIPALITIES PLANNING CODE

This Code provides regulations for land use and development within the Township.

SECTION 215. PENNSYLVANIA DEPARTMENT OF TRANSPORTATION “PENNDOT” PUBLICATIONS AS NECESSARY

- A. TRAFFIC ENGINEERING MANUAL (Pub 46)
- B. TRAFFIC CONTROL-PAVEMENT MARKINGS AND SIGNING STANDARDS (Pub 111M)
- C. TRAFFIC STANDARDS-SIGNALS (Pub 148)
- D. PENNSYLVANIA’S TRAFFIC CALMING HANDBOOK (Pub 383)
- E. HIGHWAY CONSTRUCTION SPECIFICATIONS (Pub 408)
- F. GUIDE TO ROUNDABOUTS (Pub 414)
- G. STATEWIDE BICYCLE & PEDESTRIAN MASTER PLAN: BICYCLE GUIDELINES
- H. TEMPORARY TRAFFIC CONTROL GUIDELINES – SUPPLEMENTING FEDERAL HIGHWAY ADMINISTRATION’S MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD)
- I. ‘STATE HIGHWAY LAW’ - Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428)

SECTION 216. AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS “AASHTO” GUIDE FOR THE DEVELOPMENT OF BICYCLE FACILITIES

A guide for the safe design of bicycle travel.

Article 2 – References

SECTION 217. CODORUS CREEK NONPOINT SOURCE POLLUTION CONTROL WATERSHED IMPLEMENTATION PLAN, YORK COUNTY, PENNSYLVANIA JULY 2007

This PA-DEP 319 Watershed Improvement Program includes stream assessments, maps impaired stream reaches, identifies pollutant load reductions required to meet TMDL limits, prioritizes restoration efforts, and suggests management measures needed to achieve the watershed goals.

SECTION 218. CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL JANUARY 1987.

The document is used by PA-DEP to identify wetlands and demarcate their boundaries.

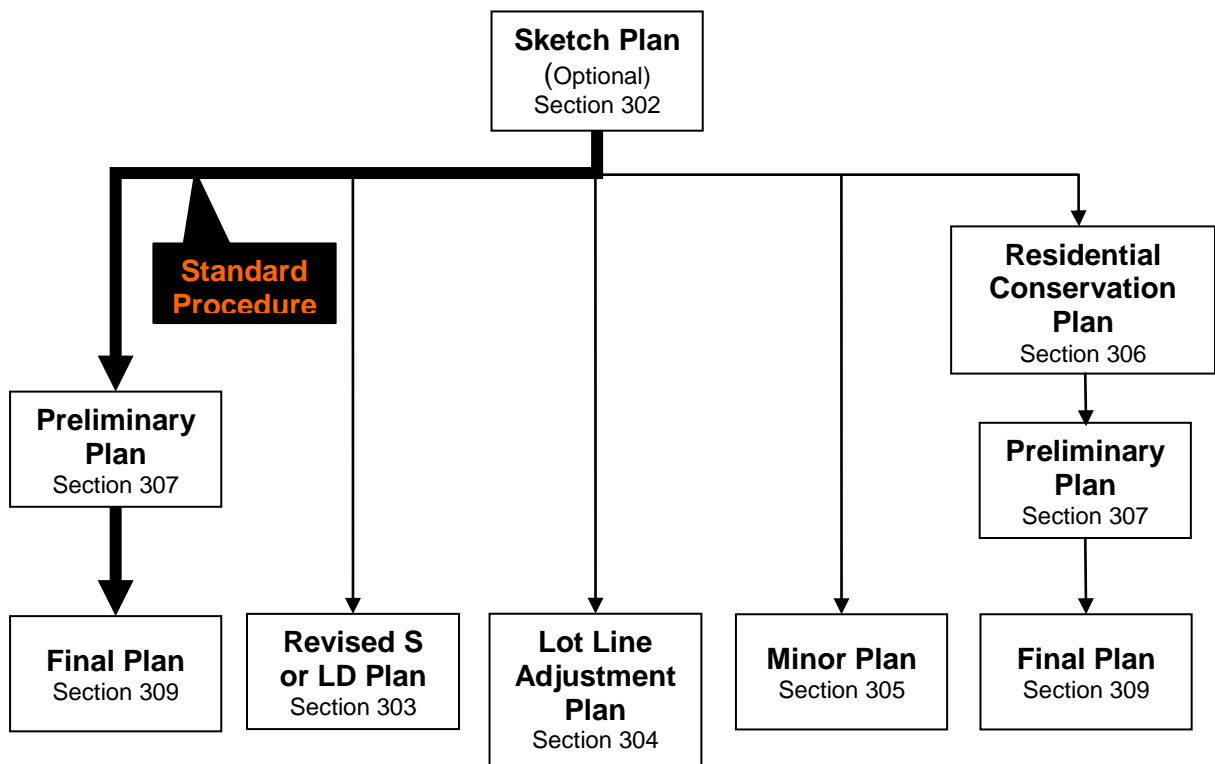
SECTION 219. AMERICAN SOCIETY OF CIVIL ENGINEERS, MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES (7-05).

The reference provides the ASCE/SEI requirements for general structural design.

**ARTICLE 3
PLAN SUBMISSION AND PROCESSING PROCEDURES AND SPECIFICATIONS**

SECTION 301. GENERAL

- A. Whenever a subdivision or land development is desired in York Township, a plan for the layout of such subdivision or land development shall be prepared, filed and processed according to the requirements of this Ordinance. Before acting on any land development plan, the Board of Commissioners may hold a public hearing.
- B. Each applicant shall follow the procedures for the submission and processing of plans and the specifications for such plans, as set forth in this Article.



- C. All applications for approval of a subdivision or land development plan (Lot Line Adjustment, Minor, Preliminary, Final) shall be made by the applicant filing an application form (Appendix 3-Q), together with the appropriate plans, studies, reports, supporting data, and required filing fee, with the Township.
- D. All applications shall be submitted to the Township on the first working day of the month. Within the first fifteen (15) days, the Township staff shall check the plans and documents to determine if they are administratively complete, are in proper form, contain all required information, and generally conform to this Ordinance.

Within the said fifteen (15) days, the Township staff shall accept the application as complete for filing or reject and return the application as incomplete to the applicant, due to the omission of any criteria required by this ordinance. Township staff shall report their findings, with a copy to the applicant.

Article 3 – Plan Submission and Processing Procedures and Specifications

302.A.2

Any such rejected plan shall not be considered to have been filed. Acceptance for filing shall not, however, constitute a waiver of any deficiencies or irregularities.

- E. The York Township Board of Commissioners, the York Township Planning Commission, and/or the York Township staff shall neither review nor approve plans which display a copyright notice, unless the owner of the copyright provides written permission to reproduce said plans in a form acceptable to the Township Solicitor, to the Township.
- F. The York Township Board of Commissioners, the York Township Planning Commission, and/or the York Township staff shall neither review nor approve plans which display notes that indicate that said plans are not ready for approval (e.g. “Not for Bid”, “Not for Construction”, etc).
- G. Lot Development Plan designs shall be consistent with the requirements of Sections 308 and 310.

SECTION 302. PRE-APPLICATION CONSULTATION (OPTIONAL) AND/OR SKETCH PLAN (OPTIONAL)

Any prospective applicant may schedule a meeting with the Township staff and/or request to attend a regularly scheduled Planning Commission meeting to discuss and review proposed plans and/or the provisions of this Ordinance.

Prior to any pre-application consultation with the Township staff, the applicant is strongly encouraged to submit a Sketch Plan to the Township staff for advice on the ordinance requirements and to achieve conformity with the standards of this and other applicable municipal ordinances, as well as to alert the applicant to other factors which must be considered in the design of the land development. Applicants are also encouraged to disclose and discuss any proposed waiver requests to the ordinance at the time of Sketch Plan submittal.

Submission of a Sketch Plan is optional and will not constitute formal filing of a Sketch Plan with the Township. In addition to addressing any pre-submission consultation comments of the staff, the Sketch Plan should include any features of the Township's Comprehensive Plan, Official Map, rights-of-way and easements, sensitive resources/features, and protected areas.

A site analysis should be provided which highlights man-made and natural features. The analysis should include general information pertaining to soil types and stability, wetlands, scenic vistas, watercourses, drainage patterns, slope, transportation patterns and systems including deficiencies of existing roadways, public utilities, recreational facilities, and any other features of the site and nearby areas which may be impacted by the proposed development and land use.

The amount of information should be proportional to the size and complexity of the proposed project. However, to facilitate the Township staff's accurate response, the applicant is encouraged to provide at least the following:

- A. Sketch Plan Identification.
 - 1. The project name, including “Sketch Plan”, property address, and municipality.
 - 2. The project developer or landowner's name and address.
 - 3. The name and address of the designer and/or firm that prepared the Sketch Plan.
 - 4. A location map with the outline of the property showing the nearest two street intersections, including a north arrow and written scale.

Article 3 – Plan Submission and Processing Procedures and Specifications

302.A.2

- B. Drafting Standards.
 - 1. Sketch Plans shall be prepared to identifiable scales sufficient to legibly show the information in Section 302. C.
 - 2. Elevations and/or lengths displayed in feet.
 - 3. Areas displayed in square feet and acres.
- C. Sketch Plan/Drawing Information.
 - 1. Two (2) foot contours. Existing contours from Light Detection and Ranging (LIDAR) are acceptable.
 - 2. Drainage area delineations.
 - 3. Known sensitive resources which would impact the net lot area of the subdivision and/or land development (including waters of this Commonwealth, floodplains, woodlands, steep slopes, etc.).
 - 4. Streets and utilities.
 - 5. Scale, north arrow and date of preparation.
 - 6. Municipal names and boundaries.
 - 7. Zoning district names and boundaries.
 - 8. A list of zoning requirements and proposed design such as areas, densities, setbacks, etc.
 - 9. Approximate tract boundaries.
 - 10. Approximate rights-of-way, easements, protected areas, street right-of-way lines and lot lines.
 - 11. Proposed land use(s) and location(s).
 - 12. Proposed methods of water supply and sewage disposal, and distances to each public sewer main and water supply facility.

SECTION 303. REVISED SUBDIVISION OR LAND DEVELOPMENT PLAN PROCEDURES AND SPECIFICATIONS

- A. Revised Subdivision or Land Development Plans. Subdivision and Land Development Plans meeting the following criteria shall be exempt from standard processing procedures:
 - 1. No lot or tract of land shall be created that does not meet the minimum design standards required by this Ordinance and existing Township regulations.
 - 2. No structure shall be relocated which does not meet the minimum design standards required by this Ordinance and existing Township regulations.
 - 3. No increase is made in the overall density.
 - 4. The stormwater best management practices (BMPs) and facilities are not altered in a manner which affects the discharge of stormwater.

Article 3 – Plan Submission and Processing Procedures and Specifications

5. Street locations and block sizes shall not be changed.
 6. The character and land use of the original application shall be maintained.
- B. Revised Subdivision or Land Development Plan Applications.
1. Revised Subdivision or Land Development Plans shall be submitted and processed as a Final Plans in accordance with Section 309.
 2. Application Requirements. Revised Subdivision or Land Development Plan applications shall include the following:
 - a. Ten (10) copies of the Revised Subdivision or Land Development Plan.
 - b. Three (3) copies of the application form (Appendix 3-Q).
 - c. Three (3) copies of any waiver/modification form (Appendix 3-R).
 - d. Required Township filing fee.
 - e. Notification of delivery to the York County Planning Commission.
- C. Plan Identification. Revised Subdivision or Land Development Plans shall be clearly labeled as a “Revised Final Subdivision or Land Development Plan” and shall be a reproduction of the original plan identifying all alterations to the previously approved plan and any previous plan recording information.
- D. Revised Subdivision and Land Development Plan/Drawing Information.
1. Revised Subdivision and Land Development Plans shall comply with Section 310.
 2. A “Lot Area Tabulation” of all lots shown on the Revised Subdivision and Land Development Plan, in accordance with definitions of gross lot area and net lot area.
 3. Such other information and data which may be required by the Township Engineer, Township Planning Commission or Commissioners in the administration and enforcement of this Ordinance.

SECTION 304. LOT LINE ADJUSTMENT PLAN APPLICATION PROCEDURES AND SPECIFICATIONS

- A. Lot Line Adjustment Plans. Lot Line Adjustment Plans meeting the following criteria may be filed with the Township on any business day. However, the Township Planning Commission may review the Lot Line Adjustment Plan at a particular meeting only if the Lot Line Adjustment Plan was filed at least thirty (30) calendar days prior to that meeting.
1. Involves only the subdivision of three (3) or fewer lots (including reverse subdivisions).
 2. No additional lots will be created.
 3. No additional streets, street extensions, or realignments are proposed.
 4. Non-conformities will not be created or increased under the Township Zoning Ordinance.

Article 3 – Plan Submission and Processing Procedures and Specifications

5. No new land development will occur.
- B. Lot Line Adjustment-Plan Applications.
1. Lot Line Adjustment Plans shall be submitted and processed as Final Plans in accordance with Section 309.
 2. Application Requirements. Lot Line Adjustment Plan applications shall include the following:
 - a. Ten (10) copies of the Lot Line Adjustment Plan.
 - b. Three (3) copies of the application form (Appendix 3-Q).
 - c. Three (3) copies of any waiver/modification form (Appendix 3-R).
 - d. Required Township filing fee.
 - e. Notification of delivery to the York County Planning Commission.
- C. Lot Line Adjustment Plan Identification. The Lot Line Adjustment Plan shall be clearly labeled "Lot Line Adjustment Plan" (or "Reverse Subdivision Plan") and shall include sufficient information to clearly indicate the character and extent of the proposed subdivision and its relationship to existing conditions and facilities within the area in which it is located. Lot Line Adjustment Plans/drawings, narratives, and/or other submission materials shall display:
1. The project name including "Lot Line Adjustment Plan" (or "Reverse Subdivision Plan"), property address, municipality, county, and Commonwealth.
 2. The landowner information, including but not limited to the owner's name, responsible official and address, on the Lot Line Adjustment Plan, telephone number, and email address on the application (Appendix 3-Q).
 3. The Lot Line Adjustment Plan designer's information, including but not limited to the firm's name, address, and telephone number on the Lot Line Adjustment Plan; Lot Line Adjustment Plan designer's name, title, business telephone number, and email address.
 4. The Lot Line Adjustment Plan project number assigned by the firm that prepared the Lot Line Adjustment Plan.
 5. The Lot Line Adjustment Plan preparation date and revision dates.
 6. A location map with the outline of the property showing the nearest two street intersections, including a north arrow and written scale.
- D. Drafting Standards. Lot Line Adjustment Plans shall comply with the following:
1. Lot Line Adjustment Plan scales shall be 10, 20, 30, 40 or 50 feet to the inch, the largest of which will fit on the standard required sheet size, unless with the agreement of the Township Engineer, a smaller scale may be used. If the Lot Line Adjustment Plan is prepared in two (2) or more sections, a key map showing the location of the sections shall be placed on each sheet and an overview sheet shall be provided at a scale sufficient to show the entire development on one sheet.

Article 3 – Plan Submission and Processing Procedures and Specifications

2. If more than one (1) sheet is necessary, each sheet shall be the same size and scale and numbered to show the relationship to the total number of sheets in the Lot Line Adjustment Plan (e.g. Sheet 1 of 5).
 3. Lot Line Adjustment Plan dimensions shall be for: areas in square feet and decimals and acres and decimals; lengths and/or elevations in feet and decimals; and bearings in degrees, minutes and seconds. Lot line descriptions shall read in a clockwise direction and around the outside of the lot wherever possible. The Township Engineer may allow detail dimensions to be in inches and decimals or fractions.
 4. Surveys shall be performed in accordance with the State Minimum Standards published by the State Board of Registration for Professional Engineers and Land Surveyors. The source of the survey must be indicated by the name of the surveyor and the date it was performed.
 5. Lot Line Adjustment Plan sheet size shall be twenty-four (24) inches by thirty-six (36) inches or thirty (30) inches by forty-two (42) inches.
- E. Lot Line Adjustment Plan/Drawing Information. Lot Line Adjustment Plans shall show the existing and proposed site features, shall be legible and shall display:
1. Total existing tract, existing and proposed lot areas, existing sensitive resource or feature area.
 2. Existing and proposed legal boundaries, in or within fifty (50) feet of the tract boundary, including but not limited to municipal names and boundaries, rights-of-way and easements including any required descriptions.
 3. Existing topographic features of the tract located in and within fifty (50) feet of the tract, including one (1) foot contours for sloped lands five (5) percent or flatter; two (2) foot contours for sloped lands between five (5) percent and fifty (50) percent; and ten foot contours for slopes greater than fifty (50) percent. Topography shall be accompanied by the location of the bench mark used and the datum referenced. Contours plotted by interpolation of the United States Geodetic Survey 7.5' mapping shall not be accepted. Existing contours from LIDAR are acceptable.
 4. All improvements located in and within fifty (50) feet of the tract boundaries, including but not limited to:
 - a. Existing woodlands.
 - b. Existing improvements (streets, curbs, sidewalks, buildings, etc.) including names and dimensions.
 - c. Clear sight triangles and safe stopping sight distances of intersections, access drives and residential driveways.
 - d. Existing utility locations, including sanitary sewage disposal system, water supply mains and service lines, including the distance to the nearest hydrant; electric, information/communication, gas and oil transmission lines, and any associated easements or rights-of-way and including all PA One Call Inc. design information.

Article 3 – Plan Submission and Processing Procedures and Specifications

- e. Existing SWM BMP and facility locations and associated dimensions, easements, or rights-of-way.
 - f. Resources or features which would impact the net lot area (such as watercourses, floodplains, wetlands, steep slopes per Section 522, rights-of-way and easements per Section 522).
5. A north arrow, graphic and written scale, and complete mapping legend.
 6. Names of adjacent landowners including those across existing rights-of-way, with addresses, land record book and page numbers, and deed references.
 7. Existing and proposed property corner monumentation, including sizes and materials in accordance with Section 513.
 8. Building setback lines with dimensions and labels.
 9. A “Lot Area Tabulation” of all lots shown on the Lot Line Adjustment Plan, in accordance with definitions of gross lot area and net lot area.
 10. All information listed in Section 308.B.3.f.1) through 9) and 15).
 11. Such other information and data which may be required by the Township Engineer, Township Planning Commission or Commissioners in the administration and enforcement of this Ordinance.

SECTION 305. MINOR PLAN APPLICATION PROCEDURES AND SPECIFICATIONS

- A. Minor Plans. Minor Plans shall meet the following criteria:
 1. Involve only the creation of three (3) or fewer subdivided lots which will not require additional permits from PA-DEP or PennDOT.
 2. Every lot shall have frontage on an existing street with no new streets or street realignments proposed.
 3. Existing public utilities are present and no extensions are proposed.
 4. Installation of public infrastructure improvements is not proposed by the applicant or required by this Ordinance.
- B. Minor Plan Applications.
 1. Minor Plans shall be submitted and processed as Final Plans in accordance with Section 309.
 2. Application Requirements. Minor Plans shall comply with all requirements for Preliminary Plans (Section 308) as well as those for Final Plans (Section 310), except as follows:
 - a. The Minor Plan shall be clearly labeled "Minor Plan" and shall include sufficient information to clearly indicate the character and extent of the proposed subdivision and/or land development and its relationship to existing conditions and facilities within the area in which it is to be located.

Article 3 – Plan Submission and Processing Procedures and Specifications

- b. Minor Plans/drawings, narratives, and other submission materials shall display project name including “Minor Plan”, property address, municipality, county, and Commonwealth.

SECTION 306. RESIDENTIAL CONSERVATION DEVELOPMENT PLAN PROCEDURES AND SPECIFICATIONS

- A. For residential development of tracts of land consisting of fifteen (15) or more acres, and/or where required by the York Township Zoning Ordinance, the applicant must follow the Residential Conservation Development Plan four step design process used in determining the layout of Open Space Areas, Greenway Corridors, dwelling units, streets, stormwater BMPs and facilities, potable water supply facilities, sanitary sewage disposal facilities and lot lines. The applicant shall submit plans demonstrating the delineation of each step of the design process of Sections 306.C through G to the Township for review by the Township Planning Commission and the Commissioners with a Preliminary Plan.
- B. Site Planning and Design Standards. All residential developments shall avoid or minimize adverse impacts on the Township's natural, cultural and historic resources, as defined below and shall incorporate the following residential site planning and design standards.
 - 1. Groundwater Resources. The Residential Conservation Development Plan shall be designed to minimize disturbance to natural infiltration and percolation of precipitation to the groundwater table, through careful planning of vegetation and earth disturbance activities, and the placement of streets, buildings and other impervious surfaces in locations other than those identified on the Existing Resources and Site Analysis Plan as having the greatest ability to safely recharge the groundwater.
 - 2. Waters of this Commonwealth, floodplains, riparian areas, ~~wetlands~~, seasonal high water table areas, Hydrologic Soil Group (HSG) D soils and other lowland areas
 - a. The Residential Conservation Development Plan shall be designed to minimize disturbance to waters of this Commonwealth, floodplains, drainage paths, areas with seasonally high water tables, and HSG D soils in lowland areas, and areas of surface water concentration.
 - b. Because of their limitations, brooks, channels, creeks, dammed water, floodplains, impoundments, lakes, ponds, riparian areas, rivers, springs, streams and wetlands warrant designation as Greenway Corridors.
 - 3. Woodlands.
 - a. The Residential Conservation Development Plan shall be designed to minimize disturbance to woodlands in the Township.
 - b. All woodlands shall be evaluated to determine the extent to which woodlands should be designated partly or entirely as Greenway Corridor. Evaluation criteria shall include:
 - 1) Configuration and size.
 - 2) Present conditions, i.e., stocking, health and species composition.
 - 3) Site potential, i.e., the site's capabilities to support woodlands, based upon its topographic features, soil and hydrologic characteristics.

Article 3 – Plan Submission and Processing Procedures and Specifications

- 4) Ecological functions: i.e., in protecting steep slopes, erodible soils, maintaining stream quality and providing for wildlife habitats.
 - 5) Relationship to woodlands on adjoining and nearby properties and the potential for maintaining continuous woodland areas.
 - c. The evaluation shall be undertaken by a forester, arborist, landscape architect, horticulturist or another qualified professional acceptable to the Township. This evaluation shall be submitted as a report.
4. Upland Rural-Agricultural Areas.
 - a. The Residential Conservation Development Plan shall be designed to minimize disturbance to upland rural-agricultural areas in the Township. These areas comprise fields, pastures, meadows, and former agricultural areas in early stages of woodlands succession, typically bordered by riparian areas and upland woodlands. They may contain the greatest concentration of prime agricultural soils.
 - b. Several elements of these areas lend themselves to incorporation into the Township's Greenway Corridor. These include prime agricultural soils and natural features which visually punctuate the landscape, such as hedgerows, tree copses, stone walls, and visually prominent places such as knolls and hilltops.
 - c. These areas can also accommodate development, with preferred locations being the non-prime agricultural soils. Compact clustered residential designs, with coordinated architectural and landscape themes, are encouraged.
5. Steep Slopes.
 - a. The Residential Conservation Development Plan shall be designed to minimize earth disturbance to precautionary steep slopes (twenty-five (25) to thirty-three (33) percent). No earth disturbance shall be allowed on precautionary steep slopes, except the siting of a single family dwelling and its access driveway.
 - b. The Residential Conservation Development Plan shall be designed to minimize earth disturbance to prohibitive steep slopes (steeper than thirty-three (33) percent). No disturbance shall be allowed on precautionary steep slopes, except the siting of a portion of a driveway accessing a single family dwelling and its access driveway when it can be demonstrated that no other routing which avoids slopes exceeding thirty-three (33) percent is feasible.
 - c. Grading or earth disturbance on all prohibitive steep slopes shall not result in earth cuts or fills whose highest vertical dimension exceeds six (6) feet.
 - d. Streets and driveways shall minimize the required cuts and fills.
 - e. On-lot sewage disposal systems may be permitted within precautionary steep slopes.
6. Significant Natural Areas and Features. The Residential Conservation Development Plan shall be designed to minimize disturbance to natural areas and features in the Township. Natural areas containing rare or endangered plants and animals, as well as other features of natural significance may exist throughout the Township.

Article 3 – Plan Submission and Processing Procedures and Specifications

Applicants shall protect significant natural areas and features by incorporating them into proposed Greenway Corridors or avoiding their disturbance in areas proposed for development.

7. Historic Structures and Sites
 - a. The Residential Conservation Development Plan shall be designed to minimize disturbance to historic structures and sites in the Township. Existing Resources and Site Analysis Plans shall be designed to protect existing historic resources of all classes. The protection of an existing historic resource shall include the conservation of the landscape immediately associated with and significant to that resource to preserve its historic context.
 - b. The Township shall participate in, review and approve of the applicant's interaction with the Pennsylvania Historical and Museum Commission with regard to the preservation of historic resources when required.
8. Trails.
 - a. When a Residential Conservation Development Plan is traversed by or abuts an existing trail customarily used by pedestrians and/or equestrians, provisions shall be made for the extension of and continued recreational use of the trail.
 - b. Trail specifications shall meet the requirements set forth in Article 7.

C. Existing Resources and Site Analysis Plan.

1. The applicant shall prepare and submit an Existing Resources and Site Analysis Plan to provide the Township with a comprehensive analysis of existing conditions. Applicants are strongly encouraged to submit the Existing Resources and Site Analysis Plan to the Township as part of a Sketch Plan or prior to submission of a Preliminary Plan.

The Existing Resources and Site Analysis Plan shall identify existing conditions both on and within fifty (50) feet of the tract. Conditions beyond the parcel boundaries may be described based upon published data available from governmental agencies and from aerial photographs. The following information shall be shown or otherwise provided as indicated:

- a. An aerial photo with tract boundaries shown.
- b. Existing natural features, including:
 - 1) A tract boundary survey, including bearings and distances of all boundary lines, drawn at the largest scale which will fit on a twenty-four (24) inches by thirty-six (36) inches or thirty (30) inches by forty-two (42) inches sheet.
 - 2) Existing topographic features of the tract and the immediate surrounding area, including one (1) foot contours for sloped lands five (5) percent or flatter; two (2) foot contours for sloped lands between five (5) percent and fifty (50) percent; and ten foot contours for slopes greater than fifty (50) percent. Topography shall be accompanied by the location of the benchmark used, and the datum referenced.

Article 3 – Plan Submission and Processing Procedures and Specifications

- Contours plotted by interpolation of the United States Geodetic Survey 7.5' mapping shall not be accepted. Existing contours from LIDAR are acceptable.
- 3) Locations of waters of this Commonwealth and floodplains.
 - 4) Vegetative cover conditions on the property according to general cover type including cultivated land, permanent grass land, meadow, pasture, old field, hedgerow, woodland and wetland, specimen trees, the actual drip line of existing trees and woodlands.
 - 5) Soil data obtained from the National Resource Conservation Service (NRCS) Web Soil Survey, including:
 - a) Location of soil series or map units
 - b) A table of soil properties identifying:
 - i) Depths to Water Table.
 - ii) Cropland Land Capability Classes
 - iii) Hydrologic Soil Group (i.e., HSG A, B, C, or D)
 - 6) Ridge lines and watershed boundaries.
 - 7) Geologic formations, including rock outcroppings, cliffs, sinkholes, thrust faults and fracture traces, based upon published information available from government agencies or more detailed data obtained by the applicant.
 - 8) A copy of the Pennsylvania Natural Diversity Inventory (PNDI) Project Environmental Review Receipt.
 - 9) Locations and extents of views into, on, or from the property.
- c. Existing man-made features, including locations, and descriptions of:
- 1) Buildings and driveways.
 - 2) Names, route numbers, and rights-of-way of streets.
 - 3) Trails (pedestrian, equestrian, bicycle, etc.).
 - 4) Sizes and material of utilities including information obtained from PA One Call Inc.
 - 5) Types and owners of easements, deed restrictions, rights-of-way or any other encumbrances upon the tract.
 - 6) Site features or conditions including but not limited to: hazardous waste, dumps, underground tanks, active and abandoned wells, quarries, landfills, on-lot sewage disposal systems, and orchards.
 - 7) Historically significant sites or structures on the tract, including, but not limited to foundations, cellar holes, stone walls, earthworks, burial sites and any portion of the site identified in the York Township Comprehensive Plan.
- d. Proposed features, including: streets, trails, utility corridors and other public infrastructure planned or proposed in local, regional or county plans, the Official Map, or York Township Comprehensive Recreation, Parks and Greenway Plan.
- D. Step 1: Delineation of Open Space Areas, Greenway Corridors, Stormwater BMPs and Sanitary Sewage Facilities.

Article 3 – Plan Submission and Processing Procedures and Specifications

1. Open space areas shall include all environmentally sensitive areas, including their buffers, plus enough other open space area to meet or exceed the minimum acreage requirement for open space areas set forth in the Zoning Ordinance.
 - a. The applicant shall prioritize natural and cultural resources in terms of their highest to least suitability.
 - b. Locations and boundaries of environmentally sensitive areas shall follow the actual boundaries of waters of this Commonwealth, floodplains, and steep slopes over thirty-three (33) percent.
 - c. Greenway Corridors shall be delineated in a manner clearly indicating their boundaries as well as the types of resources included within them.
 2. Locations for water supply, sanitary sewage disposal systems, stormwater BMPs and facilities shall be identified using the Existing Resources and Site Analysis Plan as a base map.
 - a. The design of these facilities shall use the natural capacity and features of the site.
 - b. Stormwater volume control BMPs shall be located in areas identified as groundwater recharge areas.
 - c. Wastewater facilities shall comply with the requirements of the PA-DEP and the Township.
 3. Development areas constitute the remaining lands of the tract outside open space areas where dwellings, streets, and lots are to be delineated in accordance with the following site planning and design standards and Steps 2, 3, and 4 below.
- E. Step 2: Siting of Dwelling Units. Siting of dwelling units shall be tentatively based on the proposed open space areas and Greenway Corridors from Step 1 above and orientated using other relevant data on the Existing Resources and Site Analysis Plan. Dwelling units shall be sited based upon:
1. The tract's natural topography.
 2. Adequate water and sewage facilities.
 3. Views of and access to adjoining Greenway Corridors.
 4. Avoiding encroachment upon Greenway Corridors in a manner visually intrusive to users of such areas.
 5. Location at least 100 feet from environmentally sensitive areas and fifty (50) feet from open space areas and Greenway Corridors.
- F. Step 3: Alignment of Streets.
1. Streets shall conform to the tract's natural topography and provide for a safe pattern of circulation to, from and within the tract.
 2. Applicants shall delineate a street system that provides a safe pattern of vehicular access to each dwelling unit.

Article 3 – Plan Submission and Processing Procedures and Specifications

3. Streets and driveways crossing wetlands and traversing slopes over thirty-three (33) percent shall be prohibited.
 4. Street connections shall be designed to minimize cul-de-sacs.
 5. Dwelling units shall be accessed from interior streets, rather than from streets bordering the tract.
- G. Step 4: Alignment of Trails and Placement of Recreation Areas.
1. Trails shall conform to the tract's natural topography and provide for a safe pattern of circulation to, from and within the tract.
 2. A network of trails shall be shown, providing access to natural and cultural features in the open space areas and Greenway Corridors. Potential trail connections to adjacent parcels shall be required in areas where a county or municipal trail network is proposed.
 3. Recreation areas may be either passive or active, and shall be located within the open space areas and Greenway Corridors.

SECTION 307. PRELIMINARY PLAN APPLICATION PROCEDURES

- A. Where required by the York Township Zoning Ordinance, the applicant shall follow the Residential Conservation Development Plan design process in accordance with the provisions of Section 306.
- B. Preliminary Plan Application. A separate Plan is required for all applications except those meeting the requirements of Sections 303, 304 or 305.
- C. Application Requirements. All Preliminary Plan applications shall include the following:
1. Thirteen (13) copies of the Preliminary Plan. Preliminary Plans shall be black on white paper prints.
 2. Three (3) copies of all notifications and certifications which are not provided on the Preliminary Plan.
 3. Three (3) copies of the application form (Appendix 3-Q).
 4. Three (3) copies of any waiver/modification form (Appendix 3-R).
 5. Two (2) copies of all plans, reports and assessments required by Section 308.E.3.
 6. Required Township filing fee.
 7. Notification of delivery to the York County Planning Commission.
- D. Township Staff Review Process. The Township Engineer, any Township personnel as directed by the Commissioners, YTWSA and/or their designee, and the York County Planning Commission shall review the application documents to determine if they are in compliance with all Township Ordinances and other documents identified in Article 2 and accepted planning standards. These personnel shall provide comments and recommendations, including written findings.

Article 3 – Plan Submission and Processing Procedures and Specifications

- E. York Township Planning Commission Review Process.
1. No action will be taken at the first meeting of the Township Planning Commission following submittal of the Preliminary Plan.
 2. The Township Planning Commission may discuss and review the Preliminary Plan application with the applicant or his representative at the next regular meeting to determine if it meets the standards set forth in this Ordinance. After consideration of the comments developed by the staff review as required by Section 307.D above, the Township Planning Commission shall recommend to the Commissioners approval or disapproval of the Preliminary Plan.
 3. When the application is not recommended for approval, the recommendation shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the applicable sections.
 4. The Township Planning Commission and Township staff shall forward the Preliminary Plan with their analysis and recommendations to the Commissioners. The Township Planning Commission will not approve Preliminary Plans labeled “Not for Construction”, “Not For Bid”, etc. The Commissioners shall render the final decision for all Preliminary Plans.
- F. Board of Commissioners Approval Process.
1. Before acting on a Preliminary Plan, the Commissioners may hold a public hearing.
 2. The Commissioners shall act on the Preliminary Plan at a public meeting within the time period prescribed by the Municipalities Planning Code. Failure to do so shall be deemed an approval unless a prior granting of time has been given by the applicant. Commissioners will not approve Preliminary Plans labeled “Not for Construction”, “Not For Bid”, etc.
 3. The Commissioners shall notify the applicant, in writing, within fifteen (15) days, of its decision to approve, approve with conditions, or disapprove the Preliminary Plan. If the Preliminary Plan is approved with conditions or disapproved, the Commissioners shall specify in their notice the conditions which must be met and/or the defects found in the Preliminary Plan and the requirements which have not been met, including specific reference to provisions of any statute or ordinance which have not been fulfilled. If conditions are attached to the Commissioners decision, the applicant or the applicant's authorized representative must accept the conditions or reject them in writing within thirty (30) days of the date of the decision. If the applicant rejects any conditions, the Preliminary Plan shall be deemed denied.
 4. If the Preliminary Plan is approved subject to conditions, the Commissioners shall not sign the Preliminary Plan until all of the conditions have been met. All conditions of approval must be fulfilled within 180 days of the date of conditional approval, or the approval shall automatically become null and void, unless extended by the Commissioners. The official date of approval of the Plan shall be the date all conditions are met.

Article 3 – Plan Submission and Processing Procedures and Specifications

5. If the Commissioners condition the Preliminary Plan approval upon receipt of additional information and/or notifications, two (2) copies of such data shall be submitted to the Township Engineer for review.
6. Approval of the Preliminary Plan shall constitute approval of the subdivision and/or land development as to the character and density of development, the layout arrangement and approximate dimensions of streets, lots structures, and other planned features. The approval binds the developer to the general scheme of the development shown and arranges for guarantee to cover installation of the improvements and to prepare the Final Plan. Approval of the Preliminary Plan does not authorize the sale of lots or issuance of building permits.

SECTION 308. PRELIMINARY PLAN SPECIFICATIONS

- A. Preliminary Subdivision and/or Land Development Plans shall be prepared by an engineer, surveyor, or landscape architect licensed to practice in the Commonwealth and qualified to perform such duties.

The Preliminary Plan shall be clearly labeled "Preliminary Plan" and shall include sufficient information to clearly indicate the character and extent of the proposed subdivision and/or land development and its relationship to existing conditions and facilities within the area in which it is located. The Preliminary Plan shall show, be accompanied by, or be prepared in accordance with the following:

- B. Preliminary Plan Presentation and Contents.
 1. Preliminary Plan Identification. Preliminary Plans/drawings, narratives, and other submission materials shall display:
 - a. The project name including "Preliminary Plan", property address, municipality, county, and Commonwealth.
 - b. The landowner information, including but not limited to the owner's name, responsible official and address, on the Preliminary Plan, telephone number, and email address on the application (Appendix 3-Q).
 - c. The Preliminary Plan designer's information, including but not limited to the firm's name, address, and telephone number; Plan designer's name, title, business telephone number, and email address.
 - d. The Preliminary Plan project number assigned by the firm that prepared the Plan.
 - e. The Preliminary Plan preparation date and revision dates.
 2. Drafting Standards. Preliminary Plan/drawings shall comply with the following:
 - a. Preliminary Plan scales shall be 10, 20, 30, 40, or 50 feet to the inch, the largest of which will fit on the standard required sheet size, unless with the agreement of the Township Engineer, a smaller scale may be used. If the Preliminary Plan plan is prepared in two (2) or more sections, a key map showing the location of the sections shall be placed on each sheet and an overview sheet shall be provided at a scale sufficient to show the entire development on one sheet.

Article 3 – Plan Submission and Processing Procedures and Specifications

- If more than one (1) sheet is necessary, each sheet shall be the same size and scale and numbered to show the relationship to the total number of sheets in the Preliminary Plan (e.g. Sheet 1 of 5).
- b. Preliminary Plan dimensions shall be displayed as follows: areas in square feet and decimals and acres and decimals; lengths and/or elevations in feet and decimals; and bearings in degrees, minutes and seconds. Lot line descriptions shall read in a clockwise direction and around the outside of the lot wherever possible. The Township Engineer may allow detail dimensions to be in inches and decimals or fractions.
 - c. Surveys shall be performed in accordance with the State Minimum Standards published by the State Board of Registration for Professional Engineers and Land Surveyors. The source of the survey must be indicated by the name of the surveyor and the date it was performed.
 - d. Preliminary Plan sheet size shall be twenty-four (24) inches by thirty-six (36) inches or thirty (30) inches by forty-two (42) inches.
 - e. Preliminary Plans shall be legible in every detail. Preliminary Plan text characters, other than those associated with legend map symbols, shall be a minimum font size of 10 point.
 - f. Preliminary Plans shall be accurate in every detail. All Preliminary pPlan requirements within this section shall be accurately represented in reports, drawings, etc. Failure to provide accurate Preliminary pPlans may result in disapproval of the application.
3. Preliminary Plan/Drawing Information. Preliminary Plans/drawings shall show the existing and proposed site features, shall be legible and shall display:
- a. Total existing tract, existing and proposed lot, existing sensitive resource or feature area, and existing and proposed protected area sizes and boundaries, including names and required references and/or descriptions.
 - b. Existing and proposed legal boundaries located in or within fifty (50) feet of the tract, including but not limited to municipal names and boundaries, rights-of-way and easements, including required descriptions.
 - c. Existing and proposed topographic features located in and within fifty (50) feet of the tract boundaries including but not limited to:
 - 1) One (1) foot contours for sloped lands five (5) percent or flatter; two (2) foot contour for sloped lands between five (5) percent and fifty (50) percent; and ten (10) foot contours for slopes greater than fifty (50) percent. Topography shall be accompanied by the location of the bench mark used and the datum referenced. Contours plotted by interpolation of the United States Geodetic Survey 7.5' mapping shall not be accepted. Existing contours from LIDAR are acceptable.
 - 2) Vegetation type and extent, including locations of all deciduous trees larger than six (6) inches diameter at breast height (DBH) and evergreen trees taller than six (6) feet in height, and/or woodlands on the site and location of trees and/or woodland to be removed.
 - 3) Improvements such as streets, buildings, retaining walls, utilities,

Article 3 – Plan Submission and Processing Procedures and Specifications

SWM BMPs and facilities, etc. (including all required PA One Call, Inc. design information).

- a) Existing and proposed public and private streets with locations, names, and state or federal route numbers on all sheets; dimensioned cartways, rights-of-way, and easements; clear sight triangles and safe stopping sight distances and data for all existing and proposed intersections as described in Section 506.
 - b) Existing and proposed curb, sidewalk, driveway and parking area locations and on-site dimensions and data for all intersections as described in Section 506.
 - c) Existing and proposed structure locations and on-site dimensions, including identification of structures to be demolished.
 - d) Existing and proposed sanitary sewage disposal system facility locations, names, materials, and dimensions, including dimensioned easements or rights-of-way; on-lot sanitary sewage disposal system locations, sizes, and percolation test locations, including dimensioned easements and isolation areas.
 - e) Existing and proposed water supply system facility locations, names, materials, and dimensions, including fire hydrants and dimensioned rights-of-way. On-lot water supply well locations and dimensioned isolation area.
 - f) Existing and proposed electric, information/communication, gas and oil transmission pipeline, and railroad locations, including dimensioned rights-of-way including information obtained from PA One Call, Inc.
 - g) Existing and proposed open space areas, recreational areas, and all other significant planned facility locations, names, and dimensions, including dimensioned easements.
 - h) Existing and proposed SWM BMP and facility locations, names, materials, dimensions, and conditions, including dimensioned rights-of-way and easements.
- 4) Water resources:
- a) Waters of this Commonwealth.
 - b) Floodplains located on the tract. When any portion of the tract proposed for subdivision and/or land development is located within an identified floodplain, the following information shall be provided as part of the Preliminary Plan and shall be prepared by a registered professional engineer or professional land surveyor licensed in the Commonwealth and qualified to perform such duties:
 - i) The exact location and elevation of all buildings, structures, streets, and public utilities to be constructed within any identified floodplain. All such maps shall show contours at intervals of two (2) feet and identify accurately the boundaries of the floodplain.
 - ii) The 100-year flood elevations which shall be certified

Article 3 – Plan Submission and Processing Procedures and Specifications

by the applicant's engineer per the requirements of the Floodplain Management Ordinance.

- 5) A location map with the outline of the property showing the nearest two street intersections, and including a north arrow and written scale.
 - 6) Soil types as required by the Stormwater Management Ordinance and Section 306.C
 - 7) Identifications and delineations of areas/features permanently protected by existing recorded legal documents, such as deed restrictions.
 - 8) Resources or features which would impact development and/or net lot area (e.g. watercourses, floodplains, wetlands, quarries, solid waste disposal areas, historic structures, cemeteries, archaeological sites, woodlands, steep slopes, rock outcroppings, sensitive resources or features, etc.).
 - 9) Names of adjacent landowners, both adjoining and across existing rights-of way along with the land record book, and page numbers of all previously recorded plans and deed references for adjacent properties.
 - 10) Existing and proposed tract and lot:
 - a) Numbers or references.
 - b) Property line monumentation and/or marker locations, sizes, and materials/descriptions.
 - c) Boundary descriptions.
 - d) Building setback line and building locations with labels and dimensions.
 - 11) Landscape areas and plantings per Article 6 and Greenway Corridors, Riparian Buffers and Trails per Article 7.
- d. Graphics information including:
- 1) Complete mapping symbols legend.
 - 2) Written and graphic scales.
 - 3) North arrow.
- e. Phase boundaries and numbers.
- f. Miscellaneous information, including:
- 1) Zoning district, lot size and density requirements of the York Township Zoning Ordinance.
 - 2) List of waiver requests with blank spaces to be filled in with the date and any conditions of approval.
 - 3) Source of title, deed book reference, page, land record book, and tax map and parcel number.
 - 4) Revision blocks on all sheets displaying all Preliminary Plan revision dates, designer's initials, and descriptions.
 - 5) Protective covenants running with the land.
 - 6) Certificates, signatures and seals pursuant to Section 308.E.1.
 - 7) Zoning Ordinance compliance data table listing the following existing

Article 3 – Plan Submission and Processing Procedures and Specifications

conditions, minimum and/or maximum parameters, and proposed conditions, as applicable:

- a) Zoning district.
 - b) Total tract area (gross and net).
 - c) Required and proposed lot sizes (gross and net).
 - d) Setbacks.
 - e) Densities.
 - f) Number of lots and/or units of occupancy.
 - g) Building height, number of stories, and area per story.
 - h) Land uses.
 - i) Total length, in linear feet, of all new streets, if applicable.
 - j) Designed impervious area per proposed lot/unit, if applicable.
 - k) Total tract existing and proposed impervious area, if applicable.
 - l) Required and proposed number of parking spaces including required ADA spaces, if applicable.
 - m) Required and provided open space areas.
 - n) Existing and proposed lot coverages.
- 8) A typical cartway and right-of-way cross-section for each proposed public or private street, each proposed access drive, each proposed driveway, and a typical cross-section for each existing street which will be improved as part of the Preliminary Plan, including:
- a) Cartway widths.
 - b) Cross slopes
 - c) Entire right-of-way widths.
 - d) Curb locations, types, material and dimensions.
 - e) Sidewalk and/or pedestrian path locations, material and dimensions.
 - f) Utility locations, types and dimensions.
- 9) A centerline profile for each proposed public or private street, each proposed access drive, each proposed driveway with any portion exceeding ten (10) percent slope and each existing street which will be improved as part of the Preliminary Plan, including:
- a) Centerline stations.
 - b) Existing ground profiles and proposed street and or driveway slopes and grades.
 - c) Engineering data and specifications.
 - d) Existing and proposed improvements.
- 10) Name of the proposed public sanitary sewage disposal service provider, if applicable.
- 11) A centerline profile for each proposed sanitary sewage disposal collection and conveyance system per the York Township Water and Sewer Authority Construction and Material Specifications for Sanitary Sewers and Plan, Design, and Construction Standards for Sanitary Sewers, including but not limited to:
- a) Sanitary sewage disposal facility dimensions, elevations, and grades.
 - b) Centerline horizontal and vertical stationing, with written and graphic scales.

Article 3 – Plan Submission and Processing Procedures and Specifications

- c) Existing ground profiles.
 - d) Existing and proposed improvements.
 - 12) Name of the proposed public water supplier, if applicable.
 - 13) A centerline profile for each proposed water supply distribution system, including:
 - a) Water supply facility dimensions, elevations, and grades.
 - b) Centerline horizontal and vertical stationing, with written and graphic scales.
 - c) Existing ground profiles.
 - d) Existing and proposed improvements.
 - 14) A centerline profile for each proposed SWM collection and conveyance (C&C) system and/or SWM BMP outlet structure and/or system, including:
 - a) SWM C&C system and/or SWM BMP outlet structure and/or system dimensions, elevations, and grades.
 - b) Horizontal and vertical stationing, with written and graphic scales.
 - c) Existing and proposed ground profiles.
 - d) Existing and proposed improvements.
 - 15) Statements documenting zoning amendment, special exception, variance, or conditional use approvals, including dates and conditions of approvals.
 - 16) A “Lot Area Tabulation” of all lots shown on the Preliminary Plan, in accordance with definitions of gross lot area and net lot area.
- 4. Preliminary Plan Narrative Information. Preliminary Plan narratives shall include a brief description of the overall project. Preliminary Plan narratives shall be legible and shall provide a table of contents, numbered pages; and the following:
 - a. The purpose of the project.
 - b. Existing land uses.
 - c. Overview of development features.
 - d. Provisions for sanitary sewage disposal
 - e. Provisions for water supply
 - f. Specific information documenting that the project layout is in accordance with the recommended site design procedure in Chapter 4 of the latest version of the Pennsylvania Stormwater BMP Manual.
- 5. Stormwater Management (SWM) Site Plan in accordance with the York Township Stormwater Management Ordinance and the Pennsylvania Stormwater Best Management Practices Manual as amended.
- 6. Landscape Plan pursuant to Article 6 and Greenway Corridor information in compliance with Article 7.
- 7. Watercourse Restoration Plan pursuant to Section 311.
- 8. Erosion and Sediment Control (E&S) Plan pursuant to the York Township

Article 3 – Plan Submission and Processing Procedures and Specifications

Stormwater Management Ordinance and the PA-DEP Erosion and Sediment Pollution Control Program Manual.

- C. Preliminary Plans Proposing Phased and/or Extended Improvement Construction Periods.
 - 1. Residential land developments proposing 100 or more lots and/or dwelling units shall be phased. Preliminary Plans shall show the entire development and may not be submitted in phases.
 - a. Each phase, except for the last phase, shall contain a minimum of twenty-five (25) percent of the total dwelling units as depicted on the Preliminary Plan unless a lesser percentage is approved by the Commissioners.
 - b. No phase shall contain more than fifty-five (55) percent of the total number of lots and/or dwelling units.
 - 2. All other land developments proposing multiple lots and more than 100 acres of earth disturbance shall be phased.
 - 3. All Preliminary Plans shall provide all information for all phases of the proposed development in accordance with this Section.
 - 4. For Preliminary Plans proposing construction of improvements beyond a five (5) year period, a schedule delineating all proposed phases as well as deadlines within which applications for Final Plan approval of each phase are intended to be filed shall be provided.
- D. Such other information which may be required by the Township Engineer, Township Planning Commission or Commissioners in the administration and enforcement of this Ordinance.
- E. Certificates, Notifications and Reports.
 - 1. Certificates. Sheet 1 of the Preliminary Plan shall display the following certificates a. through g, as applicable. Certificates h. through n. shall be displayed on the appropriate sheet(s) and or report, as applicable.
 - a. Plan Accuracy Certificate. Certificate, signature and seal of a professional registered in the Commonwealth of Pennsylvania and qualified to perform such duties, to the effect that the plan is true and correct to the accuracy required by this Ordinance (Appendix 3-A).
 - b. Survey Accuracy Certificate. Certificate, signature and seal of the surveyor registered in the Commonwealth of Pennsylvania, to the effect that the survey is true and correct to the accuracy required by this Ordinance (Appendix 3-B).
 - c. Certificate of Ownership, Acknowledgement of Plan and Offer of Dedication: Certificate, signature, and notary seal to the effect of ownership of the tract, acknowledgement of the plan, and offer of dedication (Appendices 3-D, 3-E, or 3-F).
 - d. York County Planning Commission Review Certificate. (Appendix 3-G).
 - e. York Township Planning Commission Review Certificate. (Appendix 3-H).

Article 3 – Plan Submission and Processing Procedures and Specifications

- f. York Township Board of Commissioners Preliminary Plan Approval Certificate. (Appendix 3-I).
 - g. Recorder of Deeds for York County, Pennsylvania Certificate. (Appendix 3-K).
 - h. Stormwater Management Site Plan Accuracy Certificate. Certificate, signature and seal of a professional registered in the Commonwealth of Pennsylvania and qualified to perform such duties, to the effect that the stormwater management site plan is true and correct to the accuracy required by the York Township Stormwater Management Ordinance (Appendix 3-K).
 - i. Landscape Plan Accuracy Certificate. Certificate, signature and seal of a professional registered in the Commonwealth of Pennsylvania and qualified to perform such duties, to the effect that the landscape plan is true and correct to the accuracy required by this Ordinance (Appendix 3-L).
 - j. Watercourse Restoration Plan Accuracy Certificate. Certificate and signature of an individual qualified to perform such duties, to the effect that the watercourse restoration plan is true and correct to the accuracy required by this Ordinance (Appendix 3-M).
 - k. Erosion and Sediment Control Plan Accuracy Certificate. Certificate and signature of a qualified designer trained and experienced in erosion and sediment control methods and techniques and responsible for the design of the erosion and sediment control plan to the accuracy required by the York Township Stormwater Management Ordinance (Appendix 3-N).
 - l. Floodplain Management Report Accuracy Certificate. Certificate, signature and seal of a professional registered in the Commonwealth of Pennsylvania and qualified to perform such duties, to the effect that the floodplain management report is true and correct to the accuracy required by the York Township Floodplain Management Ordinance (Appendix 3-P).
 - m. Phase I Environmental Site Assessment Accuracy Certificate. Certificate and signature of an individual qualified to perform such duties, to the effect that the Phase I Environmental Site Assessment is true and correct to the accuracy required by this Ordinance (Appendix 3-P).
2. Notifications. The applicant shall provide the following notifications:
- a. Where the project includes any public utility, electric transmission line, information/communication transmission line, gas or petroleum product transmission pipeline, or railroad located within the tract, the applicant or lessee of said right-of-way shall notify the owner of the right-of-way of his intentions. A note stating any conditions regarding the use of the land, minimum building setback or right-of-way lines shall be included on the Preliminary Plan or a copy of the recorded agreement shall be provided.
 - b. Where the project has agricultural, woodland or other natural resource easement located within the tract, the application shall be accompanied by a copy of the recorded easement.
 - c. Where the proposed project tract abuts a State Highway (Pennsylvania Route or United States Route), the applicant shall begin the preparation of an

Article 3 – Plan Submission and Processing Procedures and Specifications

application for a Highway Occupancy Permit (HOP) to be submitted to the Pennsylvania Department of Transportation (PennDOT) for review.

Also, the Preliminary Plan shall display the following note:

"A Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the 'State Highway Law', before access to a state highway is permitted. Access to the state highway shall be as authorized by a Highway Occupancy Permit, and the Commissioners' approval of this plan in no way implies that such a permit can be acquired."

3. Additional Plans, Reports and Assessments. The applicant shall provide the following additional information, as applicable:
 - a. When any portion of the tract boundary is located within an identified floodplain, a Floodplain Management Report prepared by a registered professional engineer, as required in Section 312 and consistent with the York Township Floodplain Management Ordinance.
 - b. A Water Supply Feasibility Report as described in Section 313.
 - c. Sanitary Sewage Disposal Feasibility Report as described in Section 314.
 - d. A Street Classification Report as described in Section 315.
 - e. A Traffic Impact Report as described in Section 316.
 - f. A Wetlands Report as described in Section 317.
 - g. A Phase I Environmental Site Assessment (PESA) as described in Section 318.
 - h. Copies of all decisions rendered by the Zoning Hearing Board or Commissioners, as applicable, when the proposed use is permitted by special exception or conditional use, or where a variance has been granted.
 - i. Evidence in writing from the United States Postal Service and the York County Control addressing coordinator indicating that any proposed street names are acceptable and not duplicated. The Township will provide lot addresses.
 - j. Any archeological and historical land mapped by the Pennsylvania Historical and Museum Commission as containing potential or known site of archeological significance. Historical features involving structures or land that: (1) are listed on the National Register of Historical Places, (2) receive a determination of eligibility from the National Register and the National Park Service; and/or (3) are listed with the Historical Society of York.
 - k. Such other certificates, affidavits, endorsements, or dedications as may be required by the Township Planning Commission or Commissioners in the enforcement of this Ordinance.

SECTION 309. FINAL PLAN APPLICATION PROCEDURES

- A. Prerequisites to Filing Final Plan Application. An application for Final Plan approval can be submitted only after the applicant has obtained the receipt of an unconditional Preliminary

Article 3 – Plan Submission and Processing Procedures and Specifications

Plan approval in accordance with Section 307, when a Preliminary Plan approval is required. When a Preliminary Plan is not required, or has been waived by the Township, the Final Plan shall comply with all plan requirements for Preliminary Plans as well as those for Final Plans.

B. Final Plan Applications.

1. If the Preliminary Plan was approved in phases, per Section 308.C each phase shall be submitted as a separate Final Plan.
2. The Commissioners, upon the advice of the Township Engineer, shall determine whether a modified Final Plan will be accepted or whether a new Preliminary Plan shall be submitted when changes in the design, site and/or its surroundings occur after the Preliminary Plan approval.

C. Application Requirements. All Final Plan applications shall include the following:

1. Thirteen (13) copies of the Final Plan. Final Plans shall be black on white paper prints.
2. Three (3) copies of all notifications and certificates which are not provided on the Final Plan.
3. Three (3) copies of the application form (Appendix 3-Q).
4. Three (3) copies of any waiver/modification form (Appendix 3-R).
5. Two (2) copies of all plans, reports and assessments required by Section 310.E.3.
6. Required Township filing fee.
7. Notification of delivery to the York County Planning Commission.

D. Township Review Process.

1. Final Plan processing procedures for Final Plans shall be the same as those outlined in Section 307.D and 307.E for Preliminary Plans.
2. The Township Planning Commission and Township staff shall forward the Final Plan with their analysis and recommendations to the Commissioners. The Commissioners will not approve Final Plans labeled “Not for Construction”, “Not for Bid”, etc. The Commissioners shall render the decision for all Final Plans.

- E. The Commissioners shall notify the applicant, in writing, within fifteen (15) days, of its decision to approve, approve with conditions, or disapprove the Final Plan. If the Final Plan is approved with conditions or disapproved, the Commissioners shall specify in their notice the conditions which must be met and/or the defects found in the Final Plan and the requirements which have not been met, including specific reference to provisions of any statute or ordinance which have not been fulfilled. If conditions are attached to the Commissioners decision, the applicant or the applicant's authorized representative must accept the conditions or reject them in writing within thirty (30) days of the date of the decision. If the applicant rejects any conditions, the Final Plan shall be deemed denied.

Article 3 – Plan Submission and Processing Procedures and Specifications

- Failure to notify the Township of the acceptance or rejection of said conditions shall result in a deemed approval of the conditions by the applicant.
- F. If the Final Plan is approved subject to conditions, the Commissioners shall not sign the Final Plan until all of the conditions have been met. All conditions of approval must be fulfilled within 180 days of the date of approval, or the approval shall automatically become null and void, unless extended by the Commissioners. The official date of approval of the Plan shall be the date the Commissioners signed the Final Plan.
- G. If the Commissioners condition the Final Plan approval upon receipt of additional information, changes and/or notifications, such data shall be submitted and/or alterations noted on two (2) copies of the Final Plan to be submitted to the Township for approval. Such data shall be submitted to, and reviewed by the Township Engineer within 180 days of their conditional approval, unless the Commissioners grant a waiver by extending the effective time period. If the applicant fails to submit revised data within the specified time period, the Final Plan will be deemed disapproved for the deficiencies outlined by the conditions of approval.
- H. Final Plan Certification. After the Commissioners' approval of the Final Plan and the required changes, if any, are made, the applicant shall proceed to prepare the certification/cover sheet plan on mylar or paper with original signatures and seals plus three full size sets and one (1) half size set of Final Plans which shall be paper copies for the Township's files. The certification/cover sheet of the Final Plan shall be certified in the following manner: Final Plans shall be presented to the Commissioners for their signatures (Appendix 3-I). Final Plans will not be signed by the Commissioners if submitted more than 180 days from the Commissioners' final approval action unless the Commissioners grant a waiver by extending the effective time period of the approval.
- I. Final Plan Recordation. Upon approval and certification of a Final Plan, the Township will record one (1) duplicate set of Final Plans in the Office of the Recorder of Deeds of York County. Three (3) of the duplicate sets provided to the Township will be retained for its records. The Township will return the certification/cover sheet with the original signatures designating the Land Record Book and page numbers assigned by the Recorder of Deeds.
1. The Final Plan shall be filed with the Recorder of Deeds before proceeding with the sale of lots or with the construction of any improvement unless otherwise permitted by this Ordinance.
 2. No Final Plan may be recorded unless it bears the endorsement of the Commissioners.
 3. No Final Plan shall be recorded until all Township fees are paid in full.
 4. One electronic media formatted copy as specified in Section 319 shall be submitted prior to recording of the Final Plan.
- J. Effect of Recording of Final Plan. Recording the Plan, after approval of the Commissioners, shall have the effect of an irrevocable offer to dedicate all streets, stormwater BMP or facility areas, sewers and other areas designated for public use, unless reserved by the landowner. However, the approval of the Commissioners shall not impose any duty upon the

Article 3 – Plan Submission and Processing Procedures and Specifications

Commonwealth, County or Township concerning acceptance, maintenance or improvement of any such dedicated areas or portion of same until the proper authorities of the Commonwealth, County or Township actually accept same by ordinance or resolution, or by entry, use or improvement reflecting the Township's intent and desire to accept said improvements.

SECTION 310. FINAL PLAN SPECIFICATIONS

- A. Final Subdivision and/or Final Land Development Plans shall be prepared by an engineer, surveyor, or landscape architect licensed to practice in the Commonwealth and qualified to perform such duties.

The Final Plan shall be clearly labeled "Final Plan" and, if applicable, "Phase" and shall include sufficient information to clearly indicate the character and extent of the proposed subdivision and/or land development and its relationship to existing conditions and facilities within the area it is located. The Final Plan shall show, be accompanied by, or be prepared in accordance with the following:

- B. Final Plan Presentation and Contents.

The same standards shall be required for a Final Plan as specified for a Preliminary Plan in Section 308, except as follows:

1. Final Plan Identification. Final Plans/drawings, narratives, and other submission materials shall comply with Section 308.B.1 except that they shall display the project name, including "Final Plan" and, if applicable, "Phase"; property address, municipality, county, and Commonwealth.
2. Drafting Standards. Final Plans/drawings shall comply with Section 308.B.2, except that they shall reflect the final Stormwater Management Site Plan and any other plan/drawing revisions required pursuant to that Final Plan.
3. Final Plan/Drawing Information. Final Plans/drawings shall comply with Section 308.B.3, except that they shall reflect the final Stormwater Management Site Plan and any other plan/drawing revisions required pursuant to that Final Plan.
4. Final Plan Narrative Information. Final Plan narratives shall comply with Section 308.B.4, except that they shall reflect the final Stormwater Management Site Plan and any other narrative revisions required pursuant to that Final Plan.

- C. Final Plans Proposing Phased and/or Extended Improvement Construction Periods.

1. For phased developments, the Final Plan of each phase shall be consistent with Final Plans of previously approved phases and the Preliminary Plan for phases yet to receive approval.
2. For phased and/or other land developments proposing construction of improvements beyond a five (5) year period, a schedule shall be provided on the Final Plan, delineating all completed, approved, and proposed phases as well as:
 - a. Final Plan approval and completion dates for all completed phases.
 - b. Final Plan approval dates for all phases with approved Final Plans.

Article 3 – Plan Submission and Processing Procedures and Specifications

- c. Deadline dates within which applications for Final Plan approval for each remaining phase are intended to be filed.
- d. Anticipated construction completion dates.
- e. Such schedule shall be updated annually by the applicant on or before the anniversary date of the Preliminary Plan approval, until Final Plan approval of the Final Phase has been granted and any modification in the aforesaid schedule shall be subject to approval of the Commissioners in their discretion.

D. Additional Final Plan Information.

In addition to the Final Plan information listed previously, Final Plans shall show, display or provide the following:

- 1. A chart identifying the lot number, UPI and street address for each proposed lot shall be displayed on certification/cover sheet or the next immediate sheet.
- 2. Complete final description of the centerline and right-of-way line for all new streets, whether public or private. This description shall include distances and bearings with curve segments comprised of radius, tangent, arc, and chord.
- 3. Final lot lines with accurate bearings and distances and lot areas for all parcels. Curve segments shall be comprised of arc, chord, bearings, and distances. Along existing street rights-of-way the description may utilize the existing deed lines or street centerlines; along all proposed street rights-of-way, the description shall be prepared to the right-of-way lines.
- 4. New streets, existing street improvements, access drives, or parking areas shall have street and traffic control signage to provide direction or location information and to protect public safety. At a minimum, the information provided shall include:
 - a. The locations of each type of sign.
 - b. Dimensioned sign details.
 - c. Dimensioned sign standard/support details.
 - d. A table indicating the number of each type of sign to be installed.
- 5. Where exterior lighting is proposed, or is required by the Zoning Ordinance, an exterior lighting plan shall accompany the Final Plan. At a minimum, the information shall include:
 - a. Locations of each type of exterior light fixture:
 - b. Dimensioned fixture details.
 - c. Fixture catalog photos.
 - d. Fixture and lamp specifications.
 - e. Fixture shielding details.
 - f. Dimensioned standard/support details.
 - g. Dimensioned standard/support foundation details.

Article 3 – Plan Submission and Processing Procedures and Specifications

- h. Existing and proposed tree locations and sizes at the time of maturity.
 - i. A photometric map of combined illumination of the exterior light facilities to limits of illumination, (i.e. less than 0.005 footcandles).
- 6. Where public street lights are required in accordance with Section 511, the following information shall be provided:
 - a. Locations of each type of street light fixture.
 - b. Dimensioned fixture details.
 - c. Fixture catalog photos.
 - d. Fixture and lamp specifications.
 - e. Fixture shielding details.
 - f. Dimensioned standard/support details.
 - g. Dimensioned standard/support foundation details.
 - h. Existing and proposed tree locations
- 7. Final vertical and horizontal alignment for proposed public or private streets, access drives and driveways.
- 8. Sanitary sewage disposal system manhole locations, sewage line locations, materials and dimensions conforming to all other Final Plan standards as required by the YTWSA.
- 9. Water supply distribution system manhole locations, line locations, materials and dimensions conforming to all other Final Plan standards as required by the public water supplier.
- 10. Final street names.
- 11. Location and type of all monuments and lot markers, indicating whether they are 'found' or 'to be set' in accordance with Section 513.
- 12. Finished grades and floor elevations.
- 13. Identification of any lands to be dedicated or reserved for public, semi-public or community use, including a Sketch Plan of proposed recreational facilities on site and an itemized estimate of the cost of such construction.
- 14. In the case of a Final Plan which requires access to a highway under the jurisdiction of PennDOT, the inclusion of the following Final Plan note:

"A Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the 'State Highway Law', before access to a state highway is permitted. Access to the state highway shall be as authorized by a Highway Occupancy Permit, and the Commissioners' approval of this plan in no way implies that such a permit can be acquired."
- 15. Statements documenting zoning amendment, special exception, variance, or conditional use approvals, including dates and conditions of approvals.

Article 3 – Plan Submission and Processing Procedures and Specifications

16. Final SWM Site Plan in accordance with the York Township Stormwater Management Ordinance and the Pennsylvania Stormwater Best Management Practices Manual as amended.
 17. A detailed schedule of inspections, as generally outlined by Section 403, which is tailored for the site under consideration.
 18. Such other information and data which may be required by the Township Engineer, Township Planning Commission or Commissioners in the administration and enforcement of this Ordinance.
 19. Where exterior HVAC or other mechanical equipment is proposed, an exterior noise plan shall accompany the Final Plan. At a minimum, the information shall include:
 - a. A plot plan showing locations of: all existing and proposed buildings, all exterior HVAC or other mechanical equipment, all property lines and all adjoining residential uses.
 - b. A detail of the location, both horizontal and vertical, of each exterior HVAC or other mechanical equipment, including: any physical shielding, i.e. barriers, buffers, walls, screening, etc.
 - c. A detail specification of each proposed HVAC or other mechanical equipment, including: mounting design, noise ratings, incorporated sound dampening devices, etc.
 - d. A statement or map showing that of combined noise from the exterior HVAC or other mechanical equipment complies with the York Township Zoning Ordinance.
 20. Where retaining walls and/or other earth retaining structures are proposed, the following information shall be provided:
 - a. Locations of each wall/structure.
 - b. Dimensioned details.
 - c. Certification of the structural integrity of the proposed structure.
 - d. Vehicle barrier systems not less than 2 feet 9 inches high shall be placed at the end of drive lanes, and at the end of parking spaces where the vertical distance to the ground or surface directly below is greater than 1 foot.
 - e. Vehicle barriers for passenger vehicles shall be designed to resist a concentrated load of 6,000 pounds in accordance with Section 4.5.3 of ASCE 7. Barriers designed for trucks and buses shall be designed in accordance with an approved method that contains provisions for traffic railings.
- E. Certificates, Notifications and Reports.
1. Certificates. Sheet 1 of the Final Plan shall display the following certificates a. through i, as applicable. Certificates j. through n. shall be displayed on the appropriate sheet and/or report, as applicable.

Article 3 – Plan Submission and Processing Procedures and Specifications

- a. Plan Accuracy Certificate. Certificate, signature and seal of a professional registered in the Commonwealth of Pennsylvania and qualified to perform such duties, to the effect that the plan is true and correct to the accuracy required by this Ordinance (Appendix 3-A).
- b. Survey Accuracy Certificate. Certificate, signature and seal of the surveyor registered in the Commonwealth of Pennsylvania, to the effect that the survey is true and correct to the accuracy required by this Ordinance (Appendix 3-B).
- c. Property Corner Certificate. Certificate, signature and seal of the surveyor registered in the Commonwealth of Pennsylvania, as to the date that all property corner monumentation is set (Appendix 3-C).
- d. Certificate of Ownership, Acknowledgement of Plan and Offer of Dedication: Certificate, signature, and notary seal to the effect of ownership of the tract, acknowledgement of the plan, and offer of dedication (Appendices 3-D, 3-E, or 3-F).
- e. York County Planning Commission Review Certificate. (Appendix 3-G).
- f. York Township Planning Commission Review Certificate. (Appendix 3-H).
- g. York Township Board of Commissioners Final Plan Approval Certificate. (Appendix 3-I).
- h. Recorder of Deeds for York County, Pennsylvania Certificate. (Appendix 3-J).
- i. Stormwater Management Site Plan Accuracy Certificate. Certificate, signature and seal of a professional registered in the Commonwealth of Pennsylvania and qualified to perform such duties, to the effect that the stormwater management site plan is true and correct to the accuracy required by the York Township Stormwater Management Ordinance (Appendix 3-K).
- j. Landscape Plan Accuracy Certificate. Certificate, signature and seal of a professional registered in the Commonwealth of Pennsylvania and qualified to perform such duties, to the effect that the landscape plan is true and correct to the accuracy required by this Ordinance (Appendix 3-L).
- k. Watercourse Restoration Plan Accuracy Certificate. Certificate and signature of an individual qualified to perform such duties, to the effect that the watercourse restoration plan is true and correct to the accuracy required by this Ordinance (Appendix 3-M).
- l. Erosion and Sediment Control Plan Accuracy Certificate. Certificate and signature of a qualified designer trained and experienced in erosion and sediment control methods and techniques and responsible for the design of the erosion and sediment control plan to the accuracy required by the York Township Stormwater Management Ordinance (Appendix 3-N).
- m. Floodplain Management Report Accuracy Certificate. Certificate, signature and seal of a professional registered in the Commonwealth of Pennsylvania and qualified to perform such duties, to the effect that the floodplain

Article 3 – Plan Submission and Processing Procedures and Specifications

- management report is true and correct to the accuracy required by the York Township Floodplain Management Ordinance (Appendix 3-O).
- n. Phase I Environmental Site Assessment Accuracy Certificate. Certificate and signature of an individual qualified to perform such duties, to the effect that the Phase I Environmental Site Assessment is true and correct to the accuracy required by this Ordinance (Appendix 3-P).
2. Notifications. The applicant shall provide the following notifications.
- a. Notification from PA-DEP that approval of the sewage disposal facility plan revision (plan revision module for land development) or supplement has been granted or notice from PA-DEP that such approval is not required.
 - b. If not previously provided, where the project includes any public utility, electric transmission line, information/ communication transmission line, gas or petroleum product transmission pipeline, or railroad located within the tract, the applicant or lessee of said right-of-way shall notify the owner of the right-of-way of his intentions. A note stating any conditions regarding the use of the land, minimum building setback or right-of-way lines shall be included on the Final Plan or a copy of the recorded agreement shall be provided.
 - c. If not previously provided, where the project has agricultural, woodland or other natural resource easement located within the tract, the application shall be accompanied by a letter from the party holding the easement stating any conditions on the use of the land or a copy of the recorded easement shall be provided.
 - d. Evidence in writing from the United States Postal Service and the York County Control address coordinator indicating that any proposed street names are acceptable and not duplicated. The Township will provide lot addresses.
 - e. A note placed on the Final Plan indicating any area that is not to be offered for dedication, if applicable.
 - f. When the applicant posts financial guarantee in lieu of completion of the improvements, a detailed estimate of the cost of improvements shall be prepared and provided in accordance with the requirements of Article 4.
 - g. The Final Plan shall be accompanied by a completed Development Agreement, which shall be approved by the Township Solicitor.
 - h. Written notices of approval as required by this Ordinance, including written notices approving the water supply systems and/or sanitary sewage disposal systems.
 - i. The submission of an access and maintenance agreement in accordance with Section 506.J when an application proposes to establish a street which is not offered for dedication to public use.
 - j. Notification from the appropriate state and federal agencies that permits have been issued, or are not required, for any proposed activities within streams, wetlands, floodplains or any other waters of this Commonwealth.

Article 3 – Plan Submission and Processing Procedures and Specifications

When the Final Plan is submitted in phases, the above notifications for the entire site shall be provided with the submittal of the first final phase of the project.

- k. A PennDOT HOP for any activities proposed within any state road right-of-way.
 - l. Receipt of approvals or permits from the appropriate agency for the SWM Site Plan and E&S Plan. Said approvals or permits shall post-date SWM approvals, as changes to the final SWM Site Plan may necessitate revisions to the E&S Plan and/or NPDES Permit applications.
3. Reports. Revisions to reports after Preliminary Plan approval, or when a Preliminary Plan is not required, the following reports shall be submitted with the Final Plan application, as applicable:
- a. A final SWM Site Plan as required by the York Township SWM Ordinance.
 - b. When any watercourse(s) is located adjacent to or within the tract boundaries, a Watercourse Restoration Report prepared by an individual qualified to perform such duties, as required in Section 311 and consistent with the York Township Floodplain Management Ordinance shall be provided
 - c. A Floodplain Management Report prepared by a registered professional engineer, as required in Section 312 and consistent with the York Township Floodplain Management Ordinance.
 - d. An E&S Plan as required in this Ordinance and consistent with the York Township Stormwater Management Ordinance.
 - e. A Water Supply Feasibility Report as described in Section 313.
 - f. Sanitary Sewage Disposal Feasibility Report as described in Section 314.
 - g. A Street Classification Report as described in Section 315.
 - h. A Traffic Impact Report as described in Section 316.
 - i. A Wetlands Report as described in Section 317.
 - j. A Phase I Environmental Site Assessment (PESA) as described in Section 318.
 - k. Copies of all decisions rendered by the Zoning Hearing Board or Commissioners, as applicable, when the proposed use is permitted by special exception or conditional use, or where a variance has been granted.
 - l. Any archeological and historical land mapped by the Pennsylvania Historical and Museum Commission as containing potential or known site of archeological significance. Historical features involving structures or land that: (1) are listed on the National Register of Historical Places, (2) receive a determination of eligibility from the National Register and the National Park Service; and/or (3) are listed with the Historical Society of York.
 - m. A Landscape Plan as described in Article 6, including Greenway Plan, Riparian Buffers and Trails pursuant to Article 7.

Article 3 – Plan Submission and Processing Procedures and Specifications

- n. Such other certificates, affidavits, endorsements, or dedications as may be required by the Township Planning Commission or Commissioners in the enforcement of this Ordinance.

SECTION 311. WATERCOURSE RESTORATION PLAN

When any portion of a tract is located within a watercourse, the applicant shall submit two (2) copies of a Watercourse Restoration Plan. The Watercourse Restoration Plan shall include the following:

- A. Existing Features.
 1. Identification and location of all perennial and intermittent streams located on the property.
 2. Delineation of all wetlands and floodplains.
 3. Delineation of a riparian buffer as described in Section 703.
- B. A site-specific stream channel assessment shall be prepared containing the following information:
 1. Stream classification based on the following minimum data:
 - a. Bankfull width.
 - b. Bankfull maximum depth.
 - c. Mean bankfull depth.
 - d. Width depth ratio.
 - e. Floodprone width.
 - f. Entrenchment ratio.
 - g. Channel sinuosity.
 - h. Channel bed particle size.
 2. Modified Level II Geomorphic Assessment and Stream Channel Classification System as described in the East Branch Codorus Creek Watershed Assessment 2002.
 3. Stream Reach Prioritization Form, including physical stream features sheet.
 4. Identification of stream specific improvements required as a result of the assessment, including but not limited to:
 - a. Regenerative stormwater conveyance.
 - b. Legacy sediment removal.
 - c. Natural channel restoration.
 5. Name, address, telephone number, email address and qualifications of the assessment preparer.

Article 3 – Plan Submission and Processing Procedures and Specifications

- C. A narrative including design computations for the stream specific improvements.
- D. Locations of stream improvements, dimensioned details, cross sections, profiles, and planting information as identified in the Stream Channel Assessment,
- E. A complete maintenance program including any persons or entity responsible for said maintenance.
- F. Name, address, telephone number, email address and qualifications of the Watercourse Restoration Plan preparer.
- G. The Watercourse Restoration Plan shall display a Watercourse Restoration Plan Accuracy Certificate (Appendix 3-M).

SECTION 312. FLOODPLAIN MANAGEMENT REPORT AND PLAN REQUIREMENTS

- A. When any portion of a tract is located within a floodplain, the applicant shall submit three (3) copies of a Floodplain Management Report (Report). The Report shall document the results of a floodplain study performed to determine the presence and extent of floodplains on the site.
- B. For tracts on which no floodplains exist, an abbreviated Report shall be submitted identifying the preparer and the references used.
- C. The Report shall be prepared by a professional registered in the Commonwealth and qualified to perform such duties. The Report shall be completed in accordance with this section and the York Township Floodplain Management Ordinance.
- D. Floodplain delineations and elevations shall be obtained from the Federal Emergency Management Agency's (FEMA) most recent Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS).
 - 1. Where floodplains exist in or within fifty (50) feet of the tract, the plans shall display the following:
 - 2. Notes alerting developers/landowners/lot owners of the presence of and limitations applicable to floodplains.
 - 3. All such notes shall also be appropriately placed on all affected property deeds.
 - 4. Existing conditions of the tract including all the items identified in Section 3.02.C.2 of the York Township Floodplain Management Ordinance.
 - 5. Proposed conditions of the site including all the items identified in Section 3.02.C.3 of the York Township Floodplain Management Ordinance.
 - 6. Floodplain boundaries clearly delineated on the plans and on the site.
- E. Notes which specify that state and federal laws require permits for all activities which encroach upon the floodplains. The note shall state that refusal of such a permit may restrict some uses of all or portions of the site.

Article 3 – Plan Submission and Processing Procedures and Specifications

- F. The Report shall contain information pursuant to Section 3.02.C.4 of the York Township Floodplain Management Ordinance.
- G. The proposed subdivision and/or land development plans and Report shall address all items of Article V and Article VI of the York Township Floodplain Management Ordinance.
- H. The Report shall display the name, address, telephone number, email address and qualifications of the Report preparer.
- I. The Report shall display a Floodplain Management Report Accuracy Certificate (Appendix 3-O).

SECTION 313. WATER SUPPLY FEASIBILITY REPORT

- A. The applicant shall submit two copies of the Water Supply Feasibility Report (Report) for all proposed subdivision and/or land development plans (except Lot Line Adjustment Plans), concerning the location of all public water supply systems within one thousand (1,000) feet of the tract. Said Report shall be prepared by an individual qualified to perform such duties and shall be completed in accordance with Section 514.
- B. The Report shall examine possible connection to the existing public water supply system(s) when the proposed lot(s) is located within the Urban Growth Boundary (UGB). Information included in the Report shall be as follows:
 - 1. Connection to public water is required if any portion of the tract is within 1,000 feet of an existing public water supply system.
 - 2. If there are no connection points available within 1,000 feet of the tract, the distance from the project to the nearest point in the public water supply system shall be noted on the plan.
 - 3. Certification from the public water service provider that capacity and pressure exists to accommodate the needs of the proposed subdivision and/or land development.
- C. If connection to an existing public water system is proposed, the applicant shall submit a letter of commitment from the service provider that water supply and connection are available.
- D. If the proposed community water supply system uses water obtained from the tract, that water supply source may be utilized only if approved by PA-DEP.
- E. The Report shall display the name, address, telephone number, email address and qualifications of the Report preparer.

SECTION 314. SANITARY SEWAGE DISPOSAL FEASIBILITY REPORT

- A. The applicant shall submit three copies of the Sanitary Sewage Disposal Feasibility Report (Report) for all proposed subdivision and/or land development plans (except Lot Line Adjustment Plans), concerning the availability of a public sanitary sewage disposal system within 3,000 feet of the tract. Said Report shall be prepared by an individual qualified to perform such duties and shall be completed in accordance with Section 515.

Article 3 – Plan Submission and Processing Procedures and Specifications

- B. The Report shall examine possible connection to the existing public sanitary sewage disposal system(s). Information included in the Report shall be as follows:
 - 1. The distance from the tract to the nearest point in the public sanitary sewage disposal system.
 - 2. Certification from Wastewater Treatment Plant and the Township that treatment and conveyance capacity exists to accommodate the needs of the proposed subdivision or land development if connection to the public sanitary sewage disposal system is proposed.
 - 3. A sanitary sewage hydraulic capacity study shall be required at the discretion of the Township staff and the York Township Water and Sewer Authority Engineer, based on known conditions and the point of connection(s) to ensure that the existing system has adequate hydraulic capacity to accommodate the proposed subdivision and/or land development. The sanitary sewage hydraulic capacity study shall be performed by the York Township Water and Sewer Authority Engineer. The developer shall be responsible for the cost of the study if an analysis is required.
- C. Where an individual on-lot sanitary sewage disposal system is proposed, a PA-DEP Planning Module shall be submitted with the Report.
- D. If neither connection to a public sanitary sewage disposal system nor conventional on-site sanitary sewage disposal system is proposed, that fact shall be noted on the plan. The Commissioners will permit alternative or community systems only when approved by PA-DEP.
- E. The Report shall display the name, address, telephone number, email address and qualifications of the Report preparer.

SECTION 315. STREET CLASSIFICATION REPORT

- A. The Street Classification Report (Report) shall provide a brief description of the proposed subdivision and/or development and the function, size and internal layout of the streets. The following information shall be included:
 - 1. Identification of the street classification proposed for each street using the classifications listed and described in Section 506.B.
 - 2. Provide a justification for the classification of each street, including ADT volumes and corresponding speed limit. The justification shall be based on the street classification standards of Section 506.B.
 - 3. Describe how each proposed street meets or exceeds the minimum standards for its proposed street type, including provisions for parking and bicycle and pedestrian traffic.
- B. For all intersections and cul-de-sac turnarounds, turning radius templates for the largest expected truck traffic or the current largest Emergency Services vehicle shall be included with the Report.

Article 3 – Plan Submission and Processing Procedures and Specifications

- C. The Report shall display the name, address, telephone number, email address and qualifications of the Report preparer.

SECTION 316. TRAFFIC IMPACT REPORT

- A. The Township has adopted a Traffic Impact Fee Ordinance which establishes traffic impact fees for all residential subdivisions and/or land developments (except Lot Line Adjustment Plans), within designated Transportation Service Areas. Those areas are delineated on Transportation Service Area Maps, attached to the Township's Transportation Capital Improvement Plan.

- B. All residential subdivisions and/or land developments containing twenty (20) or more units and all non-residential land developments with building(s) in excess of 10,000 square feet gross floor area or Average Daily Traffic volume of 250 trips shall provide Traffic Impact Reports (Reports) in accordance with the requirements of this Section. All applicants with developments which do not meet the above stated criteria shall submit the information required in Section 316.E.5. Reports, plans and trip generation letters shall be signed and sealed by a professional engineer licensed to practice in the Commonwealth of Pennsylvania and qualified to perform such duties.

- C. Prior to beginning work on any traffic analysis, it is recommended that the applicant schedule a pre-study meeting with Township engineer and the Township's consulting traffic engineer. The purpose of the meeting will be to determine study limits, peak hours, adjacent proposed development, and to determine if a PennDOT Traffic Impact Study is required.

When requesting the meeting, the applicant shall provide the following information for review by the Township's traffic engineer prior to the meeting: type and size of the proposed development, estimated trip generation and a conceptual plan.

- D. The applicant shall be responsible for assessing the traffic impacts associated with a proposed development. The Township will review the applicant's assessment and supply available data upon request to aid the applicant in preparing the study. The applicant shall be responsible for all data collection efforts required in preparing a traffic impact study, including peak period turning movement counts. In addition, the applicant shall be responsible for ensuring that any submitted development plans meet the minimum state and local standards for geometric design. The study shall be conducted by a professional engineer licensed to practice in the Commonwealth of Pennsylvania and qualified to perform such duties. Upon submission of a draft study, the Township may review the data sources, methods and findings and provide comments in written form. The applicant will then have the opportunity to incorporate necessary revisions prior to submitting a final report.

- E. Contents. A Traffic Impact Report prepared for a proposed development shall follow the format below. This format allows for a comprehensive understanding of the existing and future conditions without the proposed development and the impacts associated with the proposed development. Reports shall provide the following:

- 1. Introduction.
 - a. A brief description of the site location, boundaries, tract size, topographic features, and rights-of-way located within or adjacent to the tract. At a

Article 3 – Plan Submission and Processing Procedures and Specifications

minimum, the study area shall include all streets and major intersections within the area contained in a one-half-mile concentric circle drawn around each entrance to the proposed development and, if a street abutting the proposed development does not contain an intersection within another street within that area, the first intersection with such abutting street. If the proposed development will generate in excess of 1,000 trips per day, the traffic impact area shall include all streets and major intersections contained in a one-mile concentric circle drawn around each entrance to the proposed development. The determination of whether an intersection shall be considered a major intersection shall be made in accordance with accepted engineering practices. The Township traffic engineer may require additional intersections outside the typical radius based on sound traffic engineering criteria and an understanding of existing and proposed traffic conditions at the site. In the event of a dispute, the determination of the Township traffic engineer shall be final.

- b. A brief description of the proposed development, function, size and short and long term growth potential. This description should be supplemented by a sketch which clearly shows the proposed development within the site boundaries, its internal traffic circulation pattern, vehicle and pedestrian safety and the location and orientation of its proposed access points.
 - c. A description of the existing and proposed uses of the site and its zoning. Since a number of uses may be permitted under the existing ordinances, this description shall identify the specific use on which the request is made.
 - d. A description of the existing and proposed land uses in the vicinity of the site and their current zoning. Adjacent land uses are especially important where large tracts of underdeveloped land are in the vicinity of the site and within the prescribed study area.
 - e. A description of existing roadways and intersections (geometrics and traffic signal control) located within the study area and improvements contemplated by government agencies.
2. Transportation Data Collection.
- a. Daily and peak hour traffic counts at the study area intersections. Traffic counts shall be no older than three years at the time the study is submitted.
 - b. Crash data for the most recent five years for the study area, including intersections and mid-block roadway segments.
 - c. Inventory Pedestrian, Bicycle, and Transit facilities.
 - d. Safe stopping sight distance analysis for all turning movements at the proposed street or access drive location(s).
 - e. Relevant information from other traffic studies conducted in the study area.
3. Analysis of Existing Conditions.
- a. Schematic diagrams depicting daily and peak hour(s) traffic volumes for roadways within the study area, including turning movement and mainline volumes for the peak hour conditions and mainline daily traffic volumes. The

Article 3 – Plan Submission and Processing Procedures and Specifications

- peak hours to be analyzed shall be based on the characteristics of the proposed development and the surrounding roadways as determined by the Township traffic engineer. The peak periods of the development and the surrounding roadways should be analyzed. Include the source, method of computation and assumptions used to determine all traffic volumes so that the Township can duplicate the calculations.
- b. Determination of levels of service (A through F) at critical points using the methodologies in the Highway Capacity Manual, latest edition. Include a description of typical operating conditions at each level of service.
4. Analysis of Future Conditions without Development.
 - a. The future year(s) for which projections are made will be specified by the Township and will depend on the timing of the proposed development. Generally, the future year to be analyzed will be the built-out year of the development. The future condition without development traffic volumes should include annual background growth and nearby proposed developments identified by the Township.
 - b. Schematic diagrams depicting future daily and peak hour(s) traffic volumes for roadways within the study area, including turning movement and mainline volumes for the peak hour(s) conditions. Only mainline volumes are required for daily traffic volumes. Include the source, method of computation and assumptions used to forecast future conditions for all traffic volumes so that the Township can duplicate the calculations.
 - c. A description of the ability of the existing roadway system to accommodate future traffic at critical points (without site development). Include a capacity analysis for roadway improvements or modifications committed for implementation. Capacity analyses should be conducted using the methodologies in the Highway Capacity Manual, latest edition.
 - d. Determination of levels of service at critical points (A through F), based on the results obtained in 4.c above.
 5. Trip Generation. Identify the amount of traffic generated by the site for daily and the peak hour(s) conditions. Trip generation shall be based on published trip rates in the latest edition of Trip Generation, Institute of Transportation Engineers. Any allowance or consideration of pass-by trips shall be justified with local information to provide a realistic estimate of the trip reduction. Requests to use alternative trip generation methodologies should be submitted to the Township Traffic Engineer prior to the full Traffic Impact Report for review and approval.
 6. Trip Distribution. Identify the direction of approach for site generated traffic for the study time periods. Include the source, method and assumptions used so that the Township can replicate the results. Generally, the trip distribution should be based on accepted industry standards, such as existing traffic patterns, census data, marketing studies, or gravity models. Requests to use alternative trip distribution methodologies should be submitted to the Township Traffic Engineer prior to the full Traffic Impact Report for review and approval.

Article 3 – Plan Submission and Processing Procedures and Specifications

7. Trip Assignment. Describe the utilization of roadways within the study area by site generated traffic. The proposed traffic volumes should then be combined with anticipated traffic volumes from Subsection 4 above to describe mainline and turning movement volumes for future conditions with the site developed as the applicant proposes. The trip assignment shall be shown on schematic diagrams depicting new trips, pass-by trips, and diverted linked trips, as appropriate.
8. Analysis of Future Conditions with Development.
 - a. Daily and peak hour(s) traffic volumes for mainline and turning movement volumes for the roadway network in the study area as well as driveways and internal circulation streets for the appropriate time periods.
 - b. A capacity analysis at critical points for the appropriate peak hours for future conditions with the site developed as proposed, similar to Subsections 3.b. and 4.c above.
 - c. A computation and description of the level of service at critical points on the study area roadway system based on the results obtained in 8.b above.
 - d. Final design must address both traffic flow and traffic safety considerations to provide safe operational characteristics.
 - e. Queue length, gap and right and left turn lane warrant analysis.
 - f. Signal warrant analysis.
 - g. If applicable, analysis of future pedestrian access/circulation may be required, depending on intensity of the development.
9. Recommended Improvements.
 - a. A list of the improvements proposed to assure sufficient roadway capacity, including the location, nature and extent, estimates of preliminary costs, sources of funding, timing, and likelihood of implementation. These improvements shall not include committed projects by the state and local jurisdictions which were described in Subsection 1 above and reflected in the analysis contained in Subsections 3 and 4 above.
 - b. A description of the capacity analysis at critical points which demonstrates the anticipated results of making the proposed improvements. If the improvement analysis reveals that improvements do NOT improve subject intersections above level of service F, the delay projected for these intersections shall be no worse than the projected for future conditions without development.
 - c. A list and description of the present levels of service at critical points for the roadway system with improvements, based on the results obtained in 9.b above.
 - d. Recommended improvements should also consider "soft" improvements such as transportation demand management measures (i.e. staggered start and end work times, telecommuting, utilization of transit, greenway or trail linkages, park and ride lots, etc.) that may be used to reduce trip generation for the proposed development. These efforts should be coordinated with

Article 3 – Plan Submission and Processing Procedures and Specifications

- York Township, the public transportation provider and the York County Planning Commission.
- e. Recommended improvements should also consider alternative traffic control strategies, such as turn restrictions and roundabouts.
 - f. Financing/funding of improvements outside the TSA should be considered. More than one entity may finance the proposed improvements a proration or fair share cost formula should be employed.
 - g. Recommendations for the design of streets, access drives, and driveways, including necessary signage and traffic control.
10. Conclusion. The final section of the Report shall provide a clear concise description of the study findings and recommendations.
- F. The Report shall display the name, address, telephone number, email address and qualifications of the Report preparer.

SECTION 317. WETLANDS REPORT AND PLAN REQUIREMENTS

- A. When any portion of a tract is located within a wetlands, the applicant shall submit two (2) copies of a Wetlands Report (Report). The report shall document the results of a wetland study performed to determine the presence and extent of wetlands on the site.
- B. For tracts on which no wetlands exist, an abbreviated Report shall be submitted identifying the preparer and the references used.
- C. The wetland study shall be performed by a qualified individual with a minimum two (2) years' experience delineating wetlands and preparing wetland reports
- D. Wetland determinations/identifications and delineations shall follow the procedures outlined in the 1987 Federal Manual for Identifying and Delineating Jurisdictional Wetlands, and any subsequent amendments, applicable supplements or superseding documents accepted by PA-DEP.
- E. Where wetlands exist on the tract, the plan shall display the following:
 - 1. Notes alerting Developers/landowners/lot owners of the presence of and limitations applicable to wetlands.
 - 2. The wetland boundaries clearly delineated on the plans and on the site.
 - 3. Notes which specify that state and federal laws require permits for all activities which encroach upon the wetlands. The note shall also state that refusal of such a permit may restrict some uses of all or portions of the site.
 - 4. All such notes shall also be appropriately placed on all affected property deeds.
- F. Compensatory mitigation projects required as part of state or federal permits shall be shown on the subdivision and/or land development plans. Future lot owners whose property encompasses all or part of a mitigation area shall be notified that the portion of their property which includes the mitigation area may not be altered, and is considered a jurisdictional

Article 3 – Plan Submission and Processing Procedures and Specifications

wetland by the state and federal governments. Plans shall clearly state which parties are responsible for maintenance of mitigation areas and shall provide such maintenance requirements. Ownership by one individual or a homeowners association is encouraged. Owners of the wetland mitigation areas must be clearly identified to the Township and such information must also be appropriately entered on all affected property deeds.

- G. The delineated wetland boundary shall be properly fenced off to prevent encroachment during construction. Construction fence or other fencing acceptable to the Township shall be installed a minimum distance of five (5) feet outside the delineated wetland boundary, prior to any construction or issuance of building permits. The fence must be properly maintained until all occupancy permits have been issued and/or for the extent of all construction. After construction, permanent fencing and/or wetland boundary markers acceptable to the Township shall be installed and maintained on each lot where wetlands exist.
- H. Unless otherwise approved by the Commissioners, wetland delineations and/or Reports are valid for only three (3) years.
- I. The Report shall display the name, address, telephone number, email address and qualifications of the Report preparer.

SECTION 318. PHASE I ENVIRONMENTAL SITE ASSESSMENT

- A. The applicant shall submit two (2) copies of a Phase I Environmental Site Assessment (PESA) with all proposed subdivision and/or land development plans, other than those processed through Sections 303 and 304. The purpose of the PESA shall be to identify current and historical items associated with the property which may constitute a threat to the environment. The PESA shall include, but need not be limited to a site visit conducted by personnel qualified to perform such duties in order to identify the following:
 - 1. Storage, utilization of agricultural herbicides/pesticides or waste at the site or surrounding properties.
 - 2. Presence of underground or above ground storage tanks, or other containers, for fuel or agricultural chemical storage.
 - 3. The possible location and orientation of any underground petroleum pipelines which may come into contact with the site.
 - 4. The possible location of on-site fill areas which, because of the deposited material, may pose limitations for structural and/or non-structural development.
- B. A search of recorded deeds and review of York Township records in order to identify previous landowners and site operations that could adversely affect the property. Historical aerial photographs must be procured and reviewed in order to identify past on-site or off-site indicators of environmental impacts (e.g. lagoons, trash site, etc.). The review of tax records and maps is required in order to identify owners and respective land uses of surrounding properties.

A review of the PA-DEP files in order to ascertain whether or not any notices of violation have been issued for the site or nearby properties. In addition, the United States Environmental Protection Agency (EPA) Comprehensive Environmental Response, Compensation, and Liability System (CERCLIS) list of potential hazardous waste sites in

Article 3 – Plan Submission and Processing Procedures and Specifications

Pennsylvania and the National Priorities List must be reviewed in order to identify nearby existing or potential national Superfund sites.

- C. York Township makes no representation, expressed or implied, that the PESA will absolve or limit the developer/landowner from liability pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA, or Superfund Act) as amended, the Superfund Amendment and Reauthorization Act of 1986 (SARA) as amended, or any other applicable federal, state, county, and local statute, rule or regulation heretofore or hereafter promulgated.
- D. The PESA shall display the name, address, telephone number, email address and qualifications of the PESA preparer.
- E. The PESA shall display a Phase 1 Environmental Site Assessment Accuracy Certificate (Appendix 3-P).

SECTION 319. ELECTRONIC SUBMISSION REQUIREMENT

All plans for subdivision and/or land development submitted for recording shall be accompanied by an Electronic Submission to York Township as specified below:

- A. Electronic Submission Certification and Content.
 - 1. The certification shall be in the form of a letter attesting to the content of the Electronic Submission matching the plan approved by the Commissioners, signed by a Surveyor or Engineer professional registered in the Commonwealth of Pennsylvania and qualified to perform such duties.
 - 2. The use of the electronic information submitted will be for inclusion into the Township and/or County GIS system. Disclaimers and limiting statements may be placed with the certification of the Electronic Submission, provided such disclaimers do not direct liability to the Township or County or create indemnification by the Township or County to the party submitting electronic files.
- B. Electronic Submission Standards and Procedures.
 - 1. Plans will be submitted as a file in PDF or TIF format or as requested by the Township GIS Department on standard storage media. Such media may include CD-ROM or DVD disks, flash drives or portable hard drives.
 - 2. The submitted media shall be legibly labeled with the plan name, approved date, plan type (preliminary, final, as-built, etc.), project contact information (name, affiliation, phone number, and e-mail address), and submittal and file creation dates.
 - 3. To the extent possible, the submitted plan file will be named the same as the hardcopy plan. Long plan file names may be abbreviated provided there is a clear relationship to the name of the hardcopy plan.

Article 3 – Plan Submission and Processing Procedures and Specifications

APPENDIX 3-A
PLAN ACCURACY CERTIFICATE

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

_____, 20_____* _____

* Signature and seal of a professional registered in the Commonwealth of Pennsylvania as qualified to perform such duties and responsible for the preparation of the plan.

APPENDIX 3-B
SURVEY ACCURACY CERTIFICATE

I hereby certify that, to the best of my knowledge, the survey shown and described hereon is true and correct to the accuracy in accordance with the State Minimum Standards published by the State Board of Registration for Professional Engineers and Land Surveyors.

_____, 20_____* _____

* Signature and seal of a professional registered in the Commonwealth of Pennsylvania as qualified to perform such duties and responsible for the preparation of the plan.

APPENDIX 3-C
PROPERTY CORNER CERTIFICATE

I hereby certify that all of the property corner monumentation as required by the York Township Subdivision and Land Development Ordinance, and noted hereon, has been found, set or otherwise established in the field as of (date) in accordance with accepted standard practice of the registered surveyors of Pennsylvania.

_____, 20_____* _____

* Signature and seal of a Professional Land Surveyor, licensed by the Commonwealth of Pennsylvania as qualified to perform such duties and responsible for the establishment of the property corners.

THIS CERTIFICATION IS ONLY REQUIRED ON FINAL PLANS.

Article 3 – Plan Submission and Processing Procedures and Specifications

APPENDIX 3-D
CERTIFICATE OF OWNERSHIP, ACKNOWLEDGEMENT OF PLAN
AND OFFER OF DEDICATION
(INDIVIDUAL)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____

On this, the _____ day of _____, 20_____, before me _____
_____, the undersigned officer, personally appeared _____
_____, known to me (or satisfactorily proven) to be the person(s)
whose name is subscribed hereon, who being duly sworn according to law, deposes and says
that (he/she/they) are the owner of the property shown on this plan, that the plan thereof was
made at (his/her/their) direction, that (he/she/they) acknowledges the same to be (his/her/their)
act and plan and that all necessary approval of the plan has been obtained and is endorsed
thereon, that (he/she/they) desire the same to be recorded, and all streets and other property
identified as proposed public property (excepting those areas labeled "NOT FOR DEDICATION")
are hereby dedicated to the public use.

In witness whereof, I hereunto set my hand and official seal:

Notary Public:

Signature

My Commission Expires:

Printed Name

Title

Article 3 – Plan Submission and Processing Procedures and Specifications

APPENDIX 3-E
CERTIFICATE OF OWNERSHIP, ACKNOWLEDGEMENT OF PLAN
AND OFFER OF DEDICATION
(PARTNERSHIP)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____

On this, the _____ day of _____, 20_____, before me _____, the undersigned officer, personally appeared _____, being _____ of _____ known to me (or satisfactorily proven) to be the person whose name is subscribed hereon, who being duly sworn according to law, deposes and says that the partnership is the owner of the property shown on this plan, that the plan thereof was made at his direction, that (he/she) acknowledges the same to be his act and plan that all necessary approval of the plan has been obtained and is endorsed thereon, that (he/she) desires the same to be recorded, and all streets and other property identified as proposed public property (excepting those areas labeled "NOT FOR DEDICATION") are hereby dedicated to the public use.

In witness whereof, I hereunto set my hand and official seal:

Notary Public:

Signature

My Commission Expires:

Printed Name

Title

Article 3 – Plan Submission and Processing Procedures and Specifications

APPENDIX 3-F
CERTIFICATE OF OWNERSHIP, ACKNOWLEDGEMENT OF PLAN
AND OFFER OF DEDICATION
(CORPORATION)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____

On this, the _____ day of _____, 20_____, before me _____
_____, the undersigned officer, personally appeared _____
_____, being _____ of _____
_____ known to me (or satisfactorily proven) to be the person whose name is subscribed
hereon, who being duly sworn according to law, deposes and says that the corporation is the
owner 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 all necessary approval of
the plan has been obtained and is endorsed thereon, that (he/she) desires the same to be
recorded, and all streets and other property identified as proposed public property (excepting
those areas labeled "NOT FOR DEDICATION") are hereby dedicated to the public use.

In witness whereof, I hereunto set my hand and official seal:

Notary Public:

Signature

My Commission Expires:

Printed Name

Title

Article 3 – Plan Submission and Processing Procedures and Specifications

APPENDIX 3-G
YORK COUNTY PLANNING COMMISSION REVIEW CERTIFICATE

The York County Planning Commission, as required by the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, reviewed this plan on _____ 20____, and a copy of the review is on file at the office of the Planning Commission in the YCPC File No. _____. This certificate does not indicate approval or disapproval of the plan by the York County Planning Commission, and the Commission neither represents nor guarantees that this plan complies with the various ordinances, rules, regulations, or laws of the local municipality, the Commonwealth or the Federal government.

APPENDIX 3-H
YORK TOWNSHIP PLANNING COMMISSION REVIEW CERTIFICATE

At a meeting held on _____, 20____, the York Township Planning Commission reviewed this plan and a copy of the review comments is on file in the Township office.

_____	_____
_____	_____
_____	_____

APPENDIX 3-I
YORK TOWNSHIP BOARD OF COMMISSIONERS
FINAL APPROVAL CERTIFICATE

At a meeting held on _____, 20____, the York Township Board of Commissioners approved this project including the complete set of plans and information which are filed with the Commissioners, based on its conformity with the standards of the York Township Subdivision and Land Development Ordinance.

_____	_____
_____	_____
_____	_____

APPENDIX 3-J
RECORDER OF DEEDS OF YORK COUNTY CERTIFICATE

Recorded in the Office for Recording of Deeds, in and for York County, Pennsylvania, in Land Record Book _____, Page _____, on this _____, day of _____, 20_____.

Article 3 – Plan Submission and Processing Procedures and Specifications

APPENDIX 3-K
STORMWATER MANAGEMENT SITE PLAN ACCURACY CERTIFICATE

I hereby certify that, to the best of my knowledge, the Stormwater Management Site Plan and associated best management practices shown and described hereon are designed in conformance with the York Township Stormwater Management Ordinance.

_____, 20____ * _____

* Signature and seal of a qualified designer licensed by the Commonwealth of Pennsylvania as qualified to perform and to be responsible for the preparation of the stormwater management site plan.

APPENDIX 3-L
LANDSCAPE PLAN ACCURACY CERTIFICATE

I hereby certify that, to the best of my knowledge, the proposed Landscape Plan(s) shown and described hereon are designed in conformance with the York Township Subdivision and Land Development Ordinance.

_____, 20____ * _____

* Signature and seal of a qualified designer licensed by the Commonwealth of Pennsylvania as qualified to perform and to be responsible for the preparation of the Landscape Plan.

APPENDIX 3-M
WATERCOURSE RESTORATION PLAN ACCURACY CERTIFICATE

I hereby certify that, to the best of my knowledge, the Proposed Watercourse Restoration Plan shown and described hereon is designed in conformance with the York Township Subdivision and Land Development Ordinance.

_____, 20____ * _____

* Signature and seal of a qualified designer licensed by the Commonwealth of Pennsylvania as qualified to perform and to be responsible for the preparation of the Watercourse Restoration Plan.

Article 3 – Plan Submission and Processing Procedures and Specifications

APPENDIX 3-N
EROSION AND SEDIMENT CONTROL PLAN ACCURACY CERTIFICATE

I hereby certify that, to the best of my knowledge, the Erosion and Sediment Control Plan and associated best management practices shown and described hereon are designed in conformance with the York Township Stormwater Management Ordinance and the Pennsylvania Chapter 102 Erosion and Sediment Control Regulations.

_____, 20____ * _____

* Signature of a qualified designer trained and experienced in erosion and sediment control methods and techniques and responsible for the preparation of the Erosion and Sediment Control Plan.

APPENDIX 3-O
FLOODPLAIN MANAGEMENT REPORT ACCURACY CERTIFICATE

I hereby certify that, to the best of my knowledge, the Floodplain Management Report and associated plans shown and described hereon are designed in conformance with the York Township Floodplain Management Ordinance and the Pennsylvania Floodplain Management Act.

_____, 20____ * _____

* Signature and seal of a qualified Professional Engineer or Architect licensed by the Commonwealth of Pennsylvania as qualified to perform and to be responsible for the preparation of the floodplain management report.

APPENDIX 3-P
PHASE I ENVIRONMENTAL SITE ASSESSMENT ACCURACY CERTIFICATE

I hereby certify that, to the best of my knowledge, the Phase I Environmental Site Assessment Report shown and described herein is in conformance with the York Township Subdivision and Land Development Ordinance.

_____, 20____ * _____

* Signature and seal of a qualified individual with a minimum two (2) years' experience in preparation of PESA report.

Article 3 – Plan Submission and Processing Procedures and Specifications

APPENDIX 3-Q **APPLICATION FOR A SUBDIVISION AND/OR LAND DEVELOPMENT PLAN**

(FOR TOWNSHIP USE ONLY)

YT FILE NO. _____

DATE OF RECEIPT/FILING: _____

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

1. Plan Name: _____

Plan No.: _____

Plan Date: _____

2. Project Location: _____

3. Name of Landowner(s): _____

Address: _____

Phone No.: _____

E-mail: _____

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

Single Family (Detached) _____

Commercial _____

Multi-Family (Attached-Sale) _____

Industrial _____

Multi-Family (Attached-Rent) _____

Institutional _____

5. Property & Project Area Information:

	<u>On-Site</u>	<u>Off-Site</u>	<u>Total</u>
Property (acres, ac)	_____	_____	_____
Project (ac)	_____	_____	_____
Earth Disturbance (ac)	_____	_____	_____
Existing Impervious (square feet, sft)	_____	_____	_____
Proposed Impervious (square feet, sft)	_____	_____	_____
Lot Development Plan (sft)	_____	_____	_____

Article 3 – Plan Submission and Processing Procedures and Specifications

Encroachments on Waters of this Commonwealth (list types, sizes, permits)

_____ (sft) _____
_____ (sft) _____

PennDOT Highway Occupancy Permit(s) Required (list)

6. Application Classification: (check one)

Waiver or Modification Request	_____	Sketch Plan	_____
Lot Development Plan	_____	Preliminary Plan	_____
Lot Line Adjustment Plan	_____	Final Plan	_____
Revised Subdivision and/or Land Development Plan for processing in accordance with YT SALDO Section 303			_____

7. Name of Applicant (if other than Owner): _____

Address: _____

Phone No.: _____ E-mail: _____

8. Firm which Prepared Plan: _____

Address: _____

Phone No.: _____ E-mail: _____

9. Contact Person for Plan: _____

(York Township will utilize this information for all correspondence.)

Address: _____

Phone No.: _____ E-mail: _____

10. Have all zoning approvals been obtained? Please specify approvals: _____

11. Are PA-DEP Permits required: _____ If yes, which/how many: _____ /

12. Are PennDOT Permits needed: _____ If yes, which/how many: _____ /

Article 3 – Plan Submission and Processing Procedures and Specifications

13. Type of water supply proposed:

Public _____ Community _____ Individual _____

14. Type of sanitary sewer disposal proposed:

Public _____ Community _____ Individual _____

Live _____ Capped _____

15. Lineal feet of new street: _____

Identify all street(s) not proposed for dedication: _____

16. Acreage proposed for park or other public use: _____

17. Have plans been submitted to York County Planning Commission? _____

By signing this application, I certify that all facts in the application and all accompanying documentation are true and correct. This application is being made by me to include official action on the part of York Township, and I understand that any false statements made herein are being made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

** Further, as part of this application I (agree) (do not agree) that the timeframe set forth in Article V of the Pennsylvania Municipal Planning Code for rendering a decision and the prescribed manner of presentation of communication of the decision are all waived. The extension of any deadline granted by this waiver shall end forty-five (45) days after York Township receives written notice from the Applicant that it is terminating the written waiver provided herein. The Applicant hereby acknowledges that it has voluntarily agreed to the extension provided herein and shall have the right at any time to terminate this extension as set forth above. **

Date:

Signature of Landowner

Printed name and title

Article 3 – Plan Submission and Processing Procedures and Specifications

APPENDIX 3-R
APPLICATION FOR A WAIVER/MODIFICATION

(FOR TOWNSHIP USE ONLY)

YT FILE NO. _____

DATE OF RECEIPT/FILING: _____

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

1. Project

Name: _____

Location: _____

2. Landowner (List all information for all landowners.)

Name: _____

Address: _____

Telephone Number: __ (____) _____

Email Address: _____

3. Applicant (If other than landowner. List all information for all applicants.)

Name: _____

Address: _____

Telephone Number: __ (____) _____

Email Address: _____

4. Specify section(s) of the York Township Subdivision and Land Development Ordinance for which the waiver/modification is requested: _____

5. The proposed alternative to the requirement: _____

Article 3 – Plan Submission and Processing Procedures and Specifications

6. The justification for the waiver/modification: _____

7. Identification of plans, reports or supplementary data which is part of the application: _____

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

Date:

Signature of Applicant or Agent:

Article 4 – IMPROVEMENT AND MAINTENANCE GUARANTEES

ARTICLE 4 **IMPROVEMENT AND MAINTENANCE GUARANTEES**

SECTION 401. GENERAL STATEMENT

- A. No plan shall be finally approved unless the streets shown on such plan have been improved as may be required by this Ordinance, and any sidewalks, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, stormwater collection and conveyance (C&C) facilities, stormwater best management practices (BMPs), watercourse restorations, recreational facilities, open space improvements, buffer or screen plantings, or other improvements as may be required by this Ordinance have been installed in accordance with this Ordinance, except that the wearing course of streets shall not be completed until such time as ninety (90) percent of the lots in the subdivision and/or land development have been improved.

For the purpose of this article, an improved lot shall be considered completed when all building construction and site improvements are finished to the point that in the opinion of the Township, a Certificate of Occupancy and a Certificate of Use could be issued. In lieu of completion of the surface course of streets as well as in lieu of completion of other improvements required as a condition for final approval of a plan, at the discretion of the developer, such developer may deposit with the Township, financial security authorized by the Municipalities Planning Code and acceptable to the Township Solicitor.

- B. No Final Plan shall be signed by the Commissioners for recording in the Office of the York County Recorder of Deeds unless:
1. Financial security in accordance with the requirements of Section 402 is accepted by the Commissioners, and,
 2. A signed Development Agreement in a form acceptable to the Township Solicitor has been executed and is on file with the Township.

SECTION 402. FINANCIAL SECURITY FOR IMPROVEMENT GUARANTEE

- A. Submission of Improvements Guarantee. Final Plan applications that include public improvements that have not been installed shall include an improvement guarantee in the type of financial security as required below and documented in the Development Agreement.
1. Type of Financial Security.
Irrevocable 'Evergreen' Letters of Credit will be accepted, although the Commissioners may accept an alternative type of financial security. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, providing said bonding company or lending institution is authorized to conduct such business in the Commonwealth, subject to reviewed and approved by the Township Solicitor for adequacy.
 2. Amount of Financial Security.
 - a. The amount of financial security required by the Township shall be based upon an estimate of the cost of the improvements submitted by the developer

Article 4 – IMPROVEMENT AND MAINTENANCE GUARANTEES

and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. Financial Security shall be posted in an amount equal to 110 percent of the estimated cost of the required improvements at a time ninety (90) days following the date scheduled for completion of the respective improvements by the developer. The Township, upon the recommendation of the Township Engineer, may refuse to accept such estimate for good cause shown. If the developer and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Township and the developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township and the developer.

- b. Annually the Township may adjust the amount of required financial security by re-determining the estimated cost for completion of the uncompleted improvements as of the expiration of the ninetieth (90th) day after either date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Township may require the developer to post additional security in order to ensure that the financial security equals 110 percent of the estimated cost of the Township completing the improvements at a time ninety (90) days following the date scheduled for completion or alternatively reduce the required security so that it equals such amount. Any additional security shall be posted by the developer within thirty (30) days after being notified of the same.
 - c. 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 required improvements, the amount of financial security may be increased by additional ten (10) percent for each one (1) year period beyond the first anniversary date from posting of financial security to an amount not exceeding 110 percent of the then current estimate of completing the remaining required improvements.
 - d. In the case where development is projected over a period of years, the Commissioners may authorize submission of Final Plans by phases of development subject to such requirements or guarantees as to improvements in future phases of development as it finds essential for the protection of any finally approved phase of the development.
- B. Final Plan Approval Conditioned Upon Financial Security. When requested by the Applicant, in order to facilitate financing, the Board of Commissioners shall furnish the Applicant with written certification indicating approval of the Final Plan contingent upon the Applicant obtaining a satisfactory financial security. The Final Plan shall not be recorded until the Development Agreement is executed. Conditional approval shall expire and be deemed to be revoked if the Development Agreement is not executed within ninety (90) days unless a written extension is granted by the Commissioners. Such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer. The time extension must be requested by the applicant in writing.
- C. Release of Financial Security.

Article 4 – IMPROVEMENT AND MAINTENANCE GUARANTEES

1. As the work of installing the required improvements proceeds, the applicant or representing engineer may request the Township to release or authorize the partial release of financial security from time to time. Any such request shall be in writing addressed to the Township and the Township shall have forty-five (45) days from the receipt of such request to allow the Township Engineer to certify, in writing, to the Commissioners that such portion of the work has been completed in accordance with the approved plan. Upon such certification, the Township shall authorize release from the required financial security of an amount as approved by the Township Engineer as representing the value of the work completed or, if the Commissioners fail to act within said forty-five (45) day period, the Commissioners shall be deemed to have approved the release of funds as requested.
2. The value of the work completed shall be determined by submission of a revised estimate by the representing engineer, certifying that the improvements have been installed as designed. The revised estimate shall subtract the estimated cost of the completion of the remaining uncompleted work from the total amount of security deposited, together with the 110% inclusion.
3. When the Developer has completed all of the necessary and appropriate improvements, the Developer shall notify the Commissioners, in writing by certified or registered mail, of the completion of the aforesaid required improvements and shall send a copy thereof to the Township Engineer. The Commissioners shall, within ten (10) days after receipt of such notice, direct and authorize the Township Engineer to inspect all of the aforesaid improvements. The Township Engineer will inspect all the aforesaid completed improvements and will notify the Commissioners and the Developer, in writing, within thirty (30) days of such an inspection.

The report shall be detailed and shall indicate approval or rejection of improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Township Engineer, the report shall contain a statement of reasons for such disapproval or rejection.

- a. The Commissioners 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 Commissioners with relation thereto.
 - b. If the Commissioners or the Township Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the Developer shall be released from all liability, pursuant to this performance guaranty bond or other security agreement.
 - c. If any portions of the said improvements are not approved or are rejected by the Commissioners, the Developer shall proceed to complete the same with the required corrections and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
- D. Remedies to Effect Completion of Improvements. In the event that any required improvements are not installed as provided in this Ordinance or in accordance with the approved Final Plan, the Township may enforce any letter of credit or other financial security by appropriate legal and equitable remedies. If proceeds of such financial security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Township may, at its option, install such improvements in all or part of the subdivision and/or land development and may institute appropriate legal or equitable action or recover the monies necessary to complete the

Article 4 – IMPROVEMENT AND MAINTENANCE GUARANTEES

remainder of the improvements. All the proceeds, after deducting the costs of collection, whether resulting from the financial security or from any legal or equitable action brought against the developer or both, shall be used solely for the installation of the improvements covered by such security, and not for any other Township purpose.

E. Other Effects of Financial Security.

1. If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plan as set forth in this Section, the Township shall not condition the issuance of building, grading or other permits relating to the erection or placement of improvements, including buildings, upon the lots or land as depicted upon the Final Plan upon actual completion of the improvements depicted upon the approved Final Plan. Moreover, if said financial security has been provided, occupancy permits for any building or buildings shall not be withheld following:
 - a. The application of the asphalt binder course to the streets providing access to and from existing public roads to such building or buildings.
 - b. The completion of all other improvements as depicted upon the approved plan, either upon the lot or lots or beyond the lot or lots in question if such improvements are necessary for the reasonable use of or occupancy of the building or buildings.
2. At such time as ninety (90) percent of the lots in the subdivision have been completed as set forth above, or if less than ninety (90) percent of the lots have been so improved at the expiration of three (3) years from the date all of the improvements excepting the wearing course has been completed, the Township may notify the developer to complete the wearing course within sixty (60) days from the date of such notice. In computing the sixty (60) day requirement, the period from October 1 to April 1 shall not be counted.
 - a. In lieu of the developer installing the wearing course, at the Township's discretion, the developer may be required to provide the Township with 110% of the estimated cost of the wearing course installation. The Township would then be responsible for purchasing and installing the wearing course. Prior to the Township installing the wearing course, the Township will conduct an inspection of the development and inform the developer of any defects or deficiencies which must be corrected prior to installing the wearing course. The responsibility and cost for all such corrections shall be borne by the developer.
 - b. If the Township's actual costs for installation of the wearing course exceed 110% of the estimated installation costs, the developer will be responsible to reimburse the Township for the amount over 110% of the estimated cost. Should the actual installed costs be less than 110% of the estimated costs, the Township shall reimburse the developer for the overage amount.
3. If the wearing course is not placed and compacted within fifty-four (54) months of placement and compaction of the binder/base course inspection or of the previous placement of the skim coat inspection, the Township shall notify the Developer/Owner to repair and/or replace the street sub-base and/or binder/base course and place the skim coat over the entire street within sixty (60) days of the date such notice. In computing the sixty (60) day requirement, the period from

Article 4 – IMPROVEMENT AND MAINTENANCE GUARANTEES

October 1 to April 1 shall not be counted. The skim coat shall be placed between April 1 and October 1. The Developer/Owner shall be responsible for all associated costs of the work.

SECTION 403. INSPECTION OF IMPROVEMENTS DURING CONSTRUCTION

- A. The Township Engineer, YTWSA Engineer, the Department of Public Works and the Building and Zoning Department shall be invited to a pre-construction meeting scheduled for no less than three (3) working days and no more than seven (7) days in advance of any intended date of construction. The provisions stated herein shall 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.
- B. Reimbursement for Inspections. The Developer shall reimburse the Township for the reasonable and necessary expenses incurred for the inspection of improvements according to a schedule of fees adopted by resolution of the Commissioners and as amended from time to time
- In the event the Applicant disputes the amount of any such expense in connection with the inspection of improvements, the provisions outlined in the PA Municipalities Planning Code shall apply.
- C. General Site Construction Inspections by the Township. The following stages of site construction will have mandatory inspections. This list of stages shall be amended by the developer and agreed upon by the Township when the site requires specific construction procedures. The site specific inspection schedule must be included on the Final Plan.
1. The Township Engineer, YTWSA Engineer, the Department of Public Works and the Building and Zoning Department shall be invited to a pre-construction meeting scheduled for no less than three (3) working days and no more than seven (7) days in advance of any intended date of construction.
 2. Completion of preliminary site preparation including stripping of vegetation, stockpiling of topsoil and construction of perimeter Erosion & Sediment Control E&S BMPs.
 3. Completion of rough grading, but prior to placing topsoil or other site development improvements and ground covers.
 4. Construction of permanent stormwater SWM BMPs and facilities. All underground portions of stormwater BMPs and facilities must be inspected prior to backfilling. SWM BMPs require several inspections.
 5. Construction of sanitary sewage disposal facilities. All sanitary sewage disposal facilities must be constructed and inspected in accordance with the YTWSA specifications.
 6. Completion of permanent stormwater SWM BMPs and facilities, including the establishment of ground covers and plantings.
 7. Construction in accordance with the Watercourse Restoration Plan. Watercourse restorations may require several inspections.
 8. Construction of sidewalks, curbs and reinforced shoulders, and/or retaining walls.
 9. Completion of street and other signs/markings, street and other exterior lighting, street and other shade trees, monuments and markers, refuse collection stations, fire

Article 4 – IMPROVEMENT AND MAINTENANCE GUARANTEES

hydrants, landscaping, buffers and screens, greenway corridors, riparian buffers, trails, and recreation facilities.

10. Final inspection, after review of the as-built drawings, required by Section 408 of this Ordinance, but prior to final release of the financial guarantee for completion of final grading, establishment of final stabilization, or other site restoration work.

D. Street Construction Inspections by the Township.

1. Preparation of Street Subgrade. The subgrade will be proof rolled and the proposed crown and grade checked. A developer's/contractor's representative should accompany the inspector when the crown and grade are checked. Proof rolling shall be performed with a fully loaded (with stone), tandem-axle dump truck. This inspection must occur prior to any stone sub-base being placed.
2. Placement and Compaction of Street Sub-base. The depth of sub-base will be checked after compaction, the sub-base shall be proof rolled in the same manner as the subgrade and the crown and grade shall be rechecked. This inspection must occur prior to the placement of any binder or base course.
3. Placement and Compaction of the Binder/Base Course. The depth of the binder/base course will be checked, ambient temperature should be monitored, and the temperature of the bituminous material should be checked, in accordance with PennDOT specifications, Form 408, as amended. The crown and grade shall be rechecked. This inspection must occur prior to placement of the wearing course.
4. Placement and Compaction of the Wearing Course. The depth of the wearing course will be checked, ambient temperature should be monitored, and the temperature of the bituminous material should be checked, in accordance with PennDOT specifications, Form 408, as amended. The crown and grade shall be rechecked.
5. Where the wearing course is not placed and compacted within fifty-four (54) months of the placement and compaction of binder/base course inspection, the following shall apply:
 - a. Inspection for repair of streets in preparation of repair, replacement, placement and/or compaction of street sub-base and/or binder/base course.
 - b. Inspection of repair, replacement, placement and/or compaction of street sub-base and binder/base course. For said inspection the guidelines outlined in Section 403.D.2 & 3 must be followed.
 - c. Inspection of placement of skim coat. The ambient temperature (greater than 40 degrees Fahrenheit) should be monitored in accordance with PennDOT specifications. This inspection must occur during the placement of the skim coat.

- C. In addition to the above outlined inspections, additional inspections will be made at the request of the developer for reduction of financial securities. Random inspections may be made at the frequency desired by the Township. At the time of any of the above listed inspections, all ongoing construction (i.e. SWM BMPs and facilities, sanitary sewage disposal facilities, water supply facilities, E&S BMPs, etc.) should also be checked for compliance with the approved plans and the findings reported. Since the above inspections

Article 4 – IMPROVEMENT AND MAINTENANCE GUARANTEES

are mandatory, it is recommended that requests for reduction of financial guarantee be submitted to coincide with the inspections.

SECTION 404. MAINTENANCE OF STREETS

The developer shall maintain all streets in the subdivision or land development in passable condition, including the prompt removal of snow and ice therefrom, until such time as the streets are accepted by the Township as part of the Township street system. If such streets are not to be dedicated, they shall be maintained by the developer until a homeowners' association or other entity responsible for the maintenance of the streets has been formed.

SECTION 405. CONSTRUCTION IN ACCORDANCE WITH PLANS

All streets, stormwater BMPs and facilities, sanitary sewage disposal facilities, water supply facilities, and other approved site improvements shall be constructed and permanently stabilized in strict accordance with the approved plans and no changes shall be effected unless the same receive the written authorization of the Township. Notwithstanding the provisions of this Section, the Township may require changes during the construction stage where onsite conditions, in the opinion of the Township or its duly designated representative, indicates that the adverse effect of stormwater runoff and/or the adverse effect to the roadbed and/or street surface may be minimized by such changes.

SECTION 406. AS BUILT PLANS

At such time as the construction of improvements are found to meet all requirements of all applicable Ordinances and approved plans, the developer, prior to offering any site improvements for dedication, shall submit to the Township three (3) copies of the As Built Plans (two paper, and one electronic version) prior to the final inspection of the project.

The As Built Plans shall be prepared using the approved Final Plan as a base plan and shall show/include the following:

- A. Actual location of all concrete monuments set in accordance with Section 512.
- B. Actual location of all lot line markers.
- C. Actual street cartway and cul-de-sac dimensions.
- D. Actual location of cartway centerline, right-of-way centerline and edges.
- E. Actual location of floodplain, floodway (if applicable) boundaries and elevation(s).
- F. Actual location and cross section of swales and accompanying easements.
- G. Actual horizontal and vertical location of stormwater C&C facilities and sanitary sewage disposal facilities including type and size and accompanying easements.
- H. Stormwater BMPs.
 - 1. Actual contours and/or configuration and dimensions of the BMP.
 - 2. Actual outlet structure details and profiles including type, size, slope and inverts of

Article 4 – IMPROVEMENT AND MAINTENANCE GUARANTEES

outlet pipes.

3. Actual elevation of the embankment and emergency spillway, if applicable.
 4. A table showing the stage/storage/discharge curve for the constructed conditions.
- I. Sanitary sewage disposal facility standards as required by the YTWSA.
 - J. The following certification:

AS BUILT PLAN ACCURACY CERTIFICATE

I hereby certify, pursuant to the penalties of 18 Pa.C.S.A. § 4904 to the best of my knowledge, that the As Built Plan accurately reflect the as-built conditions, true and correct, and is in conformance with York Township Ordinances, Chapter 102 of the rules and regulations of the Pennsylvania Department of Environmental Protection, and that the project site was constructed in accordance with the approved Stormwater Management Site Plan, all approved plan changes and accepted construction practices.

_____, 20____ * _____

* Signature and seal of a qualified Professional Engineer or Architect licensed by the Commonwealth of Pennsylvania as qualified to perform and to be responsible for the preparation of the as built plan.

SECTION 407. DEDICATION OF IMPROVEMENTS

A. All improvements shall be deemed to be private improvements and only for the specific project until such time as the same have been offered for dedication and formally accepted by the Township. No responsibility of any kind with respect to improvements of the Final Plan shall be transferred until the improvements have been formally accepted. No improvements shall be accepted for dedication except upon submission of as-built drawings by the developer and inspection of the final construction in accordance with the provisions of this Ordinance.

B. Streets. When ninety (90) percent of the lots of a phase of the subdivision and/or land development have received both Certificates of Occupancy and Certificates of Use, the Developer may submit to the Township a written centerline legal description of those streets with an accompanying drawing on 8 1/2" x 11" paper.

If the legal description is found to be in proper order and there are no violations of any provision of this Ordinance, the Commissioners at their sole discretion, may adopt a resolution accepting the streets. No street, or in applicable cases, stormwater BMP and facility, or sanitary sewage disposal facility within the street right-of-way, shall be considered finally accepted by the Township until the resolution has been adopted by the Commissioners.

The developer shall be responsible for the recording costs and costs of preparing a resolution for acceptance of the streets by the Township.

C. Sanitary sewage disposal facilities may be dedicated to the Township separately, with the approval of the YTWSA and in accordance with their policies. The Developer may submit to the YTWSA a written legal description for all easements for sanitary sewage disposal

Article 4 – IMPROVEMENT AND MAINTENANCE GUARANTEES

facilities to be dedicated with an accompanying drawing on 8 1/2" x 11" paper. The developer shall be responsible for all costs and expenses associated with the preparation, review and filing of all easement agreements along with review and inspection fees related to the acceptance of the sanitary sewage disposal facilities by the YTWSA.

- D. Stormwater BMPs and facilities may be offered for dedication to the Township via fee simple deed. The Developer may submit to the Township a written deed with a legal description of lot(s) containing those facilities with an accompanying drawing on 8 1/2" x 11" paper.

If the deed and legal description are found to be in proper order and there are no violations of any provision of this Ordinance, the Commissioners may accept the lots and facilities at their sole discretion.

SECTION 408. MAINTENANCE GUARANTEE

- A. Where the Commissioners accept dedication of all or some of the required improvements following completion, the Commissioners may require the posting of financial security to secure the structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the Final Plan for a term not to exceed eighteen (18) months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this Section with regard to installation of such improvements, and the amount of the financial security shall not exceed fifteen (15%) percent of the actual cost of installation of said improvements.
- B. If water supply facilities or sanitary sewage disposal facilities, or both, along with appurtenances or facilities related thereto, 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 within the financial security as otherwise required by this Article.

Article 5 – Design and Improvement Standards

ARTICLE 5 **DESIGN AND IMPROVEMENT STANDARDS**

SECTION 501. PURPOSE

York Township recognizes that the processes involved in community development are complex and require careful review and consideration to ensure quality public improvements which will protect and enhance the public's health, safety and welfare. The purpose of Article 5 is to provide reasonable design and improvement standards for public improvements related to land development. This Article combines design and improvement specifications which meet the Township's objectives of sound engineering and design with suitable improvement standards based on function which are responsive to the unique character of the site, as well as local needs and objectives.

SECTION 502. GENERAL

The applicant shall design and provide all improvements required by this Ordinance and any other applicable State or Federal regulation. The following design principles, standards, specifications and requirements will be applied by the Commissioners, Planning Commission and Township Engineer in their review and evaluation of all applications. The standards and requirements contained herein shall be considered the minimum for the promotion of the public health, safety, and welfare.

- A. Where literal compliance with the standards and requirements contained herein create a hardship, the Commissioners may modify the requirements in accordance with the process set forth in Section 321.
- B. Subdivision and/or land development plans shall give due consideration to the Township Comprehensive Plan and other "Official Plans" of the Township found in Article 2 of this Ordinance.
- C. Proposed land uses shall conform to standards and requirements of the York Township Zoning Ordinance, as amended.
- D. Whenever the Zoning Ordinance provides that the use proposed by the applicant for subdivision or land development approval shall constitute a use by special exception or conditional use, or when a variance from the terms of the Zoning Ordinance is required to develop in accordance with the plan, the applicant shall obtain such special exception, variance or conditional use approval from the Commissioners or Zoning Hearing Board, as applicable, prior to the submission of the Preliminary Plan. The plan shall be designed and developed in accordance with any conditions which have been imposed upon the grant of such special exception, variance or conditional use by the Commissioners or the Zoning Hearing Board, as applicable.

SECTION 503. SITE DESIGN

To promote the overall purpose and meet the goals and objectives of the York Township Comprehensive Plan, subdivision and/or land development plans shall conform to the following site design guidelines:

- A. Before laying out lots and structures on a site, developers shall make an analysis of the entire tract which addresses issues such as geology and soil, topography, existing

Article 5 – Design and Improvement Standards

vegetation, structures, road networks, visual features, and past and present use of the site. Development of the tract shall be based on the analysis.

1. Land which is unsuitable for development due to hazards to life, safety, health or property shall not be subdivided or developed until such hazards have been eliminated or unless adequate safeguards against such hazards are provided for with the subdivision and/or land development plan. Unsuitable characteristics for land development may include, but are not limited to:
 2. Land subject to flooding or other inundation.
 3. Land, which if developed, will create flooding or will aggravate a flooding condition upon such land or other lands.
 4. Land subject to subsidence.
 5. Land subject to underground fires.
 6. Land containing steep slopes subject to slope control.
 7. Land subject to ground and water pollution.
 8. Land designated for water resource protection
- B. Development shall be located to preserve natural features of the site; to avoid areas of environmental sensitivity to minimize negative impacts and alteration of natural features; and to avoid areas unsuitable for development.
- C. Development and improvements shall be designed to protect ground water and water recharge; to minimize impervious cover and to prevent flooding.
- D. Lot and block layout shall be designed to permit the safe and efficient movement of vehicular and pedestrian traffic into and within the site.
- E. The design of the development shall take into consideration existing local, county and regional plans for the community.

SECTION 504. BLOCKS

Blocks shall not exceed 1,600 feet in length and shall not be less than 250 feet in length. Mid-block pedestrian crosswalks shall be required in blocks exceeding 600 feet in length in order to provide for pedestrian circulation or access to community facilities and/or other portions of the development.

SECTION 505. LOTS AND PARCEL CONFIGURATION

- A. General Standards.
 1. Side lot lines shall be perpendicular or radial to street right-of-way lines to a depth equal to the minimum required front building setback line.
 2. In order to avoid jurisdictional problems, lot lines shall follow municipal boundaries. Where a lot is divided by a municipal boundary, the standards of each municipality shall apply within that municipality.

Article 5 – Design and Improvement Standards

3. Where a lot is divided by a zoning boundary, the standards of each zone shall apply within that zone.
 4. Lot sizes and densities shall conform to the Township Zoning Ordinance.
- B. Flag lots shall not be created when lots can be designed to provide full frontage along a street. The Commissioners may approve flag lots when:
1. The flag lot is being created to serve a home site in the back of an existing tract of land where there is no potential of direct street access to the proposed lot.
 2. No more than two (2) adjoining flag lots shall be permitted.
- C. Lot Frontage.
1. All lots shall front on an approved public or private street.
 2. Through lots are prohibited except where provided as reverse frontage lots or where rear alley access is provided.
 3. Reverse frontage lots:
 - a. Shall only be permitted when a reduction of driveway intersections along a street with a high volume of vehicular movements is desired. All reverse frontage lots shall include an identification of the frontage for use as a road access.
 - b. Shall have a rear yard in accordance with the Township Zoning Ordinance, measured from the right-of-way of the street of higher classification or ADT.
 - c. Shall have a buffer planting strip B in accordance with Article 6 within each rear yard and immediately adjacent to the street right-of-way. There shall be no vehicular access across this buffer yard.
- D. Building Setback Lines.
1. A building setback line shall be provided along each street.
 2. The distance to the building setback line shall be measured from the street right-of-way or property line as required by the Township Zoning Ordinance.
 3. In the case of corner lots, the setback from each adjacent street shall be front setbacks. The opposite of the street of address shall be the rear setback. The remaining shall be the side setback.
 4. On any lot abutting a railroad, no dwelling shall be placed within seventy-five (75) feet of any portion of the railroad right-of-way.
 5. On any lot abutting or traversed by a high voltage transmission line, no dwelling shall be placed within seventy-five (75) feet of any portion of the transmission line right-of-way.
 6. Where application for a land development plan is made for the purpose of erecting more than one (1) principal structure on a single lot, the appropriate setback and yard requirements shall be provided for each structure as though it were on an

Article 5 – Design and Improvement Standards

individual lot. In each case, the Township shall require suitable provisions for utilities and access in the event of potential subdivision of the tract.

SECTION 506. STREET SYSTEM DESIGN AND CONSTRUCTION

A. General Design Guidelines.

1. Proposed streets shall conform to Township or State Street and Highway Plans as have been prepared, adopted and/or filed as prescribed by law. (See York Township Construction and Material Specifications).
2. Streets shall be designed with consideration to both existing and planned streets. All streets shall conform to the Township's Comprehensive Plan. New streets shall be connected with streets of similar function, to form continuations thereof. Streets shall be laid out to provide convenient and safe access to and throughout the site. Where a development abuts an existing or proposed arterial or collector street, the Township may require the use of reverse frontage lots or such other treatment that will provide protection for abutting properties, reduce the number of intersections with the higher classification street and separate the local traffic from through traffic. Further, proposed streets shall be consistent with County or State transportation plans as may have been prepared and adopted.
3. Multi-family residential access drives shall be designed to public street standards based upon the ADT volumes and emergency services access requirements.
4. Half streets or streets centered upon a boundary line of a tract to be subdivided are prohibited. All plans shall be designed to provide for the entire right-of-way and cartway widths.
5. When existing dead end streets, cul-de-sac streets, or dedicated or platted areas reserved for future street usage join the tract to be developed, they shall be extended into the site and made part of the proposed street layout.
6. Where an existing cul-de-sac is being extended, the bulb shall remain as a traffic calming measure and stormwater BMP, the extended street shall be constructed to Township street specifications, any existing sidewalk shall be extended through the area, and the remaining areas shall be re-graded and permanently stabilized. Parking will not be permitted within the bulb.
7. The extension of existing streets which are presently constructed with a cartway different from current Township standards shall be provided with a transition area, the design of which is subject to Township approval.
8. All existing streets at the perimeter and/or through the residential subdivision and/or development shall be reconstructed according to the most stringent of Township or PennDOT specifications:
 - a. If an existing street is located at the perimeter of the tract, it shall be reconstructed to the centerline of the street; and
 - b. If an existing street is located within the tract, it shall be reconstructed to the full width of the street.

Article 5 – Design and Improvement Standards

9. When the proposed subdivision and/or development requires construction within an existing street right-of-way, for improvements such as sanitary sewage, water supply or stormwater BMPs and facilities, the Township shall require street reconstruction along the frontage and/or disturbed area.
 10. Future rights-of-way and cul-de-sacs shall be designed to provide for an interconnected street system that serves all adjacent developable parcels.
 11. All new streets shall be graded to the right-of-way line. All cut and fill areas shall not exceed a maximum of 3:1 slope for fill and 2:1 slope in cut situations. Guide rails or other protective structures acceptable to the Township shall be provided pursuant to Section 522.D.
 12. Streets shall be designed to preclude or minimize the need for guide rail. The Township may, however, require guide rails to be placed for protection on embankments when a barrier is warranted per Design Manual Part 2 Highway Design by PennDOT, January 1990 edition, as amended.

The design and selection of guide rail shall be in accordance with the standards in Design Manual Part 2 Highway Design, January 1990 edition, as amended, however, the Township shall approve all guide rail systems.
 13. All private streets shall conform to public street standards.
 14. Pursuant to the land development requirements in Section 503, streets shall be laid out to avoid hazardous and/or environmentally sensitive areas. Where it is necessary to cross these areas, the design of the crossings shall be approved by the Township Engineer, and shall be consistent with any applicable permit requirements.
 15. Traffic calming techniques shall be employed to slow traffic and reduce cut-through traffic volumes in streets of residential classification. All traffic calming measures shall be designed in consultation with the Township Engineer and Public Works Director.
- B. Street Classification. Each existing or proposed street shall be identified as one of nine (9) functional classifications that reflect the overall purpose it is intended to serve. The classifications are based on the street's purpose, surrounding land uses, and Average Daily Traffic (ADT) volume, which shall be estimated based on the most recent edition of *The Trip Generation Handbook* by the Institute of Transportation Engineers. The classifications shall be as follows:
1. Lane/Alley streets shall remain private and shall not be offered for dedication to the Township. Lane/Alley streets provide direct access to rear and/or side yards, but shall not provide the only access to individual or multiple properties. They also provide access between individual properties and Residential Local, Residential Collector and/or Mixed-Use Collector streets. These streets offer levels of service commensurate with low design speeds and short vehicular trip routes. Lane/Alley streets shall closely parallel nearest adjacent Residential Local, Residential Collector and/or Mixed-Use Collector streets. Where physically possible, portions of Lane/Alley streets with less than four (4) percent longitudinal grade shall have pervious surfaces with infiltration beds and shall be designed to act as stormwater best management practices.

Article 5 – Design and Improvement Standards

2. Residential Cul-de-sac (including self-looping streets) streets provide direct access between individual residential properties and Residential Local, Residential Collector and/or Mixed-Use Collector streets. They carry traffic that has its origin or destination on that street or within the local neighborhood. These streets offer levels of service commensurate with low design speeds, short vehicular trip routes and no through traffic. Turnarounds shall drain toward their centers, which shall be designed to act as stormwater best management practices.
3. Residential Local streets provide direct access to individual residential properties. They carry traffic that has its origin or destination on that street or within the local neighborhood. These streets offer levels of service commensurate with low design speeds, short vehicular trip routes and minimal through traffic. Bicycle and pedestrian facilities shall be provided along these streets.
4. Residential Collector streets provide access between Residential Local streets, entrances to multi-family residential complexes and higher classification streets. They may include driveway access for existing dwellings, but shall not create new driveway access. Bicycle and pedestrian facilities shall be provided along these streets, with separation to avoid conflicts.
5. Mixed-Use Collector streets provide access to a mix of residential, commercial and industrial uses. They also provide access between mixed-use areas and higher classification streets. They may include driveway access for existing uses, but shall not create new residential driveway access. Mixed-Use Collector streets may serve as origin and destination nodes for bicyclists. Pedestrian needs shall be accommodated along these streets to allow access for work or shopping trips. Mixed-Use Collector streets shall only be located within mixed-use overlay zoning districts.
6. Commercial/Industrial Cul-de-sac (including self-looping streets) streets provide direct access between individual commercial and industrial properties and Commercial/Industrial Local, Commercial/Industrial Collector and/or Mixed-Use Collector streets. They carry traffic that has its origin or destination on that street to or from nearby higher classification streets. These streets are intended for low design speeds. Pedestrian and bicyclist needs shall be accommodated along these streets to allow access for work or shopping trips. Turnarounds shall drain toward their centers, which shall be designed to act as stormwater best management practices.
7. Commercial/Industrial Local streets provide direct access to individual commercial and industrial properties. They carry traffic that has its origin or destination on that street to or from nearby higher classification streets. These streets are intended for low design speeds. Pedestrian and bicyclist needs shall be accommodated along these streets to allow access for work or shopping trips.
8. Commercial/Industrial Collector streets provide access between Residential Local and/or Commercial/Industrial Local streets and Arterial streets and generally serve intra-municipal traffic. They serve as traffic corridors connecting residential areas with industrial and commercial areas. Commercial/Industrial Collector streets may serve as origin and destination nodes for bicyclists. Pedestrian needs shall be accommodated along these streets to allow access for work or shopping trips.

Article 5 – Design and Improvement Standards

9. Arterial streets provide inter-municipal traffic of substantial volumes. These streets are intended for higher design speeds. Pedestrian needs shall be accommodated along these streets. Bicycle facilities shall be provided, with separation to avoid conflicts.

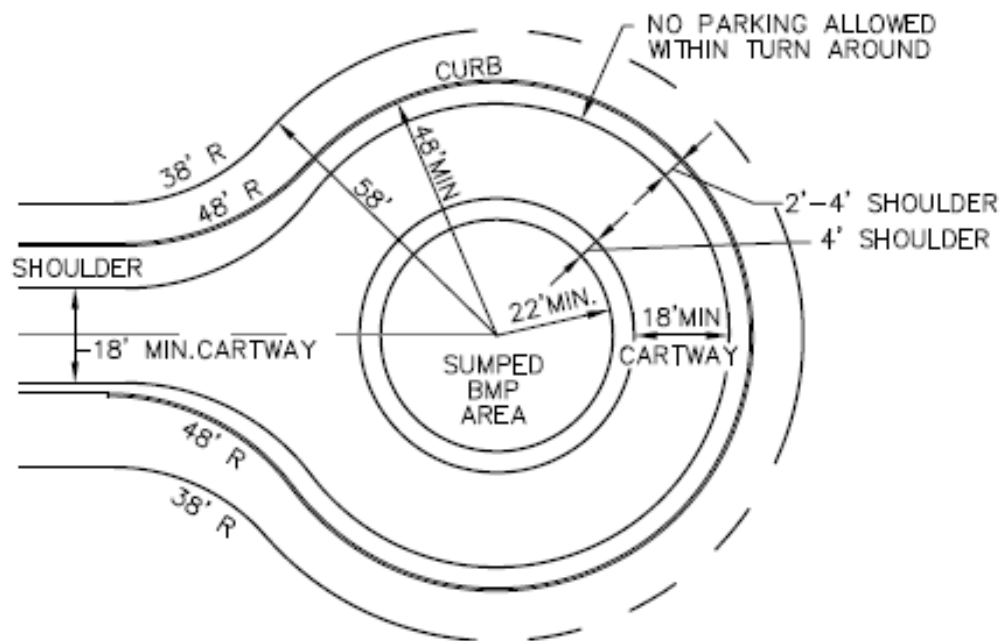
TABLE 5.A		
Functional Classification	Maximum ADT Volume (vehicles per day)	Design Speed (mph)
Lane/Alley	500	20
Residential Cul-de-sac	100	25
Residential Local	1,000	25
Residential Collector with median	3,000 3,500	35
Mixed-Use Collector with median	5,000 5,500	35
Commercial/Industrial Cul-de-sac	500	30
Commercial/Industrial Local	10,000	35
Commercial/Industrial Collector with median	15,000 15,500	35
Arterial	None	Per PennDOT

C. Roadway Elements.

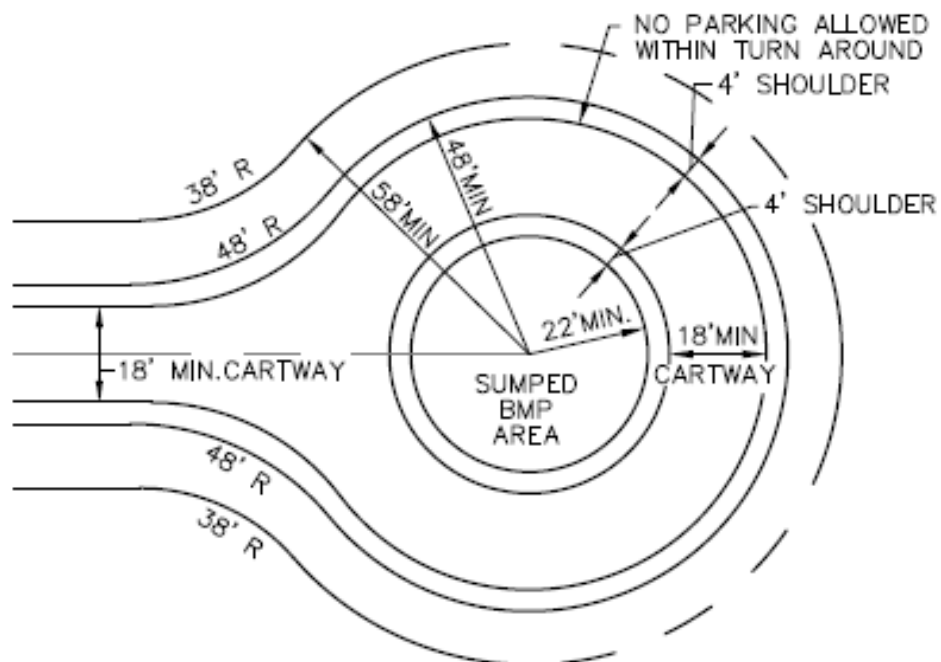
1. The minimum right-of-way and cartway width for streets shall be as follows:

Article 5 – Design and Improvement Standards

TABLE 5.B					
Residential Local & Cul-de-sac	Parking	Cartway Width (ft)	Parking/Shoulder Width	Total Street Width (ft)	Minimum ROW (ft)
Curbed	Not Permitted	18	4 ft. each	26	50
	One Side or Alternating Sides	18	8 ft. on parking side, 2 ft. other side	28	
	Both Sides	18	8 ft. each	34	
Reinforced Shoulder	Not Permitted	20	4 ft. each	28	
	One Side or Alternating Sides	20	8 ft. on parking side, 4 ft. other side	32	
	Both Sides	20	8 ft. each	36	
Cul-de-sac Turnaround Curbed Outside center to have a minimum 22' radius depressed BMP area (see Fig. 5-1 below)	Not Permitted	18 ft. min.	2 -4 ft. on curbed side, 4 ft. inside of cartway	48 ft. radius min.	58 ft. radius
Cul-de-sac Turnaround Reinforced Shoulder Outside center to have a minimum 22' radius depressed BMP area (see Fig. 5-2 below)	Not Permitted	18 ft. min.	4 ft. each side of cartway	48 ft. radius min.	
Lane/Alley private streets governed by Section 506.1	Not Permitted	16	none	16	20



**CUL-DE-SAC TURNAROUND - CURBED OUTSIDE
FIGURE 5.1**



**CUL-DE-SAC TURNAROUND - REINFORCED SHOULDER
FIGURE 5.2**

Article 5 – Design and Improvement Standards

TABLE 5.C					
Residential Collector	Parking	Cartway Width (ft)	Shoulder Width	Total Street Width* (ft)	Minimum ROW* (ft)
Curbed	Not Permitted	22	2 ft. each	26	50
	One Side or Alternating Sides	22	8 ft. on parking side, 2 ft. other side	32	
Reinforced Shoulder	Not Permitted	24	4 ft. each	32	
One Side Curbed/ One Side Reinforced Shoulder	Not Permitted	24	2 ft. on curbed side, 4 ft. other side	30	
	Curbed Side	24	8 ft. on parking side, 4 ft. other side	36	

* Median width additional

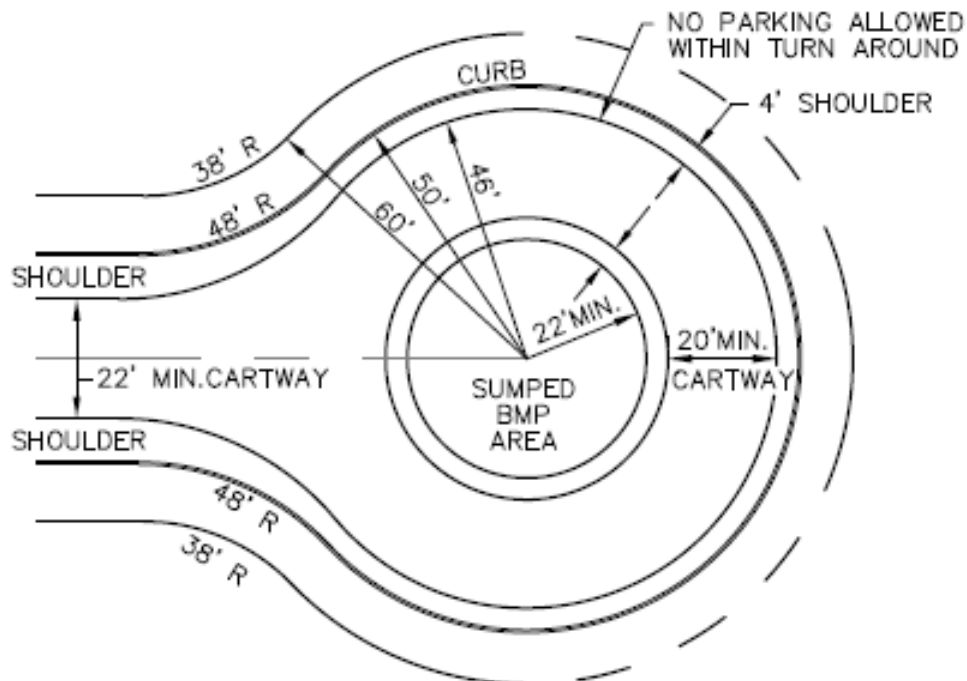
TABLE 5.D					
Mixed-Use Collector	Parking	Cartway Width (ft)	Parking Width or Shoulder Width	Total Street Width* (ft)	Minimum ROW*
Curbed	Not Permitted	22	2 ft. each	26	60
	One Side or Alternating Sides	22	8 ft. on parking side, 2 ft. other side	32	
	Both Sides	22	8 ft. each	38	
Reinforced Shoulder	Not Permitted	24	4 ft. each	32	
One Side Curbed/ One Side Reinforced Shoulder	Not Permitted	24	2 ft. on curbed side, 4 ft. other side	30	
	Curbed Side	24	8 ft. on parking side, 4 ft. other side	36	

* Median width additional

Article 5 – Design and Improvement Standards

TABLE 5.E					
Commercial / Industrial Local and/or Cul-de-sac	Parking	Cartway Width (ft)	Parking Width or Shoulder Width	Total Street Width* (ft)	Minimum ROW (ft)
Curbed	Not Permitted	22	4 ft. each	30	60
	One Side	22	8 ft. on parking side, 2 ft. other side	32	
	Both Sides	22	8 ft. each	38	
Cul-de-sac Turnaround center to have a minimum 22' radius depressed BMP (see Fig. 5-3 below)	Not Permitted	26 ft. inside to 46 ft. outside radii	4 ft. each side of cartway	50 ft. radius	60 ft. radius

* Median width additional



COMMERCIAL/INDUSTRIAL CUL-DE-SAC
FIGURE 5.3

Article 5 – Design and Improvement Standards

TABLE 5.F					
Industrial / Commercial Collector	Parking	Cartway Width (ft)	Parking/ Shoulder Width	Total Street Width* (ft)	Minimum ROW (ft)
Curbed	Not Permitted	24	4 ft. each	32	60
	One Side	24	8 ft. on parking side, 2 ft. other side	34	
	Both Sides	24	8 ft. each	40	
Reinforced Shoulder	Not Permitted	26	4 ft. each	34	
	One Side	26	8 ft. on parking side, 4 ft. other side	38	
	Both Sides	26	8 ft. each	42	

* Median width additional

TABLE 5.G					
Arterial	Parking	Cartway Width	Parking/ Shoulder Width	Total Street Width	Minimum ROW
As determined in consultation with the Township and PennDOT					

2. Provision for increased street width and/or right-of-way width may be required when determined to be necessary by the Commissioners in specific cases for:
 - a. Public safety and convenience;
 - b. Parking in commercial and industrial areas and in areas of high density development;
 - c. Widening of existing streets (right-of-way) where the width does not meet with the requirements of the preceding paragraphs;
 - d. Installation of utilities;
 - e. Management of stormwater;
 - f. Storage of plowed snow;
 - g. Emergency parking;
 - h. Temporary street adjustments during maintenance or traffic accident situations;
 - i. Future improvements.

Article 5 – Design and Improvement Standards

3. Bicycle lanes shall be developed in accordance with the AASHTO Guide for the Development of Bicycle Facilities, as amended and the PennDOT Statewide Bicycle and Pedestrian Master Plan: Bicycle Guidelines, as amended.
 4. Reinforced shoulders shall be gravel in accordance with PennDOT standards for gravel shoulders, stabilized grass, or a combination of both. Stabilized grass shoulders shall be constructed using a soil stabilizing geo-fabric or geo-grid under a grass surface sufficient to support emergency vehicles.
 5. Where a proposed subdivision and/or land development abuts or contains an existing public street having a right-of-way width which is less than would be required by this Ordinance, sufficient additional right-of-way width should be provided and dedicated to meet the current standards.
 6. Where a proposed subdivision and/or land development abuts or contains an existing public street, the applicant/developer shall improve the portion of the street which abuts or is contained within the proposed development to meet the minimum standard as specified in this Ordinance. Street improvements shall include but not be limited to: pavement, shoulders, embankments, gutters, berms, sidewalks and/or curbing.
 7. The applicant/developer shall improve the portion of the public right-of-way necessary for the ingress and/or egress to the proposed subdivision and/or land development to meet the minimum standards as specified by this Ordinance. Street improvements shall include but not be limited to: pavement, shoulders, gutters, berms, sidewalks and/or curbing.
 8. Future rights-of-way are areas reserved for future street extension or other public purposes into adjoining tracts or phases and shall be designed in conformance with the design requirements of a street.
 - a. The future right-of-way shall be included within the deeds to the abutting lots in favor of the Township to permit the use of the future rights-of-way for public purposes. Where reserved rights-of-way longer than the depth of one (1) lot are required, a cul-de-sac shall be provided.
 - b. The lots along future rights-of-way must contain appropriate setbacks and safe stopping sight distances. Driveways shall not be located within a future right-of-way.
 - c. The owners of the lots in which the future right-of-way is included shall have the duty to maintain the area included within the future right-of-way and this duty shall be indicated in a note on the Final Plan and in all deeds to such lots.
 - d. The owners of the lots in which the future right-of-way is included shall have no obligation concerning the improvement of such future right-of-way for street purposes.
 9. Easements may be used in lieu of rights-of-way for utilities, sidewalks, snow storage, clear sight triangles, etc. Streets, curbs, street gutters, and cross drainage pipes and culverts must be placed within a right-of-way.
- D. Cul-de-sac Streets.

Article 5 – Design and Improvement Standards

1. Dead end streets shall be prohibited, except when the developer designs and constructs Cul-de-sac streets on the developer's own land.
 2. Cul-de-sac street centerline lengths shall be at least 250 feet and shall not exceed 750 feet. Cul-de-sac street centerline lengths shall be measured from the centerline intersection of the intersecting through street (excluding lanes/alleys or cul-de-sacs) to the center of the cul-de-sac turnaround.
 3. Cul-de-sac streets must be provided with:
 - a. Transition radii of at least forty-eight (48) feet immediately prior to the turnaround.
 - b. A depressed center island for stormwater management, landscaping and snow storage with a minimum radius of twenty-two (22) feet.
 - c. The minimum paved cartway width shall be eighteen (18) feet or of sufficient width to allow access for the emergency response vehicle requiring the largest turning template.
 - d. A turnaround right-of-way radius at least ten (10) feet longer than the paved turnaround radius.
 4. Traffic within the turnaround shall be one way.
 5. Dwelling units fronting on cul-de-sac streets are limited to ten (10) single family or sixteen (16) townhouse or multi-family units.
 6. Driveway access shall be prohibited within the transition radii.
 7. Commercial/Industrial Cul-de-sac streets shall not intersect with Residential Local or Residential Collector streets.
- E. Horizontal Alignment.
1. Horizontal street alignments shall be measured along the centerline. Horizontal curves shall be used at all angle changes.
 2. The centerline of the street cartway shall correspond with the centerline of the street right-of-way.
 3. Plans with street locations along the perimeter of a property shall be required to show an easement for clear site triangles within the adjacent properties. Written permission from the effected adjacent landowner shall be provided prior to Preliminary Plan approval and shall include maintenance requirements.
 4. There shall be a tangent of at least one hundred (100) feet between reverse curves for all local and collector streets.
 5. Horizontal curve centerline radii shall be designed in coordination with vertical geometry, subject to the approval of the Township Engineer and the Township Traffic Engineer. The following minimum horizontal centerline radii shall be used:

Article 5 – Design and Improvement Standards

Functional Classification	Minimum Centerline Radii (ft)
Lane/Alley	90
Residential Cul-de-sac	165
Residential Local	165
Residential Collector	250
Mixed-Use Collector	250
Commercial/Industrial Cul-de-sac	165
Commercial/Industrial Local	200
Commercial/Industrial Collector	300
Arterial	Per PennDOT

F. Vertical Alignment.

1. Vertical curves shall be used in all changes of grade.
2. The following minimum and maximum vertical grades shall be used:

Functional Classification	Minimum Grade (%)	Maximum Grade (%)
Lane/Alley Residential Cul-de-sac Residential Local	1	12
Residential Collector	1	10
Mixed-Use Collector Commercial/Industrial Cul-de-sac Commercial/Industrial Local Commercial/Industrial Collector	1	8
Arterial	1	Per PennDOT

3. The length of vertical curve shall be based on the formula $L = KA$; where "L" is the minimum length of curve in feet, "K" is the length of vertical curve per percent change in "A", and "A" is the algebraic difference in grade (in percent). Values for "K" shall be based on the following criteria:

Article 5 – Design and Improvement Standards

TABLE 5.J		
Design Speed (mph)	“K” Crest Vertical Curves	“K” Sag Vertical Curves
20	10	20
25	20	30
30	30	40
35	45	50
40	70	70
45	100	90
50	150	110
55	220	130

- 4. In no case shall the minimum length of vertical curve for all streets be less than seventy-five (75) feet.
- 5. All sag vertical curves shall be designed to incorporate underdrains along both sides of the street. Underdrain shall be provided in accordance with PennDOT Publication 70, as amended.

G. Intersection Design.

- 1. Angle.
 - a. Streets shall intersect each other at ninety (90) degree angles.
 - b. Existing streets shall be realigned to create ninety (90) degree angles. The street of lower classification (or street with lower traffic volume) shall be realigned to meet the street of higher classification (or higher volume) at a ninety (90) degree angle. The minimum length of the realignment shall be at least the minimum required clear sight triangle dimension.
 - c. All legs of the intersecting streets shall be straight and perpendicular through the length of the clear sight triangle.
 - d. Streets with intersection angles other than ninety (90) degrees, as approved by the Commissioners, shall be labeled on the plans and shall have clear sight triangles with dimensions acceptable to the Township Engineer.
- 2. Alignment and Separation. The centerline of streets opening onto the opposite sides of existing or proposed streets shall be directly opposite from each other. When this is physically impossible or when streets enter onto the same side of an existing or proposed street, the following minimum street intersection separations shall be used:

Article 5 – Design and Improvement Standards

TABLE 5.K	
Through Street Functional Classification*	Minimum Separation** (ft)
Residential Local	200
Residential Collector	250
Mixed-Use Collector	300
Commercial/Industrial Local	350***
Commercial/Industrial Collector	350***
Arterial	Per PennDOT

* Lanes, alleys and cul-de-sacs are not through streets

** Minimum street intersection separations shall be measured from the nearest edge of the pavement to the nearest edge of pavement plus the width of all reinforced shoulder(s).

*** Actual minimum intersection separation to be determined by the Township or PennDOT based on traffic characteristics of the street of higher classification. Pursuant to PennDOT standards, in no instance shall the determined separation be less than 500 feet where any of the intersections are or will be required to be signalized.

3. Leveling Area and Grades.
 - a. Intersection approaches shall have a straight leveling area. Such leveling area shall be a minimum of fifty (50) feet (measured from the edge of the cartway of the through street) within which no grade shall exceed a maximum of four (4) percent.
 - b. Through streets with grades of seven (7) percent or less do not require leveling areas.
4. Multiple Intersections. Intersections involving the junction of more than two (2) streets are prohibited.
5. Curb Radii.
 - a. The cartway edge at street intersections shall be rounded by a tangential arc with the following minimum radii. The right-of-way radii at intersections shall be substantially concentric with the edge of the cartway. The Township may require larger radii based on the largest design vehicle using the intersection.

Article 5 – Design and Improvement Standards

TABLE 5.L			
Functional Street Classification(s) (Higher ADT Volume, vehicles per day)	Curbed, Uncurbed, or Reinforced Shoulder (Higher)*	Functional Street Classification(s) (Lower ADT Volume)	Minimum Radius (ft)
Lane/Alley (500)	Uncurbed	Lane/Alley	20
Residential Local (1,000)	Curbed side Reinforced Shoulder side	Lane/Alley, Residential Local & Residential Cul-de-sac	25 30
Residential Collector (3,000 - 3,500)	Curbed side Reinforced Shoulder side	Lane/Alley, Residential Local, Residential Cul-de-sac & Residential Collector	25 40
Mixed-Use Collector (5,000 - 5,500)	Curbed side Reinforced Shoulder side	Lane/Alley, Residential Local & Residential Cul-de-sac	25 40
Mixed-Use Collector (5,000 - 5,500)	Curbed side Reinforced Shoulder side	Residential Collector, Mixed-Use Collector, & Commercial/Industrial Cul-de-sac	30 40
Commercial/Industrial Local (10,000)	Curbed side Reinforced Shoulder side	Mixed-Use Collector, Commercial/Industrial Cul-de-sac, & Commercial/Industrial Local	30 40
Commercial/Industrial Collector (15,000 - 15,500)	Curbed side Reinforced Shoulder side	Mixed-Use Collector, Commercial/Industrial Cul-de-sac, Commercial/Industrial Local & Commercial/Industrial Collector	40 50
Arterial	Curbed side Reinforced Shoulder side	All Street Classifications	50 50

* Curbing on any side of a street of equal or higher classification (or higher ADT volume) shall be continued around the entire radius of the uncurbed intersecting street of equal or lower classification (or lower ADT volume).

Article 5 – Design and Improvement Standards

- b. When a municipal street intersects a State right-of-way, PennDOT standards for curb/edge-of-pavement radii shall apply.

Where on-street parking is allowed along streets, bulb-outs shall be provided at intersections to reduce vehicle speed, restrict vehicle parking within 40 feet of the intersection (measured from the curbed or the reinforced shoulder edge of the intersecting street), and reduce pedestrian crossing distance. ADA ramps shall be positioned to minimize pedestrian crossing distances.

Where physically possible, portions of bulb-outs shall include stormwater volume and water quality best management practices.

- 6. State Approval. All streets intersecting a state highway shall be subject to the approval of PennDOT. A PennDOT Highway Occupancy Permit shall be required prior to any construction involving a PennDOT right-of-way.
- 7. Clear Sight Triangles.
 - a. Clear sight triangles (CSTs) shall be provided and maintained at all intersections equal to or greater than the distances identified in Figure 5.4 through 5.7 below or as modified in Section 506.G.8.b. Clear sight triangles shall be shown on all plans.
 - b. CST lengths along minor streets and access drives will be:
 - 1) Twenty (20) feet, where the minor street or access drive length is twenty (20) feet or shorter.
 - 2) The minor street or access drive length, where the minor street or access drive length is longer than twenty (20) feet, but is not longer than the length shown in shown on Figures 5.4 through 5.7.
 - 3) The length shown on Figures 5.4 through 5.7, where the minor street or access drive length is equal to or longer than the length shown on Figures 5.4 through 5.7.
 - 4) Twenty (20) feet for the upper leg of the major street, where the minor street or access drive left turn in and left turn out movements are prohibited.

Article 5 – Design and Improvement Standards

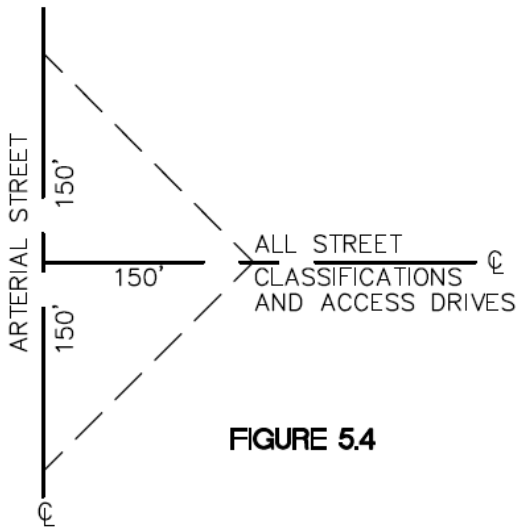


FIGURE 5.4

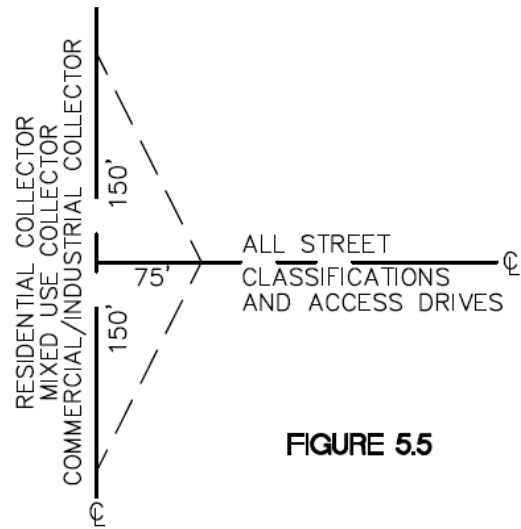


FIGURE 5.5

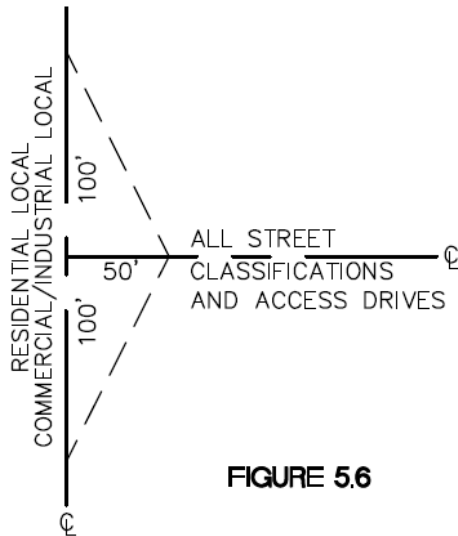


FIGURE 5.6

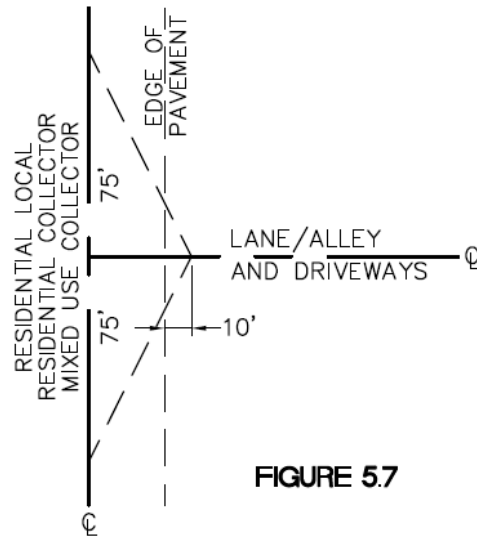


FIGURE 5.7

- c. No building or obstruction higher than thirty (30) inches above the centerline grade of the street of approach shall be permitted in the CST. No signs other than traffic control signs and devices shall be permitted in the clear sight triangle.
 - d. No portion of a parking space shall be located within a CST.
 - e. Streets shall be located such that the CSTs of the intersection of any two (2) streets shall not extend into the right-of-way of any other street.
8. Safe Stopping Sight Distance.
- a. Safe stopping sight distance (SSSD) shall be provided with respect to both horizontal and vertical road alignments at all intersections. Sight distance at street intersections shall be such to provide the following minimum SSSD for a vehicle traveling on an approaching street which has no stop

Article 5 – Design and Improvement Standards

or signal control in accordance with the PennDOT PA Code 67, Chapter 441, as amended.

- b. Measurement of Safe Stopping Sight Distance.
 - 1) The measurement of achievable SSSD at each proposed street intersection shall be the responsibility of the applicant.
 - 2) For the purpose of measuring SSSD, the height of the driver's eyes shall be 3.5 feet above the road surface for the street of approach, and the height of the object shall be 3.5 feet above the road surface of the intersecting street.
 - 3) For each direction, the shortest of the following measurements shall be considered the achievable SSSD for that direction:
 - i) The maximum length of roadway along which a driver at the proposed street intersection can continuously see another vehicle approaching on the roadway. The driver's eyes at the proposed point of access shall be ten (10) feet back from the edge of the closest travel lane in the center of the proposed point of access.
 - ii) The maximum length of roadway along which a driver can continuously see a vehicle which is located in his travel lane in order to make a left turn into the proposed access or as a result of a left or right turn out of the proposed access.
 - iii) The maximum length of roadway along which the driver of a vehicle intending to make a left turn into the proposed access can continuously see vehicles approaching from the other directions. This is measured from the point where the left turning vehicle stops.
- c. Inadequate Stopping Sight Distance Remedies. If it is impossible to achieve required SSSD in both directions the Township may:
 - 1) Prohibit left turns by entering or exiting vehicles;
 - 2) Require alteration of the horizontal or vertical geometry of the roadway or access; all such work shall be at the expense of the applicant;
 - 3) Require removal of physical obstruction(s) from the line of sight, at the expense of the applicant;
 - 4) Require installation of a separate left turn standby lane, at the expense of the applicant; or
 - 5) Deny access to the roadway.
9. Roundabouts. The design and construction standards of roundabouts shall conform to the requirements of PennDOT Publication 414, as amended, in accordance with the standards below:

Article 5 – Design and Improvement Standards

TABLE 5.M	
Functional Classification	PennDOT Roundabout Category *
Lane/Alley	Not Permitted
Residential Cul-de-sac	Not Permitted
Residential Local	Urban Compact
Residential Collector	Urban Single Lane
Mixed-Use Collector	Urban Single Lane
Commercial/Industrial Cul-de-sac	Not Permitted
Commercial/Industrial Local	Urban Double Lane
Commercial/Industrial Collector	Urban Double Lane
Arterial	Per PennDOT

* Highest intersecting street classification shall prevail.

- H. Street Construction. All street construction shall comply with York Township Construction Materials and Specifications, as amended.
- I. Street Trees. Street tree layout and installation shall comply with Article 6. Street trees shall be planted for any subdivision or land development where suitable street trees do not exist.
- J. Private Streets.
 - 1. Private streets shall meet all the design standards for public streets as required by this Ordinance based on their ADT volumes.
 - 2. A note shall be added to the plan which states, in a conspicuous manner, that the street, lane/alley is not proposed to be dedicated to the Township, will remain private and will neither be adopted nor maintained by the Township.
 - 3. Where private streets are proposed, an access and maintenance agreement shall be required and recorded with the Recorder of Deeds as part of the Final Plan. This agreement shall establish the conditions, under which the street will be used, constructed and maintained, as well as conditions controlling any offer of dedication, and shall stipulate:
 - a. The street shall be constructed and maintained to conform to the provisions of this Ordinance.
 - b. The method of assessing maintenance and repair costs.
 - c. Any offer for dedication of the street shall be made only for the street as a whole.

Article 5 – Design and Improvement Standards

- d. The owners of the abutting lots will include with any offer of dedication sufficient funds, as estimated by the Township, to restore the street to the prevailing standards.
- e. An agreement by the owners of fifty-one (51) percent of the frontage thereon shall be binding on the owners of the remaining lots.

SECTION 507. SIDEWALKS

Sidewalks shall be required in all subdivisions and/or land developments (except Lot Line Adjustment Plans) in accordance with the following:

- A. Sidewalks are required along both sides of all streets and access drives, except along lanes/alleys or where stormwater BMP's are proposed along one side. Sidewalks are required to provide access to and/or within a commercial, industrial or community facility. Sidewalks which are provided as part of such non-residential facilities shall be designed and constructed to serve the projected pedestrian needs. All public areas shall be designed in accordance with applicable federal and state standards and shall be consistent with the York Township Construction and Material Specifications. Appropriate details shall be provided on the plans.
- B. Sidewalks shall be firm, stable and slip resistant concrete. Materials and material placement shall not result in any significant variation in surface elevation.
 - 1. Sidewalks shall be constructed of PennDOT Class AA cement concrete in accordance with the York Township Construction and Materials Specifications (YTC&MS). The gradient and paving of sidewalks shall be continuous across all private driveways.
 - 2. Sidewalks traversing driveways shall be constructed of Class A cement concrete in accordance with the YTC&MS.
 - 3. Sidewalks traversing sanitary sewer and stormwater utility easements shall be constructed of Class A cement concrete in accordance with the YTC&MS and the York Township Water and Sewer Authority (YTWSA) and the Construction and Material Specifications for Sanitary Sewers and Plan, Design, and Construction Standards for Sanitary Sewers as amended.
- C. Sidewalks shall be located within the street right-of-way, and shall be a minimum of five (5) feet wide with a minimum two (2) feet wide grass strip. In mixed use and commercial areas, alternative designs are encouraged.
- D. Sidewalks shall comply with the standards of the Americans with Disabilities Act (ADA).
- E. In order to provide for the drainage of surface water, sidewalks shall have a cross slope of one fourth (1/4) inch per foot.
- F. Sidewalks shall be boxed out around light standards, fire hydrants, signs, etc., twice the minimum dimension of the object, with a pre-molded expansion joint, one half (1/2) inch in thickness minimum.
- G. Where a sidewalk abuts an inlet, curb, wall, building or any other structure, a pre-molded expansion joint of one half (1/2) inch of thickness minimum, shall be placed between the sidewalk and said structure for the full length of said structure.

Article 5 – Design and Improvement Standards

- H. Where a sidewalk abuts an stormwater inlet a pre-molded expansion joint of one (1) inch of thickness minimum, shall be placed between the sidewalk and the structure for the full length of the structure.
- I. Sidewalks shall be inspected by the Township after the forms have been placed, prior to the pouring of concrete and after completion of all work.
- J. Any stabilized pedestrian walks proposed in addition to required sidewalks shall be approved by the Township. Mid-block crosswalks shall be located in easements not less than ten (10) feet in width, or as required by Section 521.
- K. Areas within two (2) feet of sidewalks shall have slopes 12:1 or flatter measured perpendicular to said sidewalks. Areas from two (2) feet to at least five (5) feet of sidewalks shall have slopes 5:1 or flatter measured perpendicular to said sidewalks.
- L. All sidewalks and sidewalk ramps shall meet the requirements of the Americans with Disabilities Act and the Pennsylvania Universal Accessibility Act. Where sidewalk grades exceed 5%, a nonslip surface texture shall be used.

SECTION 508. CURBS AND REINFORCED SHOULDERS

Curbs and reinforced shoulders shall be required in all subdivisions and/or land developments in accordance with the following:

- A. Locations of curbs or reinforced shoulders shall be as follows:
 - 1. Curbs or reinforced are required along both sides of all streets, except along lanes/alleys.
 - 2. Slant concrete curbs or reinforced shoulders shall be provided at sanitary sewer access areas and along Residential Local and Residential Collector streets.
 - 3. Vertical concrete curbs are required along Mixed-Use Collector, Commercial/Industrial Local, and Commercial/Industrial Collector streets, except where stormwater BMPs acceptable to the Township are provided approved along said streets.
 - 4. Vertical concrete curbs are required at the perimeter of parking lots within MRC, CO, CS, and CI zoning districts, except where stormwater BMPs acceptable to the Township are provided at the perimeter of said lots.
 - 5. Curbs and reinforced shoulders shall be located within the street right-of-way.
- B. All curbs shall be designed in accordance with applicable federal and state standards and shall be consistent with the York Township Construction and Material Specifications.
- C. Curb locations, grades, and appropriate details shall be provided on the plans.
- D. Curbs shall be firm, stable and slip resistant concrete. Materials and material placement shall not result in any significant variation in surface elevation.

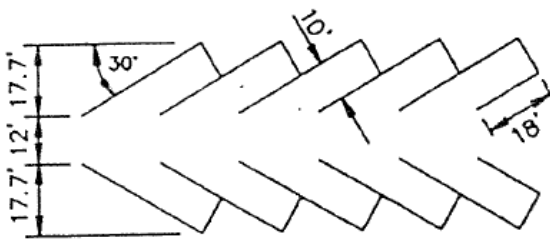
Article 5 – Design and Improvement Standards

- E. Curbs shall be constructed of PennDOT Class AA cement concrete in accordance with the York Township Construction Materials Specifications. The gradient and paving of curbs shall be continuous across all driveways.
- F. Curbs shall comply with the standards of the Americans with Disabilities Act (ADA).
- G. Curb locations and designs shall provide for the drainage or intended infiltration of surface water.
- H. Where a curb abuts a sidewalk, wall, building or any other structure, a pre-molded expansion joint of one half (1/2) inch of thickness minimum, shall be placed between the curb and said structure for the full length of said structure.
- I. Where a curb abuts an stormwater inlet a pre-molded expansion joint of one (1) inch of thickness minimum, shall be placed between the curb and said inlet for the full length of said inlet.
- J. Curbs shall be inspected by the Township after the forms have been placed, prior to the pouring of concrete and after completion of all work.

SECTION 509. PARKING LOTS

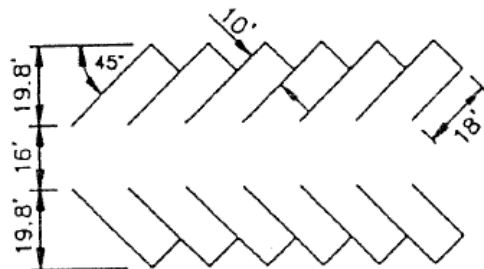
Off-street parking includes driveways, carports, garages, and parking lots. Parking and loading facilities shall be provided in accordance with the Township Zoning Ordinance. In addition:

- A. Parking lot dimensions shall be no less than those shown below in Figures 5.8 through 5.12.



30° PARKING

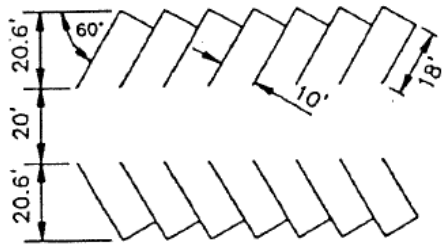
FIG. 5.8



45° PARKING

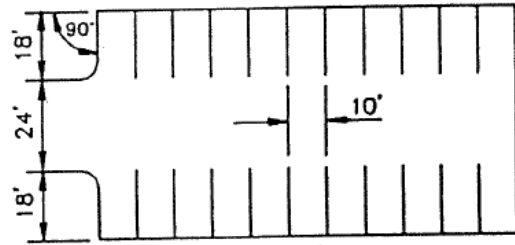
FIG. 5.9

Article 5 – Design and Improvement Standards



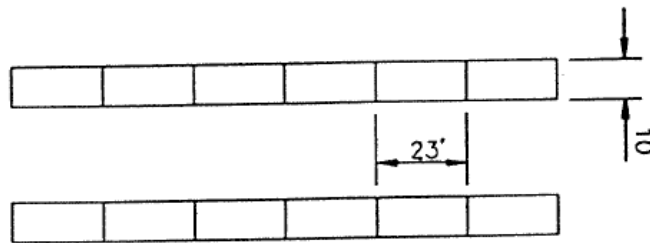
60° PARKING

FIG. 5.10



90° PARKING

FIG. 5.11



PARALLEL PARKING

FIG. 5.12

- B. Off-street parking lots within 100 feet of a street right-of-way shall be screened in accordance with Article 6.
- C. No portion of a parking lot will be permitted within ten (10) feet of side or rear property lines or street rights-of-way except where joint and cross access drives are provided.
- D. Not less than five (5) foot radius of curvature shall be permitted for curbs in parking compounds. All radii shall be dimensioned.
- E. All dead-end parking lots shall be designed to provide a minimum ten (10) feet of back-up area for all end stalls.
- F. Adequate signage, painted lines, arrows and dividers shall be provided and maintained by the developer or landowner, to control parking, circulation and traffic flow. Stop signs shall be provided at locations where parking aisles intersect circulation roadways, and at parking lot access points onto streets and roadways.
- G. Parking lot entrances and exits shall be illuminated in accordance with applicable zoning regulations and Section 511. All lighting shall be so arranged as to reflect the light away from adjoining premises and public rights-of-way.
- H. Off-street parking for non-residential buildings in mixed use residential districts, townhouses and multi-family dwellings shall be located at the in the side or rear yard or in garages. Parking shall be screened as required in Article 6.

Article 5 – Design and Improvement Standards

- I. Multi-family dwellings, overflow parking, and recreation areas within residential developments shall have parking in common lots with access from a street.
- J. Impervious and/or pervious paving may be used in combination within parking lots. The typical cross section of parking lot(s) shall be prepared to meet the following minimum standards:
 - 1. Impervious.

Compacted subgrade, six (6) inches minimum crushed aggregate base course, two (2) inches minimum binder course and one and one-half (1-1/2) inch minimum wearing surface, materials equal or superior to PennDOT Specifications, Form 408, as amended, or other PennDOT approved equivalent.
 - 2. Pervious.

Non-compacted (or hand compacted) subgrade; filter fabric lining the subsurface beds; distribution system (as applicable); uniformly graded stone aggregate with forty (40) percent minimum void space. pavement shall consider the infiltration rate of the soil subgrade under the base. Constant supervision during construction is encouraged as sediment must be kept from the aggregate base. Pervious pavement includes paving units, pervious asphalt pavement, pervious concrete or other surface acceptable to the Township. Materials and thicknesses shall be equal or superior to the specifications in the PA Stormwater Best Management Practices Manual.

SECTION 510. STREET SIGNS, NAMES AND NUMBERING

- A. Street name signs, standard traffic signs and all other regulatory signs required in conjunction with a subdivision and/or land development plan shall be supplied and installed by the Township at the developer's expense. All signs shall be installed at locations as identified by the traffic impact report and/or on the plans.
- B. Names of streets shall not duplicate existing or planned street names, or approximate such names by the use of suffixes such as "lane", "way", "drive", "court", or "avenue".
- C. Streets that are extensions of or align with existing streets shall bear the names of the existing streets. Street names shall not be repeated within the Township and all street names shall be subject to the approval of the Township, the United States Postal Service and the York County Control addressing coordinator.
- D. Street addresses for residential and commercial subdivisions and land developments on existing and future Township streets shall be provided by the York Township Zoning Officer.

SECTION 511. LIGHTING

The applicant shall indicate the proposed design for lighting in the Lighting Plan submitted with the Final Plan. Installation of lights shall meet the following requirements:

- A. Lighting shall have intensities in accordance with the provisions of the Zoning Ordinance.
- B. Street Lighting Criteria.

Article 5 – Design and Improvement Standards

1. Street lighting is required at all Residential Collector, Mixed Use Collector, Arterial and Commercial/Industrial intersections.
 2. Street light fixtures shall be of a type and design as indicated in the Construction and Materials Specifications.
 3. Where electric service is supplied by underground methods, the developer shall provide and install conduits where necessary to accommodate the installation of street lighting systems, prior to the installation of streets, curbs, sidewalks, and driveways. Installation and location of conduits shall comply with the specifications of the appropriate public utility.
- C. Off-Street Lighting Criteria.
1. For lighting entrances and parking areas, fixtures shall be aimed straight down, shall have flat lenses, 90 degree full-cutoff and shall be fully shielded.
 2. The height of the luminaire shall not be greater than eighteen (18) feet from grade.
 3. The use of floodlighting, spotlighting, and "wall-pak" fixtures are not permitted.
 4. Fixtures shall be equipped with light directing and/or shielding devices such as shields, visors, skirts or hoods so that the lamp or diffusing element cannot be seen from off the property.

SECTION 512. DRIVEWAYS AND ACCESS DRIVES

The following standards shall apply to driveway and/or access drive construction in any subdivision and/or land development:

- A. In order to provide a safe means of access, all driveways and access drives shall be located, designed and constructed in such a manner as not to interfere or be inconsistent with the safe passage of traffic. All private streets, circulation roads, and access drives providing access to private parking lots that are open to public travel shall be designed in accordance with the 2009 Manual on Uniform Traffic Control Devices (MUTCD) as revised, where applicable.
- B. All driveways and access drives on a state road must have a valid highway occupancy permit from PennDOT and shall be designed in accordance with PennDOT entrance standards as defined in PA Code, Title 67, Chapter 441.
- C. All driveways and access drives on a public Township street must have a valid driveway permit and/or a valid street cut permit from York Township and shall be designed in accordance with requirements of this Ordinance and the York Township Construction and Materials Specifications.
- D. Driveway and access drive entrances or aprons shall be paved to their full width for a minimum length of twenty (20) feet from the edge of the cartway. The type of pavement may be either concrete or asphalt, constructed to the applicable Township or PennDOT specifications.
- E. Driveway and access drive entrances along streets, where curbs are not required, shall be constructed so that the driveway meets the edge of the cartway as a continuation of at

Article 5 – Design and Improvement Standards

least the slope from the crown of the street for not less than five (5) feet and shall have a minimum edge-of-pavement radius of five (5) feet.

- F. The safe stopping sight distance (required and achievable) and clear sight triangles for driveways and access drives shall be in accordance with Section 506.G.8 and .9 and shall be delineated on the plans.
- G. Driveways. (Single-family and two-family Residential)
1. Direct access from residential lots to an Arterial or Collector street is prohibited.
 2. Driveways on corner lots shall be located at least forty (40) feet from the point of intersection of the nearest street right-of-way line.
 3. Driveways shall be setback a minimum of three (3) feet from side property lines. Single Family Attached dwellings shall be setback a minimum of three (3) feet from one (1) side property line.
 4. Driveway access shall be provided to the street of lesser classification when there is more than one street classification involved. Driveway locations shall be delineated on all plans. This delineation may be a typical detail for interior lots, but driveways must be shown on all corner lots.
 5. Driveways shall have a minimum width at the street right-of-way of ten (10) feet and a maximum width at the street right-of-way of twenty (20) feet. The number of driveway entrances per dwelling unit shall be one (1).
 6. Sidewalks across driveways shall be provided as a continuous surface.
 7. Common driveways which serve more than three (3) detached dwelling units are prohibited. When common driveways are provided, an access and maintenance agreement shall be provided in the deeds of the lots having use of the driveway. The agreement shall be acceptable to the Township Solicitor. Proof of recording with the Recorder of Deeds Office shall be provided to the Township.
 8. No portion of a driveway shall be located directly opposite the cartway of a 'T' intersection.
 9. All driveways shall intersect streets at right angles.
 10. Driveway entrances along streets where curbs are not required shall be constructed to provide proper drainage along the streets and from the streets by the continuation of swales. Such continuation may be provided by having an approved pipe of not less than eighteen (18) inches in diameter across such driveway entrances with a minimum cover of twelve (12) inches and located outside the right-of-way.
 11. Driveway profiles shall provide efficient access to the abutting residential street, allow for low-speed 90-degree turns into the driveway, and provide safe access to the residential garage or parking area. The following standards shall apply:
 - a. The algebraic change in grade between the street cross slope and the driveway approach apron shall be less than or equal to eight (8) percent.

Article 5 – Design and Improvement Standards

- b. When the algebraic change in grade at any point along the driveway exceeds ten (10) percent, a vertical curve having a length specified below shall be used.

TABLE 5.N		
Length of Vertical Curves for Extreme Changes in Driveway Grade		
Algebraic Change in Grade (%)	Length of Vertical Curve	
	Sag	Crest
10	25	10
15	35	20
20	45	30
25	55	40

- c. Driveway grades shall not exceed three (3) percent for the first twenty (20) feet from the street edge of pavement. In addition, the driveway grade shall not exceed eight (8) percent in any area used for designated parking along the driveway, or three (3) percent within twenty (20) feet of garage entrances.
- d. Driveway grades shall not exceed twenty (20) percent.

H. Access Drives. (Multi-family Dwelling Units and Non-Residential Uses)

1. Access drives shall be constructed in accordance with Section 509.J
2. Access drives shall have a minimum width of twelve (12) feet per lane.
3. The vertical and horizontal alignments of access drives shall conform to the Commercial/Industrial Local street standards of Sections 506. E, F and G.
4. Access drive intersection radii shall be a minimum twenty-five (25) feet or sufficient to allow access for the emergency response vehicle requiring the largest turning template.
5. Access drive radii shall be setback from the side property line a minimum five (5) feet.
6. The centerline of access drives opening onto the same side of a street shall be separated from the centerline of other access drives on the same lot by a minimum of 150 feet. The centerline of access drives opening onto the opposite sides of an existing or proposed street shall be directly opposite from each other. When this is physically impossible, the centerlines of the access drives shall be separated by a minimum of 150 feet.
7. Access drives on corner lots shall be located at least forty (40) feet from the point of intersection of the nearest street right-of-way line.
8. Access drive entrances along streets where curbs are not required shall be constructed to provide proper drainage along and from the streets by the continuation of swales. Such continuation may be provided by having an

Article 5 – Design and Improvement Standards

approved pipe of not less than eighteen (18) inches in diameter across such access drive entrances, with a minimum cover of twelve (12) inches.

9. Joint and Cross Access Drives.
 - a. Adjacent non-residential properties shall provide a joint or cross access drive to allow circulation between sites wherever feasible along Collector and Arterial streets. The following shall apply to joint and cross access drives.
 - 1) The access drive shall have a design speed of 10 mph and have sufficient width to accommodate two-way traffic including the largest vehicle expected to frequently access the properties.
 - 2) A circulation plan that may include coordinated or shared parking shall be required.
 - 3) Features shall be included in the design to make it visually obvious that abutting properties shall be tied in to provide cross access.
 - b. The landowners along a joint or cross access drive shall:
 - 1) Record an easement with the deed allowing joint or cross access to and from other properties served by the joint or cross access drive.
 - 2) When joint or cross access drives are provided, an access and maintenance agreement shall be provided in the deeds of the lots having use of the joint or cross access drive. The agreement shall be acceptable to the Township Solicitor. Proof of recording with the Recorder of Deeds Office shall be provided to the Township.
 - c. The Plan shall contain provisions for future joint or cross access for all adjacent properties.

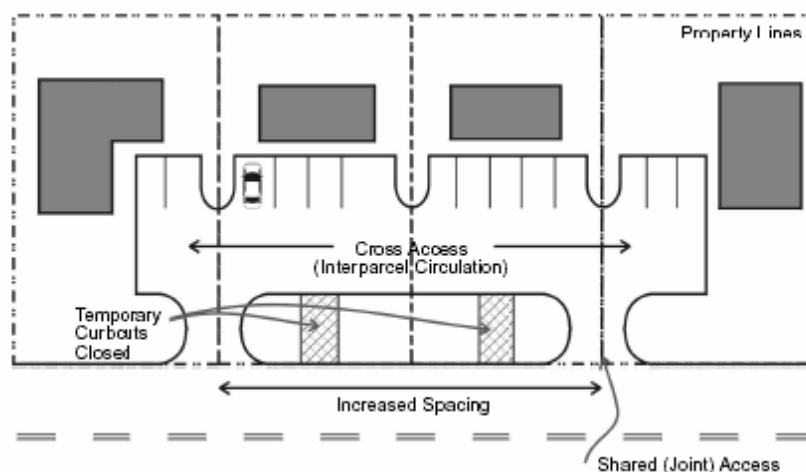


FIG. 5.13 Joint and Cross Access Drives

10. Islands and Medians.

Article 5 – Design and Improvement Standards

- a. Where the Township deems that access drive channelization will enhance right-out turns, discourage left-out turns, discourage left-in turns, or define access drive travel lanes, the Township may require access drive triangular islands or similar traffic control facilities.
- b. Unless otherwise approved by the Township, the access drive islands, medians, and similar traffic control facilities shall:
 - 1) Incorporate the following:
 - a) Vertical curbs, except across pedestrian crosswalks to allow pedestrian passage without vertical steps.
 - b) Sloped surfaces that drain from island, median and facility interiors to access drives or streets.
 - c) Pavement markings that include:
 - i) For triangular islands, stripping offset 1 foot from each straight curb section to form a triangle surrounding the island and 2 foot wide chevrons at the corner pointing into the site.
 - ii) Crosswalk markings, as applicable.
 - iii) Directional arrows.
 - iv) Stop bars, as applicable.
 - 2) For access drive triangular islands that enhance right-out turns or discourage left-out turns:
 - a) Exterior curbs shall form a triangle that with 2 foot radii corners (radii centers at 9 feet, 18 feet and 20 feet) shall be at least 13 feet by 22 feet by 24 feet, respectively with an area of at least 174 square feet.
 - b) Right-out turn exterior curb radii shall be 25-40 feet within the street right-of-way and changing to 150-275 feet at a location outside of the street right-of-way.
 - 3) For access drive triangular islands that enhance right-out turns, discourage left-out turns and discourage left-in turns:
 - a) Exterior curbs shall form a triangle that with 2 foot radii corners (radii centers at 18 feet, 20 feet and 20 feet) shall be at least 22 feet by 24 feet by 24 feet, respectively with an area of at least 288 square feet.
 - b) Right-in turn and right-out turn exterior curb radii shall be 25-40 feet within the street right-of-way and changing to 150-275 feet at a location outside of the street right-of-way.
 - 4) For access drive triangular islands that discourage left-in turns:
 - a) Sides shall form a triangle that with 2 foot radii corners (radii centers at 18 feet, 20 feet and 20 feet) shall be at least 22 feet by 24 feet by 24 feet, respectively and an area of at least 174 square feet.
 - b) Right-in turn exterior curb radii shall be 25-40 feet within the street right-of-way and changing to 150-275 feet at a location outside of the street right-of-way.
 - 5) For medians that define and/or separate lanes of opposing traffic directions:

Article 5 – Design and Improvement Standards

- a) Lengths shall be at least the queuing or stacking space needed for exiting vehicles plus pedestrian crosswalk widths.
 - b) Widths shall be at least 4 feet without crosswalks or 8 feet with crosswalks
11. Access drive serving three (3) or more buildings, with individual parking lots, shall be considered streets and shall conform to Section 506.

SECTION 513. MONUMENTS AND MARKERS

- A. Monuments and markers must be placed by a Professional Land Surveyor registered in the Commonwealth, so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They must be set so that the top of the monument or marker is level with the finished grade of the surrounding ground. Monuments must be marked on top with a copper or brass plate or dowel set in the concrete. All existing and proposed monuments and markers shall be delineated on the plan.
- B. Monument Locations.
1. At least two (2) corners of the boundary of the original tract of the subdivision and/or land development shall be monumented.
 2. A minimum of two (2) monuments shall be set on the street right-of-way lines of each street. Monuments shall be set on the same side of the street.
 3. Two (2) monuments shall be set at the Primary Control Point determined for the Final Plan in coordination with the Township GIS Department.
 4. Monuments shall be placed so that the center point shall coincide exactly with the intersection of lines to be marked.
 5. Monuments shall be placed so that they are at grade in areas that are not paved, at grade if in a paved area not subject to vehicular traffic, and 4" to 8" below grade if in a paved area subject to vehicular traffic. Monuments set in areas subject to traffic shall be protected with a cast iron frame and access cover of adequate design for truck traffic, or may have double monuments, one above the other, with the top monument flush with the pavement.
- C. Marker Locations.
1. Markers shall be set at the points where lot lines intersect rights-of-way lines or curves and/or other property lines
 2. Markers shall be placed so that the center point shall coincide exactly with the intersection of lines to be marked.
 3. Markers shall be driven into the ground so as to be approximately flush with the final grade.
- D. Construction of monuments and markers shall be in accordance with the York Township Construction and Materials Specifications.

Article 5 – Design and Improvement Standards

- E. Monuments required by this Ordinance to be set at locations shown on the approved Final Plan shall be bonded in accordance with Article 4 herein at the rate determined by an Engineering estimate. Monument placement shall be certified by letter, by the Professional Land Surveyor, to the Township Engineer prior to releasing the bond.
- F. Any monuments or markers that are discovered to have been removed must be replaced by a Professional Land Surveyor at the expense of the Developer and/or Owner.

SECTION 514. WATER SUPPLY

Each new dwelling and each commercial or industrial building developed in York Township shall have an adequate supply of potable water for domestic use and for fire protection.

- A. **Public Water Supply.** Where there is an existing public water supply system within 1,000 feet from a proposed development and such system has adequate planned capacity and is willing to serve that land development, a complete water supply system connected to the existing water supply system must be provided and fire hydrants shall be installed in accordance with Section 523 of this Ordinance.
 - 1. Where plans approved by a public water supplier provide for the installation of such public water supply system within four (4) years, the developer shall provide a complete water system for connection to the planned water main supply system.
 - 2. Where connection to a public water supply is proposed, the system design shall be approved by the appropriate water utility company and reviewed by the Township Engineer.
- B. **On-site Water Supply.**
 - 1. Where there is no existing public water supply, each lot in the development must be provided with an individual on-site or a community water supply system in accordance with the standards required by the PA-DEP. On-site water supply systems shall be approved when:
 - a. The anticipated water supply yield and quality are adequate for the type of development proposed;
 - b. The installation of an on-site system(s) will not endanger or decrease the groundwater supplies to adjacent properties.
 - 2. Wells shall be of the drilled type, cased and grout sealed in the bedrock following PA-DEP's recommended guidelines for installing a private sanitary water well in bedrock.
 - 3. Water wells shall be isolated from wastewater treatment absorption fields, shall be protected from surface water run-off by extending the casing a minimum twelve (12) inches above the surrounding final grade and shall not be located within the floodplain. All wells shall have a sealed insect-proof cap.
 - 4. Disinfection of a home groundwater source shall be performed after completing construction of a new well or spring supply, or following any routine maintenance.
 - 5. The location of all on-site wells shall be shown on the plans.

Article 5 – Design and Improvement Standards

6. Abandoned well(s) on a property shall be sealed in accordance with PA-DEP standards before development to prevent contamination of the aquifer.

C. Community Water Supply System

In addition to the requirements of Section B above, the following shall apply:

1. The design and installation of a community water supply system shall be subject to the approval of the Commissioners and PA-DEP.
2. Standards and materials for the construction of any community water supply system shall meet or exceed those requirements described in the Public Water Supply Manual of the PA-DEP and shall be subject to approval by the Township Engineer. Where a permit is required by PA-DEP, it shall be presented as evidence of such review and approval before construction of the system will commence.
3. Where the community water supply system occurs under the jurisdiction of the Pennsylvania Public Utilities Commission (PUC), the water supply study shall also incorporate those items of information required by the PUC.
4. The system shall be designed to furnish an adequate supply of water to each lot, with adequate water main sizes and fire hydrant locations. A technical study shall be submitted to the Township for review by the Township Engineer and Fire Code Official. Fire hydrants shall be placed and constructed in accordance with Section 523 of this Ordinance.
5. All suitable agreements, including financial guarantees shall be established for the ownership and maintenance of the system. Ownership and maintenance of the community water system shall be the responsibility of an organization formed and operated in accordance with Section 516 of this Ordinance.
6. Groundwater for community water systems must conform to the PA-DEP requirements and standards. A minimum of two (2) sources of groundwater must be provided for each community water system. Each ground water source shall be capable of supplying the average daily demand of the proposed development.

SECTION 515. SEWAGE SERVICE FACILITIES

Each new dwelling and each commercial or industrial building developed in York Township shall be self-sufficient for sewage disposal. The sewage disposal system shall be public, community or individually owned, maintained and operated.

- A. As specified in Section 314, all plan submissions must be accompanied by the Sanitary Sewage Disposal Feasibility Report and the appropriate Sewage Facilities Planning Module for Land Development provided by PA-DEP. All planning module reviews shall conform to the Pennsylvania Sewage Facilities Act of 1965, P.L. 1535, No. 537, as amended; PA-DEP's Chapter 71 regulations, Administration of Sewage Facilities; the Township's Act 537 Plan; and this and any other Township Ordinances.
- B. **Public Sanitary Sewage Systems.**
 1. Within the Urban Growth Boundary (UGB), connection to public sanitary sewage disposal system is required for any subdivision and/ or land development of more

Article 5 – Design and Improvement Standards

than two lots, more than two dwelling units or any nonresidential use if public service can be made by extending the existing public service no more than 3,000 feet to the closest property line of the tract.

2. Projects within the UGB that include two or less lots, or two or less dwelling units, public sanitary sewage system shall be considered accessible and shall be connected to the project if service can be made available by extending the public system no more than 1,000 feet to the closest property line of the tract.
 3. Where a public sanitary sewage system does not currently exist, but in the opinion of the Commissioners will become available within five (5) years, the developer shall install a complete sanitary sewage collection system in accordance with the requirements of the York Township Water and Sewer Authority (YTWSA) and the Construction and Material Specifications for Sanitary Sewers and Plan, Design, and Construction Standards for Sanitary Sewers as amended.
 4. Proposed subdivisions and/or land developments located outside the UGB shall not be connected to the public sanitary sewage disposal system
 5. Design and Construction.
 - a. The construction of the system, including all service connections, pumping stations and interceptors shall be constructed at the developer's expense and shall not commence until application has been made to, and written authorization to proceed with construction has been obtained from the Township and PA-DEP.
 - b. The system shall be designed by a Registered Professional Engineer and shall be approved by the YTWSA Engineer.
 - c. When a public sanitary sewage system is installed and capped by the developer, the developer shall install on-site sewage disposal facilities that are designed to provide connection to the public system when it becomes available.
 - d. Sanitary sewers and sewage disposal systems shall not be combined with stormwater BMPs, C&C facilities, and other stormwater facilities, and shall not be constructed to receive effluent from any stormwater BMP, C&C facility or other stormwater facility.
 - e. Pipe sizes for sanitary sewer mains and sewer laterals and locations for manholes shall meet the YTWSA Construction and Material Specifications for Sanitary Sewers and Plan, Design, and Construction Standards for Sanitary Sewers, as amended. The system shall be inspected per the YTWSA specifications.
- C. Individual (On-lot) Sewage Disposal.
1. Where public sanitary sewers are not available, the use of on-lot sewage disposal systems shall be governed by regulations of the PA-DEP and enforced by the Township Sewage Enforcement Officer (SEO).
 2. All projects utilizing on-lot sewage disposal systems shall provide a minimum of two (2) viable individual on-lot sewage disposal system sites that meet specifications and regulations of the Township and PA-DEP for each lot of the

Article 5 – Design and Improvement Standards

project. The on-lot sewage disposal system sites shall be designated as primary and replacement on-lot sewage disposal system sites. Easements for each on-lot sewage disposal system site shall be delineated on all Final Plans .

3. Prior to approval of any plan depicting on-lot sewage disposal systems, the applicant shall have soils testing performed on each lot to determine the suitability and location for such systems, and shall have secured the approval of the Township SEO and/or PA-DEP through the use of a Planning Module for Land Development. Each on-lot sewage disposal system must be approved by the Township SEO and/or PA-DEP.
4. A primary sewage disposal system and replacement system easement area shall:
 - a. Be located on the lot which it serves, or within adjacent open space that is designated and approved for that purpose as part of a conservation subdivision.
 - b. Be designated on the plan as areas not to be disturbed except for the installation of the system and/or its replacement.
 - c. Not be located within any required buffer yards, riparian buffers, floodplains, stormwater BMP and/or facility areas, or greenway corridors.
5. Septic tanks shall be abandoned per any YTWSA and PA-DEP requirements.

D. Community Sanitary Sewage Facilities.

1. A community sanitary sewage disposal facility shall be permitted if it can be shown that such an approach would provide more reliable and effective treatment of sewage than individual on-lot systems or if a community system is required as part of a conservation development.
2. The design and installation of a community sanitary sewage disposal facility shall be subject to the approval of the Commissioners and the PA-DEP.
3. The system shall be designed by a Registered Professional Engineer and shall be approved by the YTWSA Engineer. The construction of the system, including all pumping stations, interceptors, drainage fields and treatment plants, shall be at the developer's expense.
4. All suitable agreements, including financial guarantees, shall be established for the ownership and maintenance of the system. Ownership and maintenance of the community sanitary sewage system shall be the responsibility of an organization formed and operated in accordance with Section 516.
5. Community sanitary sewage disposal facilities shall be located on a separate lot under the ownership of an organization approved by the Township. The area of the lot shall be of sufficient size to accommodate the system, the required area for a complete alternate or replacement system, and all required setbacks.
6. The Township shall have the right to inspect and test community service systems at any time. The Township may require the owner to provide the results of regular professional testing of the system when the Township deems necessary. The cost of inspections and testing shall be the responsibility of the owner.

Article 5 – Design and Improvement Standards

SECTION 516. GRADING AND EARTH DISTURBANCE ACTIVITIES

Earth disturbance activities such as site grading, stripping topsoil, etc. shall conform to the requirements of this Section, other applicable sections of this Ordinance, the York Township (YT) Stormwater Management (SWM) Ordinance, the YT Floodplain Management (FPM) Ordinance, the YT Construction and Material Specifications, or other specifications as may be recommended by the Township Engineer and approved by the Commissioners.

In order to provide more suitable sites for building and other uses, improve erosion and sediment control (E&S), permanent surface and slope stabilization, stormwater runoff collection and conveyance (C&C), stormwater management, and protection of riparian areas the following requirements shall be met:

- A. All lots, tracts or parcels shall be graded to provide proper drainage away from buildings and proper management of the stormwater runoff in accordance with the YT SWM Ordinance.
- B. All grading shall include drainage provisions designed to adequately collect and/or convey surface runoff to the intended stormwater best management practice (SWM BMP) or facility, stormwater C&C facility, or water of this Commonwealth, as appropriate. Stormwater easements at least twenty (20) feet wide shall be established where concentrated stormwater crosses property lines.
- C. Sites shall be graded so as not to discharge water onto an adjacent property without the expressed consent of the Commissioners and the affected landowner.
- D. During earth disturbance activities, necessary BMPs for erosion, sediment, and dust control shall be implemented pursuant to an approved E&S Plan.
- E. Construction equipment shall not encroach into nor cross riparian buffers, floodplains, or waters of this Commonwealth unless the encroachment or crossing is specifically permitted in an approved E&S Plan, the required PA-DEP Title 25, Chapter 105 permit, and any required federal permits.
- F. Cuts and Fills.
 1. Cut slopes shall not exceed 2:1 unless stabilized by methods adequate to minimize erosion, sliding, or other movement and acceptable to the Township. Steeper grades may be only permitted with a sealed geotechnical report and engineered drawings provided by a professional engineer with expertise in soil stabilization, structural soil design, and soil stabilization structures or by a certified soils scientist, which demonstrate that steeper slopes can be stabilized and maintained adequately.
 2. Fill slopes shall not exceed 3:1 unless stabilized by methods adequate to minimize erosion, sliding, or other movement and acceptable to the Township. Steeper grades may only be permitted with a sealed geotechnical report and engineered drawings provided by a professional engineer with expertise in soil stabilization, structural soil design, and soil stabilization structures or by a certified soils scientist, which demonstrate that steeper slopes can be stabilized and maintained adequately.

Article 5 – Design and Improvement Standards

3. Cut and fill slopes, except channel side slopes within a stormwater easement, shall not exceed twenty-five (25) percent or existing slopes within twenty (20) feet of adjoining properties.
4. Adequate provisions shall be implemented to prevent surface runoff from eroding the sloping surfaces of cuts or fills.
5. Cuts and fills shall not endanger adjoining property.
6. Cuts and fills shall be constructed and protected to minimize erosion, sliding, or other movement.
7. Fills shall not obstruct nor encroach into riparian buffers, floodplains, or waters of this Commonwealth, without the required PA-DEP Title 25 Chapter 105 permit and the required federal permit(s).
8. Cuts and fills constructed adjacent to rivers, streams, creeks, rivulets, or watercourses shall have adequate protection against erosion, sliding, or other movement during 100-year storms.

SECTION 517. COMMON FACILITIES

- A. Ownership Standards. Facilities to be held in common ownership, such as community water supply, stormwater BMPs and facilities or community sanitary sewage disposal facility, shall be held using one of the following methods, subject to the approval of the Commissioners:
 1. Homeowners' and Unit Owners' Association - The facilities may be held in common ownership by a Homeowners' or Unit Owners' Association which is formed and operated in accordance with the provisions of Section 517.B of this Ordinance.
 2. Condominium (Unit Owners') Association - The facilities may be held as a common element under a condominium agreement. Such agreement shall be in conformance with the Pennsylvania Uniform Condominium Act, as amended.
- B. Homeowners' and Unit Owners' Associations. Homeowners' and Unit Owners' Associations ("Association") will be governed in accordance with any applicable laws of the Commonwealth. Where required, the Association shall be described in a report forwarded to the Township for review. At a minimum, the following information and standards shall be met prior to final approval of the subdivision or land development:
 1. By-laws describing the formation and duties of the association, including the responsibilities for maintenance of common open space areas and facilities, shall be defined and presented to the Township for review and approval as part of the Final Plan submission.
 2. Membership shall be mandatory by all residents served by the common open space areas and facilities. Membership and voting rights shall be defined.
 3. Rights and duties of the Township and members of the Association, in the event of a breach of covenants and restrictions, shall be defined.
 4. The By-laws shall include a statement which grants to the Association the legal authority to place liens on the properties of members who are delinquent in the

Article 5 – Design and Improvement Standards

payment of their dues. The By-laws shall also grant the Township such power, but not the duty, to maintain the common facilities, and to assess the cost of the same as provided in the PA Municipalities Planning Code, Act 247.

C. Maintenance Standards.

1. Common facilities which include sanitary sewage systems, stormwater BMPs and facilities and community water systems shall be operated and maintained by a professional organization specializing in the required services.
2. Common facilities which include swimming pools, ponds, common open space, playgrounds, etc. shall be operated and maintained by the Association.
3. The Township shall, upon request, be given access to all records of the Association and all records of the professional organization relating to the common facility or facilities.
4. Delinquency. In the event that the Association established to own and maintain the common facility, or any successor organization, shall at any time after the establishment of the common facility, fail to maintain said facility or facilities in reasonable working order and condition in accordance with established standards, guidelines and agreements, the Township may serve written notice upon the Association and/or the residents served by the common facility stating:
 - a. The manner in which the Association has failed to maintain the common facility in reasonable condition.
 - b. A demand that such deficiencies of maintenance be corrected within thirty (30) days, except in the case of emergency.
 - c. The date and place of a public hearing which shall be held within fourteen (14) days of the notice.
5. Public Hearing. At the said public hearing scheduled in accordance with Section 517.C.4.c, the Commissioners may amend the terms of the original notice concerning the deficiencies and may give an extension of time within which they shall be corrected. If the deficiencies or any modifications thereof were not corrected within thirty (30) days of the notice of deficiencies or within any extension, the Township may enter upon the common facility and maintain the same for a period of one (1) year. The said maintenance by the Township shall not constitute a taking of said common facility, nor vest the public any rights to use the same. Maintenance of common facilities shall include all activities related to the operation of the facility, including, but not limited to, administration, assessing and collecting of fees, testing, and necessary improvements.
6. Burden of Proof. Before the expiration of said year, the Township shall, upon its initiative or upon request of the Association call a public hearing upon notice to the Association and to the residents served by the facility. At the hearing, the Association or the residents shall show cause as to why such maintenance by the Township shall not, at the option of the Township, continue for a succeeding year. If the Commissioners shall determine the Association is prepared, willing and able to maintain such common facility in reasonable working order and condition, the Township shall cease to maintain said common facility at the end of said year. If the Commissioners shall determine that the Association is not prepared, willing or able to maintain said common facility in a reasonable and working order and

Article 5 – Design and Improvement Standards

condition, the Township may, at its discretion, continue to maintain said common facility during the next succeeding year and, subject to a similar hearing and determination, in each year thereafter.

7. **Cost Reimbursement.** Any and all costs the Township incurred as a result of maintenance of common facility and any additional penalties or fees set by the Township shall be paid by the Association and the residents served by the facility. Any invoices from the Township for such costs which remain unpaid following a period of forty-five (45) days shall be subject to an increase of 1.5% per month (18% annually). A lien shall be filed against the premises of the owner or resident in the same manner as other municipal claims. Any cost shall also be assessed ratably against the properties within the development that have a right of enjoyment of the common open space.

SECTION 518. REFUSE COLLECTION STATIONS

- A. Outdoor collection stations shall be provided for garbage and recycling containers for all multi-family uses. Outdoor collection stations shall be provided for non-residential uses when indoor storage is not provided.
- B. Collection stations shall be located so as to be separated from habitable buildings and shall be screened and landscaped according to the requirements of Article 6.
- C. Collection stations shall be constructed and maintained to prevent the escape of refuse by wind, water or other natural elements and discourage animals, rodents, etc. from entering.
- D. Collection stations shall consist of a concrete pad, loading apron, gate, fences/walls and protective bollards.

SECTION 519. PUBLIC DEDICATION OF PARK AND RECREATION LAND

The Commissioners have adopted a Recreation and Open Space Plan for York Township. To implement this Recreation and Open Space Plan, all residential subdivisions and land developments shall be provided with park and recreation land which shall be offered for dedication to the Township. The developer may request that the Township not require the dedication of land, and any such request shall be made in writing and shall be accompanied by 1) an offer to pay a fee in lieu of dedication of the land, computed in accordance with the regulations provided herein, 2) an offer to construct recreational facilities and/or 3) an offer to privately reserve land for park or recreation purposes.

- A. The land reserved for park, recreation and open space usage shall be a separately deeded lot(s) which shall comply with applicable requirements of this Ordinance, the Township Zoning Ordinance, and the following requirements:
 1. The land reserved for park, recreation and open space shall conform to all standards of the Township Zoning Ordinance contained within the Open Space Recreation regulations.
 2. No Best Management Practices (BMP) for stormwater from other portions of the development shall be permitted on such land reserved for park, recreation and/or open space.

Article 5 – Design and Improvement Standards

3. Public utility connections shall be provided within the park and recreation land by the developer.
 4. If the adjacent property has park, recreation, and/or open space land at the boundary, required recreational land in the development shall adjoin such lands, unless otherwise directed by the York Township Recreation Commission.
- B. A minimum of five one-hundredths (0.05) acres of land shall be reserved as park or recreational land for each residential lot created in a subdivision or each dwelling unit created in a land development.
- C. The developer may request that the Board permit the provision of park and recreation land other than through public dedication of land as set forth above. The developer shall set forth, in writing, the means by which he will fulfill this requirement which may include the payment of a fee in lieu of dedication of all or a portion of the amount of land required to be dedicated, construction of recreational facilities, the private reservation of land, or any combination of dedication, fees, construction of recreational facilities, or private reservation.
1. If a fee in lieu of dedication is proposed by the developer, said fee shall be in the amount of \$2,400.00 per unit. All fees shall be held and used by the Township in accordance with the requirements of Part 5 of the Municipalities Planning Code.
 2. If the developer proposes to construct recreational facilities, the developer shall present a Sketch Plan with the Final Plan of such facilities and an estimate of the cost of construction.
 3. If the developer proposes the private reservation of land, the developer shall provide for the maintenance of such land through either its inclusion as common elements of a condominium or the creation of a homeowners' association which shall meet the requirements of Section 517. Notwithstanding the foregoing, the developer may request that the Board 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.
 4. The required Development Agreement shall set forth the fees to be paid, the facilities to be constructed including construction schedule, and/or the land to be privately reserved and the method of its maintenance in accordance with Article 4.

SECTION 520. UTILITIES

- A. Telephone, electric, cable and other such utilities shall be installed underground in conduits and shall be provided with easements to be dedicated and in accordance with plans approved by the Commissioners and the applicable utility company.
- B. Lots which abut existing easements or public rights-of-way where above ground utility lines have been previously installed may be supplied with utilities from those overhead lines, but service connections from the utilities' overhead lines shall be installed underground.

Article 5 – Design and Improvement Standards

C. Where road widening and other conditions resulting from land development necessitate replacement or relocation of overhead utility lines, new facilities shall be installed underground. Costs of any relocation of public utilities shall be the responsibility of the developer.

D. Underground installation of the utility distribution and service lines shall meet the prevailing standards and practices of the company providing the service and shall be completed prior to street paving, curbing and sidewalk installation.

E. Underground Utility Notifications.

In accordance with the provisions of PA Act 287, as amended, the applicant shall request the line and facility information from the PA ONE CALL SYSTEM, Inc. and forward a copy of the project plans to each facility owner who requests a copy. Plans shall show all existing underground utility facilities located in or within fifty (50) feet of the boundaries of the tract proposed for development and in the vicinity of any proposed off-site improvement.

Plans shall be submitted with the PA ONE CALL SYSTEM, Inc. symbol and toll free telephone number, the designer's serial number, the position (location and depth) and type of each facility, the facility owner's name and contact information.

SECTION 521. EASEMENTS

A. General.

1. To the fullest extent possible easements shall be adjacent to and follow property lines.
2. Easements shall be shown on the Preliminary and Final Plan with dimensions, metes and bounds, purposes and areas.
3. 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. This requirement shall be noted on the Final Plan and shall be included in all deeds for lots which contain an easement. For purposes of this section, permitted plantings shall include grass and agricultural crops.

B. Pedestrian Access. Where necessary for access to private, public or common lands, a pedestrian easement shall be provided with a width of no less than ten (10) feet. Additional width, fencing and/or planting may be required by the Commissioners depending on the purpose and use of the easement.

All mid-block crosswalks shall have a minimum easement width of ten (10) feet, and the sidewalk shall be constructed in accordance with Section 507.

C. Utilities. Utility easements shall have a minimum width of twenty (20) feet when a single utility is proposed to be contained within that easement (thirty (30) feet in the case of combined easements). All utility companies are encouraged to use common easements. Plans shall include, by reference or detailed description, provisions to ensure compliance with all YTWSA or utility company restrictions

D. Stormwater BMPs and Facilities.

1. All stormwater easements shall be dedicated to private landowners or held by

Article 5 – Design and Improvement Standards

- owners associations. This requirement shall be noted on the Final Plan and shall be included in all deeds for lots which contain an easement.
2. An access easement shall be provided to the stormwater easement. The width of such access points shall not be less than twenty (20) feet.
 3. For proposed swales and channels, easement widths shall be the greater of twenty (20) feet encompassing the entire facility width or the facility top width plus five (5) feet on each side top of bank.
 4. Easement widths shall be at least twenty (20) feet from the edge of high water during a 100-year design storm event.
 5. Easements shall extend to at least twenty (20) feet beyond the toes and groins of fill embankments.
- E. Waters of this Commonwealth. Where Waters of this Commonwealth are located on a land development, there shall be provided an easement conforming substantially to its current location. The following standards shall apply:
1. Waters of this Commonwealth shall require an easement with a Riparian Buffer in accordance with Section 703, except as listed in 2 below.
 2. Impoundments, Lakes, Dammed Water and Ponds
 - a. Easement widths shall be at least seventy-five (75) feet from the edge of high water during a 100-year design storm event.
 - b. Easements shall extend to at least twenty (20) feet beyond the toes and groins of fill embankments.
 3. In no case shall any such drainage easement be less than twenty (20) feet in width and shall be adequate to preserve the unimpeded flow from a 100-year design storm event.
- F. Conservation. Where conservation areas exist or are proposed, a conservation easement shall be depicted on the plan.
- G. Utility and Transmission Lines and Facilities. Where any utility or transmission lines or facilities traverse or are located upon a subdivision or land development, the applicant shall comply with the requirements of the applicable facility owner to determine the minimum distance which shall be required between any proposed structure and such line and/or facility. Additionally, the Township will require, with the plan application, a letter from the owner of the line and/or facility stating any conditions on the use of the tract.
- H. Single-Family Attached Dwellings. When a subdivision proposes single-family attached dwellings, such as townhouses, the plans shall include an access easement along the front and rear property lines of all units, and side property lines of the end units, to allow all lot owners within the unit access to front and rear yards. The access easement shall have a minimum width of ten (10) feet. This requirement shall be noted on the plan and shall be included in all deeds for lots which contain the easement.

SECTION 522. STEEP SLOPES

- A. Steep Slope Delineation.

Article 5 – Design and Improvement Standards

1. Steep slopes consist of two (2) areas as follows:
 - a. Precautionary slope: Precautionary slopes are those of twenty-five (25) percent to thirty-three (33) percent.
 - b. Prohibitive slope: Prohibitive slopes are those steeper than thirty- three (33) percent.
2. The primary source for the determination of the existence of steep slope areas shall be a contour map using one (1) or two (2) foot contour intervals to supply the necessary data in determining the existence and limits of steep slope areas on a site. The percent slope shall be calculated in accordance with Figure 5.14 below.

PERCENT SLOPE:
THE PERCENT SLOPE IS CALCULATED FROM THE NUMBER OF UNITS OF VERTICAL RISE FOR EVERY 100 UNITS OF HORIZONTAL DISTANCE. FOR EXAMPLE, IF IT RISES 20 FEET IN EVERY 100 FEET, IT IS A 20% SLOPE.

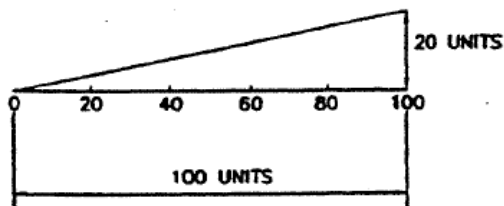


FIG. 5.14

3. Boundary/Slope Interpretation.
 - a. Each application for construction, earth disturbance or subdivision containing steep slopes shall show on the site grading plan shading or hatching of such area(s).
 - b. Any party seeking land development and/or subdivision plan approval in steep slope areas shall have the burden to present evidence of the boundaries of the areas.
 - c. The Applicant shall indicate the methods used to provide structural stability, to avoid problems caused by disturbance of steep slope areas and to maintain the natural watershed.
 - d. Disturbance within steep slope areas shall be reviewed by the Township Engineer for suitability for construction of structures on slopes exceeding twenty-five (25) percent.
- B. Applicable Standards Within Steep Slope Areas.
1. Site disturbance shall be minimized in areas of precautionary slopes and no site disturbance shall be permitted in areas of prohibitive slopes except as specified

Article 5 – Design and Improvement Standards

below:

- a. Forestry shall be limited to the selective removal of trees. Maximum precautions shall be taken to avoid destruction of or injury to understory brush and trees.
 - b. Agricultural uses shall conform to conservation practices approved by the York County Conservation District.
 - c. Grading for the minimum portion of a driveway necessary to access a single-family dwelling when it can be demonstrated that no other routing which avoids slopes exceeding thirty-three (33) percent is feasible.
 - d. To enhance stream improvements, conservation areas and/or riparian buffers.
 - e. Public utilities.
 - f. For residential uses, isolated areas of steep slope exceeding thirty-three (33) percent which are less than 10,000 square feet may be disturbed.
 - g. For non-residential uses, isolated areas of steep slope exceeding thirty-three (33) percent which are less than 20,000 square feet may be disturbed.
2. No lot shall be created unless it contains sufficient buildable areas with slopes less than thirty-three (33) percent. If sufficient building area is not available in accordance with the minimum lot and setback requirements of the zoning district, the lot area shall be increased as necessary to provide a sufficient building area.

C. Application Procedures.

1. Upon submission of a subdivision and/or land development plan for review and approval by the Township or prior to issuance of a building permit for any construction activity or before any earth disturbance activity on land within or affecting the steep slope areas, the following material, in full or in pertinent parts, shall be submitted for review:
 - a. A plan of the property prepared by a qualified professional, consistent with the applicable requirements of this Ordinance, indicating existing grades and proposed grades within the area of the proposed construction. All areas of prohibitive and/or precautionary slope, as defined above, shall be shaded accordingly.
 - b. Landscaping plan indicating proposed impervious surfaces, storm drainage facilities, retaining walls and ground cover, as well as trees and ornamental shrub locations.
 - c. A statement, signed and sealed by a registered architect or engineer, explaining the methods used to provide structural stability, to avoid problems caused by disturbance of steep slope areas and to maintain the natural watershed.
 - d. Grading plan with the location and slopes of all proposed cuts and fills.

Article 5 – Design and Improvement Standards

2. If a prohibitive steep slope area extends to the boundary of a proposed site, the slopes on adjacent sites for a distance of 150 feet in all directions from the boundaries of the site in question shall be additionally presented.
- D. Prohibitive Slopes and/or Retaining Walls/Structures Located Adjacent to Traveled Areas.
- The Plan shall be designed so that slopes adjacent to streets, access drives, driveways, parking areas, sidewalks, trails, etc. (traveled areas) are twenty (20) percent or flatter for a distance of ten (10) feet from the travel area. Where travel areas located within twenty (20) feet prohibitive slopes, retaining walls, etc. (steep features) result in an elevation difference of eighteen (18) or more inches between those traveled areas and steep features; protective measures, such as guiderails, shall be provided. The protective measures shall be designed to preclude or minimize travel of vehicles and/or pedestrians from higher elevation areas down steep features onto lower elevation areas.

SECTION 523. FIRE APPARATUS ACCESS ROADS AND FIRE HYDRANTS

- A. Fire apparatus access roads, signage, turnaround requirements, gates, turning radius and grades shall meet the requirements of the International Fire Code.
- B. Where public and community water systems are provided for subdivisions and/or land developments, fire hydrants suitable for coupling with fire equipment serving the Township shall be installed. The fire protection system shall be designed by a Registered Professional Engineer and is subject to approval by the Township. The construction of the system shall be at the developer's expense.
- C. For non-residential structures hydrants shall be spaced so that each building is within four-hundred fifty (450) feet as measured along the Fire Apparatus Access Road frontage. For residential development, hydrants spacing shall not exceed nine-hundred (900) feet as measured along the Fire Apparatus Access Road frontage.
- D. Size, type and installation of hydrants shall be approved by the public water supplier.
- E. All non-residential structures shall provide a fire department connection located away from the building collapse zone. The type of connection shall be a 5-inch Storz connection.
- F. Whenever the water supply system contains sufficient capacity and pressure or is planned to have same within five (5) years from the date of the Final Plan approval, fire hydrants shall be provided.
- G. Fire hydrants shall be provided with fire hydrant flags/markers.

SECTION 524. YORK TOWNSHIP CONSTRUCTION AND MATERIALS SPECIFICATIONS

The standards and requirements of the York Township Construction and Materials Specifications (YTCMS) manual, as amended shall apply as minimum design and construction standards and requirements for all subdivisions and/or land developments in the Township. In the event that any provision of this Ordinance or any other ordinance, resolution or specification of the Township is in conflict with the manual, the standards and requirements of the manual shall prevail.

Article 5 – Design and Improvement Standards

SECTION 525. YORK TOWNSHIP WATER AND SEWER AUTHORITY AND THE CONSTRUCTION AND MATERIAL SPECIFICATIONS FOR SANITARY SEWERS AND PLAN, DESIGN, AND CONSTRUCTION STANDARDS FOR SANITARY SEWERS

The standards and requirements of the York Township Water and Sewer Authority (YTWSA) and the Construction and Material Specifications for Sanitary Sewers and Plan, Design, and Construction Standards for Sanitary Sewers manual, as amended shall apply as minimum design and construction standards and requirements in the Township. In the event that any provision of this Ordinance or any other ordinance, resolution or specification of the Township is in conflict with the manual, the standards and requirements of the manual shall prevail.

Article 6 – Landscaping

ARTICLE 6 **LANDSCAPING**

SECTION 601. PURPOSE

The purpose of the landscaping regulations in this Article is to enhance health, safety, and quality of life, in the Township. As such, these regulations are designed to promote practical development within the Township; to provide for screening and buffering; to preserve, protect, and use native vegetation; to enhance property value; to promote native wildlife habitat; to limit noise, heat, and glare; to conserve energy; to minimize erosion and sediment pollution; and to establish a healthier environment. Landscaping shall be conceived in a total pattern throughout the site, integrating the various elements of the site design, preserving and enhancing the particular identity of the site.

Landscaping may include plant materials, such as trees, shrubs, ground covers, perennials, and annuals; natural materials, such as rocks and water; and man-made features, such as sculpture, art, walls, fences, and berms.

SECTION 602. GENERAL

- A. All land areas within a subdivision or development not containing building, structures, impervious surfaces, or other improvements which preclude landscaping, shall be included in a Landscape Plan.
- B. A separate Landscape Plan shall be required for all subdivisions except Lot Line Adjustment and Minor Subdivision Plans, and for all land developments, other than agricultural. The Landscape Plan shall be submitted with the Preliminary Subdivision and/or Land Development Plan submission. The regulations shall not be construed to regulate individual lots for single-family and two-family residential dwellings except for street trees, areas held in common ownership, stormwater BMPs and facilities, buffer areas, rights-of-way, and easements.
- C. Properties being redeveloped shall be required to satisfy these landscaping requirements.

SECTION 603. GENERAL STANDARDS

- A. In addition to the requirements of the York Township Stormwater Management Ordinance for soil erosion and sediment control, topsoil removal shall be minimized and, if possible, restricted to only the building, driveway and public improvement areas of the lot. Topsoil removed during the course of construction shall be stockpiled and shall be redistributed on all disturbed areas to provide at least six (6) inches of even cover. Disturbed soil shall be stabilized by a combination of tilling, amending, seeding and/or planting, or permanent mulching or covering. Areas to be landscaped shall not be used for incompatible purposes, such as waste dumps, during construction. Any material such as construction debris shall be removed prior to the placement of topsoil.
- B. No topsoil shall be removed from the site.
- C. Plants for landscaping shall have been grown under climatic conditions similar to those in the locality of the project or properly acclimated to conditions of the locality of the

Article 6 – Landscaping

- project.
- D. All trees, shrubs, and plants shall have a normal habit of growth; shall be sound, healthy, and vigorous; and shall be free from disease, insects, insect eggs and larvae.
 - E. No aggressive, noxious or invasive plants classified as such by the PA Department of Conservation and Natural Resources shall be utilized.
 - F. The type(s) of plantings shall be limited to species that will not create conditions hazardous to the public safety within public street rights-of-way, underground and above-ground utilities, and at all intersections of streets and/or driveways or associated clear sight triangles. Such hazards shall include but not be limited to: dead, diseased or low hanging branches; poisonous or toxic plants; and plants with thorns, nettles and spikes.
 - G. The locations, dimensions, and spacing of required plantings shall be adequate for their proper growth and maintenance, taking into account the sizes of such plantings at maturity and their present and future environmental requirements, such as moisture and sunlight.
 - H. Methods and details for protecting existing vegetation during construction shall be provided on the Landscape Plan.
 - I. All required landscaping on an individual lot shall be installed prior to issuance of Certificate of Use. It shall be the responsibility of the landowner to maintain all landscaping in accordance with the standards of this Article.
 - J. All existing native trees shall be preserved pursuant to the tree protection standards of Section 607, and all other applicable regulations or requirements.
 - K. Species selected by the applicant and depicted on the approved Landscape Plan shall reflect the following:
 - 1. Selection of plants limited to those listed in Appendix 6-A of this Ordinance or in Appendix B of the Pennsylvania Stormwater Best Management Practices Manual.
 - 2. Selection of street trees limited to those listed in Appendix 6-A.
 - 3. Suitability of the plant materials, based upon the site's geology, hydrology, soils, exposure to sun and wind, and microclimate.
 - 4. Objectives of the plantings may include, but not be limited to, visual screening, noise abatement, heat reduction, energy conservation and native wildlife habitat enhancement, rooting pattern and leafing properties.
 - 5. Maintenance and replacement considerations such as hardiness, longevity and availability of plant materials, as well as resistance to insects and disease.
 - L. Plants shall not be placed where they might interfere with the construction, use, or maintenance of any public or private sewage disposal systems, rights-of-way or easements, water supply or other utility/facility including sidewalks, lighting, paths and trails.

Article 6 – Landscaping

SECTION 604. LANDSCAPE PLAN REQUIREMENTS

The Landscape Plan shall include the following information in addition to all other provisions of this Article:

- A. Certification, including signature, seal, and date, by a Landscape Architect registered by the Commonwealth of Pennsylvania (Appendix 3-L).
- B. The location of all existing and proposed structures, including fences, walls, streets, parking/loading areas, utilities including lighting, outdoor storage areas, refuse collection stations, rights-of-way, and easements.
- C. Adjacent land uses and zoning classifications.
- D. The location, general type, and quality of existing vegetation. Any existing vegetation to be removed shall be noted on the Landscape Plan.
- E. A plant list or schedule, indicating scientific and common names, required and proposed quantities, spacing, and size of all proposed landscape materials at the time of planting and at maturity and any plant symbols used on the Landscape Plan.
- F. Location of the areas proposed to be planted with the selected species.
- G. Location and description of other landscape improvements such as earth berms, walls, fences, walkways, raised beds, sculptures, fountains, lights, and courtyard areas.
- H. Buffers, screening and greenway corridors as required in this Ordinance and/or any other Township ordinance.
- I. Planting and installation details as necessary to ensure compliance with the standards of the American Association of Nurserymen and the PA Landscape and Nursery Association.
- J. A note stating; "The applicant guarantees that all required landscape improvements shall be maintained in a healthy and sound condition, or otherwise be replaced by equivalent improvements, for a period of twenty-four (24) months following Township inspection/approval."
- K. Landscaping shall be protected from vehicular and pedestrian encroachments.

SECTION 605. PLANT MATERIAL SIZE AND SPACING REQUIREMENTS

The following guidelines are the minimum required for all plant materials, as required in this Section:

The following guidelines are the minimum required for all plant materials, as required in this Section:

- A. Shade and street trees shall have a minimum caliper of two (2) inches at the time of installation.
- B. Ornamental (flowering) trees shall have a minimum caliper of one and one half (1½) inches at the time of installation. Multiple-trunk trees should be identified as such in the

Article 6 – Landscaping

- plant list. Multiple-trunk trees shall be counted as one (1) tree.
- C. Evergreen trees shall have a height of six (6) feet at installation.
 - D. Shrubs shall comply with the following requirements:
 - 1. Large shrubs shall be a minimum size of three (3) feet in height at the time of planting.
 - 2. Small shrubs shall be a minimum size of twenty-four (24) inches in height or eighteen (18) inches in spread, depending on variety.
 - E. Shrubs shall be spaced according to their size, growth characteristics and intended use.
 - F. Ground cover shrubs, herbaceous perennials, bulbs and annuals shall be spaced appropriate to type and size at installation. Beds of these plantings shall be used to stabilize steep embankments in addition to other measures required. Ground covers shall be spaced so that 100 percent of the beds are covered after two (2) years' growth.
 - G. A variety of plant species are encouraged to avoid monocultures, to encourage long-lived species and to promote wildlife habitat. Tree and shrub plantings shall contain no more than thirty-four (34) percent of any one (1) variety.
 - H. Plant material substitutions from the requirements may be permitted at the discretion of the Township Engineer for the installation of innovative stormwater BMPs.
 - I. Unless otherwise specified, nursery-grown plant materials shall conform to those listed in the "American Standard for Nursery Stock", ANSIZ60.1, current edition, published by the American Nursery and Landscape Association (ANLA).

SECTION 606. GUARANTEE AND MAINTENANCE

The estimated or actual cost of required landscape materials depicted on the approved Landscape Plan shall be provided and be financially secured, guaranteed and maintained consistent with the following:

- A. All landscape improvements to be provided shall be installed and maintained by accepted practices as recognized by the American Association of Nurserymen.
- B. The applicant shall guarantee that all landscape improvements installed in accordance with this Section are and shall be maintained in a healthy and sound condition, or otherwise be replaced by equivalent improvements, for a period of twenty-four (24) months, following Township inspection and approval, except as may otherwise be required by this Section.
- C. After installation the Township Engineer or his designee shall perform an inspection of the finished site for compliance with the approved Landscape Plan. Provided the finished site is found to be in compliance, the twenty-four (24) month guarantee period shall commence five (5) days from the date of inspection. All plants shall be in a vigorous and thriving condition at the end of the twenty-four (24) month period as determined above. Final inspection of the site following the twenty-four (24) month period will be made by the Township Engineer or his designee.

Article 6 – Landscaping

- D. Plants found to be in poor health or lacking normal growth habit during the twenty-four (24) month guarantee period shall be replaced with nursery-grown plants, in accordance with the approved Landscape Plan, within thirty (30) days of being notified by the Township. If notification is made out of season, replacements shall be made during the next planting season. If the original plants decline, substitute species acceptable to the Township Engineer and suitable for the site's environmental conditions or planting scheme may be used and a revised Landscape Plan shall be filed with the Township Engineer. Replacement plants shall be inspected by the Township Engineer after installation. All replacement plants shall be subject to a new twenty-four (24) month guarantee period and inspections by the Township as prescribed in Subsections 2 and 3 above.
- E. Where damage, disease or vandalism of plants occurs, the applicant shall replace the damaged plant material in accordance with the original or an approved revised Landscape Plan.

SECTION 607. EXISTING TREE PRESERVATION

Existing trees shall be protected to prevent unnecessary destruction. At least twenty-five (25) percent of the number of trees a minimum six (6) inches Diameter at Breast Height (DBH) that exist at the time of proposed development shall be maintained or replaced immediately following construction.

- A. Replacement trees shall be one and one half (1.5) inch caliper minimum.
- B. Replacement trees shall be planted in addition to the trees required elsewhere in this Article. At the discretion of the Commissioners, a number of trees equal to the number of "replacement trees" may be planted on lands owned by the Township, and shall be subject to Section 606.
- C. Replacement trees shall be shown and delineated as such on the Landscape Plan or shown on a schedule as trees contributed to the Township.
- D. Replacement trees shall be selected from the list of trees in Appendix 6-A.

SECTION 608. TREE PROTECTION STANDARDS

- A. Every effort shall be made to reduce the loss or damage to trees existing on-site which are to remain. A tree shall be considered preserved if there is no disturbance within the tree's critical root zone. Disturbance includes earth disturbance, earth compaction, equipment and vehicular traffic, material stockpiling, and/or the construction of all proposed improvements and utilities.

The critical root zone extends from the tree trunk a distance equal to twelve (12) times the trunk diameter - DBH, or to the tree's drip-line plus five (5) feet, whichever distance is greater.

- B. A tree shall be considered preserved if the Township Engineer or his designee determines it is in viable condition at the end of the guarantee period.
- C. The following conservation practices are mandatory and shall be noted on the erosion and sediment control plan and employed in order to preserve existing trees. In addition

Article 6 – Landscaping

to the other requirements specified in this Section, these conservation practices shall be undertaken during land development activities.

1. All trees, natural features, and other vegetation to be preserved shall be protected from equipment damage by snow fencing or other effective barriers approved by the Township. Fencing or barriers around trees shall be placed outside the critical root zone. The tree protection fencing shall be maintained by the applicant while in place. It shall be removed after all earth moving and construction activities that may impact tree roots are completed.
2. When disturbance within the critical root zone is unavoidable, applicants shall minimize encroachment and use the best available methods to minimize damage and preserve trees. These methods may include utility tunneling, use of geotextiles, mulching, hand root pruning, and soil aeration. Applicants shall consult references such as A Guide to Preserving Trees in Development Projects, published by the Penn State College of Agricultural Sciences Cooperative Extension.
3. Should any mature viable trees on the site not scheduled to be removed be irreparably damaged during site preparation activities and, as a consequence thereof, die or decline as determined by the Township Engineer or his designee, within twenty-four (24) months of the conclusion of construction activities, such trees shall be replaced with nursery grown material, in accordance with the following requirements:
 - a. For deciduous of six (6) inches and larger DBH, one and one half (1.5) inch of new tree caliper shall be provided for every three (3) inches of existing tree diameter cut down or removed.
 - b. For evergreen trees six (6) feet in height and greater, a six (6) feet minimum height tree for each six (6) feet cut down or removed.
 - c. Where the tree forks below breast height, the largest trunk at breast height shall be measured.

SECTION 609. STREET TREES

Street trees shall be planted for and within any subdivision or land development where suitable street trees do not exist. Street tree standards include:

- A. Trees must be balled and burlapped with the native soil in which the tree had been growing.
- B. Trees shall have a minimum twenty-four (24) inch rootball when planted.
- C. Trees shall have a minimum two (2) inch caliper, and be a minimum of eight (8) feet in height when planted.
- D. Trees shall be planted between five (5) and ten (10) feet from the edge of the sidewalk or between five (5) and ten (10) feet from the edge of paving where no sidewalk is proposed. Street trees that overhang the cartway or curb shall be free of branches from ground level to a height of twelve (12) feet. Street trees shall be located outside the Clear Sight Triangle, or shall be kept free of branches from ground level to at least a height of eight (8) feet.

Article 6 – Landscaping

- E. All proposed street trees shall be in Appendix 6-A.
- F. Where multiple species are proposed, the trees are to be similar in height and spread at maturity.
- G. Trees shall be planted so as not to interfere with the installation and maintenance of sidewalks, lights and utilities. Trees shall be setback ten (10) feet from underground utilities; tree canopies or crowns at maturity shall be at least ten (10) feet from overhead utilities.
- H. Street trees shall be located at a maximum distance of one (1) tree for every fifty (50) feet.
- I. Existing healthy trees along a street may be counted toward the street tree requirement with the following conditions:
 - 1. Trees shall be a minimum six (6) inches DBH.
 - 2. Trees shall be within twenty (20) feet of the right-of-way.
 - 3. Any existing trees to remain located within the clear sight triangle shall be kept free of branches from ground level to a height of at least eight (8) feet.
 - 4. Existing trees that overhang the cartway or curb shall be free of branches from ground level to a height of twelve (12) feet.

SECTION 610. BUFFERS AND SCREENS

Buffers and screens shall be used to minimize or eliminate views of development and site elements, and to provide landscaping that will soften and mitigate views between the development and its surroundings and provide opportunities for green links between properties.

- A. General Buffer and Sediment Basin Requirement
 - 1. Any of the following options or combination thereof may be used in buffers and screens provided that the minimum standards prescribed herein are met:
 - a. Existing vegetation and natural features,
 - b. Proposed new or transplanted vegetation,
 - c. Existing or proposed fences or walls, and
 - d. Existing or proposed grading, including berms.
 - 2. Fences, walls and berms shall be used in conjunction with required landscaping, not to replace it.
 - 3. Berms shall be located to work in conjunction with vegetation, fences and/or natural features to provide an effective buffer. Their locations shall not impede or dam the flow of surface water runoff.
 - 4. Site element screens, existing natural features, structural garden elements, such as gazebos, pergolas and trellises, water features, and sculpture may be placed within the buffer, provided they do not replace or diminish the intended screening effect of the buffer.

Article 6 – Landscaping

5. Plants shall be distributed throughout the entire length of the buffer or screen as follows:
 - a. Plantings in buffers should be positioned to provide an effective screen of the development for the entire length of the required buffer.
 - b. Plants which exhibit one or more of the following characteristics shall not be permitted:
 - 1) Aggressive and invasive plants classified as such by the PA Department of Conservation and Natural Resources.
 - 2) Plants which spread by rhizomes or stolons, unless an approved method of root containment is utilized.
 - 3) Plants which are known to be easily susceptible to pest infestations, blights, and/or diseases, which may shorten their life expectancy and ability to provide an effective buffer.
 - c. The remainder of the buffer or screen area shall be planted with ground covers and mulched.
- B. Types of Buffer Planting Strips
1. **Buffer Planting Strip A** shall block forty (40) percent of the view year round to a height of at least six (6) feet at the time of planting through the use a mix of small and medium canopy/shade/ornamental trees, shrubs, and herbaceous perennials, *and may include a fence, berm, and/or wall*. Buffer Planting Strip A shall be a minimum twenty (20) feet wide.
 2. **Buffer Planting Strip B** shall block sixty (60) percent of the view year round to a height of at least six (6) feet at the time of planting through the use of a mix of evergreen trees, small medium and large shade/canopy/ornamental trees, shrubs, and herbaceous perennials, *and may include a fence, berm, and/or wall*. Buffer Planting Strip B shall be a minimum twenty-five (25) feet wide.
 3. **Buffer Planting Strip C** will block eighty (80) percent of the view year round to a height of at least eight (8) feet at the time of planting through the use of a mix of evergreen trees, small, medium and large shade/canopy/ornamental trees, shrubs, herbaceous perennials, and may include a fence, berm, and/or wall. Buffer Planting Strip C shall be a minimum thirty-five (35) feet wide.
 4. **Buffer Planting Strip D** will block one hundred (100) percent of the view year round to a height of at least eight (8) feet at the time of planting through the use of a mix of evergreen trees, small, medium and large shade/canopy/ornamental trees, shrubs, herbaceous perennials, and shall include a fence, berm, and/or wall. Buffer Planting Strip D shall be a minimum fifty (50) feet wide.
 5. **Buffer Planting Strip E** will block one hundred (100) percent of the view year round to a height of at least three (3) feet at the time of planting through the use of a mix of shrubs and herbaceous perennials, and may include a fence, berm, and/or wall. Buffer Planting Strip E shall be a minimum twenty (20) feet wide. Required street trees shall be provided in addition to Buffer Planting Strip E.

TYPES OF BUFFER PLANTING STRIPS

Article 6 – Landscaping

Table 6.A

PROPOSED USE OR ZONING	ADJACENT EXISTING USE OR ZONING								
	RA	RL	RM	RH	MRC	CO	CS	CI	I
RA	-	-	-	-	-	-	-	-	-
RL	-	-	-	-	-	-	-	-	-
RM	A	A	-	-	-	-	-	-	-
RH	C	C	B	-	-	-	-	-	-
MRC	C	C	C	B	A*	-	-	-	-
CO	C	C	C	C	B	-	-	-	-
CS	C	C	C	C	C	A	-	-	-
CI	D	D	D	D	C	B	A	-	-
I	D	D	D	D	D	C	C	B	-

- Buffer Planting Strip not required.

* Proposed commercial uses adjacent to existing residential use only.

C. Buffer Planting Strip Locations.

- For proposed non-residential uses, front yard Buffer Planting Strips shall be planted or placed along residential zoning district boundaries and lot lines between non-residential and residential uses across rights-of-way, as Buffer Planting Strip E.
- Side and rear yard Buffer Planting Strips shall be planted or placed along zoning district boundaries and lot lines between uses based on Table 6.A, which references the types of Buffer Planting Strips listed in Section 610.B. In all cases the more restrictive of either the existing adjacent lot use or zoning district shall apply.
- Buffer Planting Strips shall be placed at the property or right-of-way line.

D. Buffer Planting Strip Restrictions.

- Required Buffers Planting Strips shall not be considered required easements for net-out purposes, and may contain required building setbacks.
- Buildings and parking lots may not project into the required buffers.
- The following stormwater BMPs may not be located within or project in to any required perimeter buffer:
 - (BMP 6.4.1) Pervious Paving with Infiltration bed
 - (BMP 6.4.2) Infiltration Basin
 - (BMP 6.4.3) Subsurface Infiltration Bed
 - (BMP 6.4.6) Dry Well/Seepage Pit
 - (BMP 6.4.6) Constructed Filter
 - (BMP 6.4.9) Vegetated Filter Strip grassed surface stabilization only
 - (BMP 6.5.1) Vegetated Roof

Article 6 – Landscaping

- (BMP 6.5.2) Runoff Capture and Reuse
- (BMP 6.6.2) Wet Pond/Retention Basin
- (BMP 6.6.3) Dry Extended Detention Basin
- (BMP 6.4.4) Water Quality Filters and Hydrodynamic Devices
- (BMP 6.7.2) Landscape Restoration
- (BMP 6.8.2) Special Detention Areas - Parking Lot, Rooftop stormwater management detention basins stormwater management retention basins

4. The following stormwater BMPs may be located within or project into the required Buffer Planting Strip, only with the approval of the Township Engineer:
 - (BMP 6.4.4) Infiltration Trench
 - (BMP 6.8.1) Level Spreader
 - (BMP 6.4.8) Vegetated Swale
 - (BMP 6.4.10) Infiltration Berm & Retentive Grading
 - (BMP 6.4.5) Rain Garden/Bioretenion
 - (BMP 6.6.1) Constructed Wetland
 - (BMP 6.7.1) Riparian Buffer Restoration
 - (BMP 6.7.2) Soils Amendment & Restoration as part of other BMPs
 - (BMP 6.7.4) Floodplain Restoration

E. Site Element Screening.

1. Off street parking lots within fifty (50) feet of streets, access drives, intersections and residential zones and uses shall be screened from those elements in order to prevent distraction or confusion from parking cars' headlights year round. Such screening shall be achieved through the use of opaque fences, walls, berms and/or plantings not less than three (3) feet in height as measured from the ground level, and shall block 100 percent of the view at time of installation/planting and year round.
2. All service, delivery, loading and outdoor storage and trash collection stations shall be screened from all residential districts and uses, public streets, parking lots and pedestrian walkways. Such screening shall be achieved through the use of berms and/or evergreen plantings not less than six (6) feet in height as measured from the ground level, and shall block 100 percent of the view at time of installation/planting and year round.
3. All mechanical and electrical equipment not completely enclosed within a structure shall be screened from all residential districts and uses, public streets, parking lots and pedestrian walkways. Such screening shall be achieved through the use of opaque fences, walls, berms and evergreen plantings not less than six (6) feet in height as measured from the ground level, and shall block eighty (80) percent of the view at time of installation/planting and year round.
4. Junkyards, storage yards and stockpiles shall be screened. Such screening shall be achieved through the use of opaque fences, walls, berms and evergreen plantings not less than six (6) feet in height as measured from the ground level, and shall block 100 percent of the view at time of installation/planting and year round.

Article 6 – Landscaping

SECTION 611. PARKING LOT LANDSCAPING DESIGN

- A. All parking lots with ten (10) or more spaces shall be designed and effectively landscaped with trees and shrubs to:
1. Provide shade in order to reduce the amount of reflected heat and to reduce visual distances within of parking lots.
 2. Reduce the visual impact of glare, headlights and parking lot lighting.
 3. Facilitate pedestrian circulation and safety.
 4. Facilitate vehicular circulation by delineating driving lanes and defining rows of parking.
- B. Planting islands shall conform to the following standards:
1. Planting islands shall be distributed throughout the parking lot, as follows:
One (1) planting island, a minimum of ten (10) feet wide by eighteen (18) feet long, shall be located at the end of each parking space row and at intervals of no greater than 200 feet apart, or every twenty (20) parking stalls, in single or double bays.
 2. Islands shall be placed opposite each other where possible, on either side of divider strips between adjacent rows of parking, to reduce the number of islands, and to increase the area available for tree roots.
 3. The last parking stall in a row shall be separated from drive aisles by a planting island, a minimum of ten (10) feet in width.
 4. All planting islands shall contain one (1) shade/canopy/ornamental tree. Every planting island shall contain a combination of shrubs, perennials, annuals with ground cover or mulch to cover the entire area.
 5. Shrubs, perennials and annuals within planting islands shall not exceed two (2) feet in height at maturity. All trees shall be free of branches to a height of eight (8) feet.
- C. Divider strips shall conform to the following standards:
1. Divider strips shall be placed every other bay of parking running the length of the rows of parking and landscaped with plantings of shade/canopy/ornamental trees, and a combination of shrubs, perennials, annuals with ground cover or mulch to cover the entire area. A bay of parking is the width of either one or two rows of parking stalls plus the required access lane.
 2. Divider strips shall be a minimum of ten (10) feet wide unless a sidewalk is proposed within the divider strip. If a sidewalk is proposed within the strip, divider strip shall be increased in width by five (5) feet to accommodate the sidewalk.
 - a. One (1) shade/canopy/ornamental tree shall be required for each thirty (30) feet of divider strip. Two (2) ornamental and/or flowering trees may be substituted for each shade tree. The trees need not be spaced evenly apart; however, the maximum spacing shall be fifty (50) feet.

Article 6 – Landscaping

- b. One (1) large shrub or two (2) small shrubs shall be required for each twenty (20) feet of divider strip. Shrubs shall be spaced according to the guidelines in Section 605. Shrubs near the ends of divider islands shall not exceed two (2) feet in height so as not to block visibility. This shall not preclude the use of taller shrubs elsewhere within the divider island.
- 3. Where physically possible, divider strips are to be used as stormwater BMP's. All dividers designed as such may use curb cuts, concrete wheel stops/bumper blocks, or other methods acceptable to the Township to allow the free flow of drainage into the planting area. Planting media, as part of the design, shall meet the requirements of the York Township Stormwater Management Ordinance as amended. Divider strips incorporating stormwater BMPs shall be planted pursuant to the Pennsylvania Stormwater Best Management Practices Manual.
- D. Shrubs, ground covers and perennials used within parking lots shall be of species able to withstand the harsh microclimate of a parking lot. Plant selection should take into consideration tree growth and canopy cover.
- E. To prevent conflicts with the opening and closing of automobile doors and to reduce damage from automobile overhang, all shrub plantings in parking lot islands and divider strips located adjacent to or abutting parking stalls shall be set back a minimum of two (2) feet from the curb or edge of pavement.
- F. The placement of light standards shall be coordinated with the landscape plan to avoid a conflict with electric lines and the effectiveness of light fixtures.

SECTION 612. LANDSCAPING AND STORMWATER BEST MANAGEMENT PRACTICES

The Township encourages innovative design with the use of plantings in stormwater best management practices (SWM BMPs). The Township will consider implementation of SWM BMPs in the landscape design on a case by case basis.

- A. Landscaping shall be required in and around all SWM BMPs to:
 - 1. Enhance stormwater management.
 - 2. Stabilize slopes and control erosion.
 - 3. Enhance stormwater BMP evapotranspiration.
 - 4. Facilitate maintenance.
 - 5. Provide wildlife habitat.
- B. A permanent vegetative stabilization plan shall be submitted in accordance with the following:
 - 1. Stabilization for all SWM BMPs.
 - a. All SWM BMPs shall be stabilized in accordance with the York Township SWM Ordinance, the latest version PA Stormwater BMP Manual, and the

Article 6 – Landscaping

latest version of the PA-DEP Erosion and Sediment Pollution Control Program Manual, except as otherwise described in this Section.

- b. Permanent stabilization shall be:
 - 1) A minimum uniform 80% perennial vegetative cover of all seeded areas at the soil surface.
 - 2) A minimum 100% cover of all areas using other permanent cover types acceptable as such to the Township Engineer.
 - c. All surface areas shall have permanent stabilization established for at least twenty-four (24) months prior to transfer of ownership or maintenance responsibilities.
 - d. BMPs and their surrounding areas shall not be sown with seed mixtures containing:
 - 1) Invasive or noxious plant species classified as such by the PA Department of Conservation and Natural Resources.
 - 2) Crownvetch.
 - 3) More than 5% (by weight) annual ryegrass seed.
 - 4) More than 0.5% (by weight) weed seed.
 - e. Permanent stabilization shall be maintained.
2. Stabilization for Detention or Retention Basins.
- a. Embankment, dry reservoir area bottom, and upland areas shall be limed and fertilized pursuant to soil test recommendations of a reputable laboratory using topsoil samples from the tract.
 - b. Permanent pool, shallow water terrace/aquatic bench, low marsh, marsh, high marsh, and floodplain terrace area shall not be limed and fertilized.
 - c. Embankments, emergency spillways, and their immediate surrounding areas shall not be planted in shrubs or trees. Further, areas immediately down gradient of exterior embankment slopes shall be cleared of shrubs and trees for a distance sufficient to assure that the toe of slope is outside the drip line of largest tree species at maturity.
 - d. Embankment areas shall be sown with seed mixtures of minimum 90% pure live seed, cool-season grasses (i.e. redbud, fine fescue, perennial ryegrass, Kentucky bluegrass, and smooth broom grass; minimum 10% each species by weight) to establish dense sod turf conditions.
 - e. Floodplain terrace areas and upland areas shall be sown with seed mixtures of native wildflowers and noninvasive perennial deeply rooted meadow grasses in accordance with Appendix B of the latest edition PA Stormwater BMP Manual, to establish meadow conditions on dry detention basin bottoms and upland areas.
 - f. Permanent pool, shallow water terrace/aquatic bench, low marsh, high marsh, and floodplain terrace areas shall be sown in accordance with Appendix B of the latest edition PA Stormwater BMP Manual, on wet retention basin bottoms.

Article 6 – Landscaping

- g. Areas up gradient of embankment top elevations adjoining wooded areas shall also be planted in native shrubs and trees of the same species and densities to blend with existing surroundings.
- h. Seeded areas shall be protected during establishment by straw mulch, erosion control blankets, turf reinforcement matting, or other coverings acceptable to the Township Engineer and shall be watered to maintain a soil moisture content sufficient for seed germination and dense turf or meadow establishment.
- i. Maintenance:
 - 1) Established turf areas shall be mowed to maintain a minimum uniform 80% perennial turf vegetative cover, free of trees, bushes or other woody plants.
 - 2) Established meadow areas shall be mowed once each spring when plants are dormant, to maintain a minimum uniform 80% perennial meadow vegetative cover.
- j. Screening and buffering:
 - 1) Basins shall be screened in a manner which complements the existing landscape and provides sufficient access for maintenance.
 - 2) Plantings shall consist of clusters of evergreens interspersed with groupings of mixed species of deciduous trees and shrubs.
 - 3) Plantings shall be native to the Mid-Atlantic Region, to provide food and shelter for wildlife.

Article 6 – Landscaping

APPENDIX 6-A

Mid-Atlantic Region Native Trees, Shrubs & Perennials

Small/Medium Street Trees		
Scientific Name	Common Name	Height at Maturity
<i>Alnus serrulata</i>	Smooth Alder	12-20'
<i>Amelanchier Canadensis</i>	Shadblow / Serviceberry	20-30'
<i>Amelanchier laevis</i>	Allegheny Serviceberry	20-30'
<i>Carpinus caroliniana</i>	American Hornbeam	30-50'
<i>Cercis Canadensis</i>	Eastern Redbud	20-35'
<i>Castanea pumila</i>	Chinquapin	12-20'
<i>Chionanthus virginicus</i>	White Fringetree	20-35'
<i>Cornus alternifolia</i>	Pagoda Dogwood	15-25'
<i>Cornus florida</i>	Flowering Dogwood	25-35'
<i>Crataegus crus-galli inermis</i>	Thornless Cockspur Hawthorn	20-25'
<i>Crataegus phaenopyrum</i>	Washington Hawthorn	20-30'
<i>Crataegus viridis</i>	Winter King Hawthorne	20-25'

Small /Medium Shade & Canopy Trees		
Scientific Name	Common Name	Height at Maturity
<i>Alnus serrulata</i>	Smooth alder	12-20'
<i>Amelanchier Canadensis</i>	Shadblow / Serviceberry	25-35'
<i>Amelanchier laevis</i>	Allegheny Serviceberry	20-30'
<i>Asimina triloba</i>	Paw Paw	39'
<i>Carpinus caroliniana</i>	American Hornbeam	35-50'
<i>Castanea pumila</i>	Chinquapin	12-20'
<i>Cercis Canadensis</i>	Eastern Redbud	20-35'
<i>Chionanthus virginicus</i>	White Fringetree	20-35'
<i>Cornus florida L.</i>	Flowering Dogwood	25-35'
<i>Crataegus crusgalli inermis</i>	Thornless Cockspur Hawthorn	25-35'
<i>Crataegus phaenopyrum</i>	Washington Hawthorn	25-35'
<i>Crataegus viridis</i>	Winter King Hawthorne	20-25'
<i>Gleditsia tricanthos</i>	Honey Locust	

Article 6 – Landscaping

Large Shade & Canopy Trees		
Scientific Name	Common Name	Height at Maturity
<i>Acer negundo</i>	Box Elder	50'
<i>Acer rubrum</i>	Red Maple	40-60'
<i>Acer saccharinum</i>	Silver Maple	50-60'
<i>Acer saccharum</i>	Sugar Maple	40-60'
<i>Betula nigra</i>	River Birch	40-50'
<i>Carya cordiformis</i>	Bitternut / Shagbark Hickory	60-70'
<i>Celtis occidentalis</i>	Hackberry	40-60'
<i>Fagus grandifolia</i>	American Beech	50-100'
<i>Fraxinus americana</i>	White Ash	80'
<i>Fraxinus nigra</i>	Black Ash	80'
<i>Fraxinus pennsylvanica</i>	Green Ash	80'
<i>Gleditsia tricanthos</i>	Honey Locust	40-70'
<i>Gymnocladus dioicus</i>	Kentucky Coffee	75'
<i>Liquidambar styraciflua</i>	Sweet Gum	45'
<i>Liriodendron tulipifera</i>	Tulip Poplar	70-120'
<i>Platanus occidentalis</i>	American Sycamore	75-100'
<i>Populus deltoids</i>	Eastern Cottonwood	70-100'
<i>Populus grandidentata</i>	Large / Big Toothed Aspen	60-80'
<i>Nyssa sylvatica</i>	Black Gum	30-60'
<i>Quercus alba</i>	White Oak	80-100'
<i>Quercus borealis</i>	Red Oak	60-75'
<i>Quercus coccinea</i>	Scarlet Oak	40-60'
<i>Quercus palustris</i>	Pin Oak	60-80'
<i>Quercus prinus</i>	Chestnut Oak	60-80'
<i>Quercus rubra</i>	Northern Red Oak	60-80'
<i>Salix nigra</i>	Black Willow	40-80'
<i>Sassafras albidum</i>	Common Sassafras	50'
<i>Tilia americana</i>	Linden / Basswood	40-60'
<i>Ulmus rubra</i>	Slippery Elm	60'

Article 6 – Landscaping

Ornamental Trees		
Scientific Name	Common Name	Height at Maturity
Amelanchier alnifolia	Saskatoon Serviceberry	12'
Amelanchier arborea	Downy Serviceberry	20-30'
Amelanchier canadensis	Shadbush Serviceberry	20-30'
Betula nigra	River Birch	40-50'
Betula papyrifera	Paper Birch	40-50'
Cercis canadensis	Eastern Redbud	20-35'
Cercis canadensis alba	White Eastern Redbud	20-35'
Cornus alternifolia	Pagoda Dogwood	15-25'
Cornus florida	Flowering Dogwood	25-35'
Magnolia acuminata	Cucumbertree Magnolia	50-75'
Magnolia virginiana	Sweetbay Magnolia	40'
Malus coronaria	Sweet Crab	15-25'
Oxydendrum arboreum	Sourwood / Lily of the Valley	30-70'

Evergreen Trees		
Scientific Name	Common Name	Height at Maturity
Chamaecyparis thyoides	Atlantic White Cedar	50-80'
Ilex opaca	American Holly	65'
Juniperus virginiana	Eastern Red Cedar	40'
Larix laricina	American Larch	30-40'
Pinus pungens	Table Mountain Pine	30-40'
Pinus resinosa	Red Pine	70-80'
Pinus rigida	Pitch Pine	50-60'
Pinus strobus	Eastern White Pine	50-60'
Pinus virginiana	Virginia Pine	30-40'

Article 6 – Landscaping

Large Shrubs		
Scientific Name	Common Name	Height at Maturity
<i>Alnus rugosa</i>	Speckled Alder / Tag Alder	25-25'
<i>Alnus serrulata</i>	Smooth Alder / Hazel Alder	8-12'
<i>Amelanchier obovalis</i>	Obovate Serviceberry	1-5'
<i>Cephalanthus occidentalis</i>	Button Bush	5-15'
<i>Clethra alnifolia</i>	Sweet Pepperbush / Summersweet	10'
<i>Cornus amomum</i>	Silky Dogwood	10'
<i>Cornus sericea</i>	Redtwig Dogwood	7-10'
<i>Hamamelis virginiana</i>	Witch Hazel	3-15'
<i>Ilex decidua</i>	Possum Haw	33'
<i>Ilex glabra</i>	Inkberry	3-10'
<i>Ilex laevigata</i>	Winterberry	10'
<i>Ilex verticillata</i>	Winterberry Holly / Black Alder	16'
<i>Ilex verginica</i>	Tassel-White / Virginia Sweetspire	3-10'
<i>Juniperus communis</i>	Common Juniper	4-25'
<i>Kalmia latifolia</i>	Mountain Laurel	10'
<i>Lindera benzoin</i>	Spicebush	6-16'
<i>Myrica pennsylvanica</i>	Northern Bayberry	8'
<i>Ostrya virginiana</i>	Hop Hornbeam	25-40'
<i>Rhododendron canadense</i>	Sweet Azalea	3-10'
<i>Rhododendron periclymenoides</i>	Pink Azalea	3-10'
<i>Rhododendron viscosum</i>	Swamp Azalea	3-10'
<i>Salix discolor</i>	Pussy Willow	15-20'
<i>Sambucus canadensis</i>	American Elderberry	6-12'
<i>Sambucus pubens</i>	Red Elderberry	12-15'
<i>Vaccinium corymbosun</i>	Highbush Blueberry	13'
<i>Vaccinium stamineum</i>	Deerberry	5-10'
<i>Viburnum dentatum</i>	Southern Arrowwood	10'
<i>Viburnum lentago</i>	Nannyberry	6'
<i>Viburnum prunifolium</i>	Black Haw	26'
<i>Viburnum recognitum</i>	Smooth Arrowwood	10'

Article 6 – Landscaping

Small Shrubs		
Scientific Name	Common Name	Height at Maturity
Aronia melanocarpa	Black Chokeberry	5'
Comptonia peregrina	Sweet Fern	3'
Euonymus americanus	Strawberry Bush	1.5-6'
Gaylussacia baccata	Black Huckleberry	1.5'
Gaylussacia frondosa	Dangleberry	2-4'
Lyonia mariana	Stagger-Bush	0.5-6.5'
Prunus maritima	Beach Plum	1-8'
Rhododendron atlanticum	Dwarf Azalea	1.5'
Rubus cuneifolius	Sand Blackberry	1-3'
Spirea alba	Narrow Leaved Meadow Sweet	5'
Spirea latifolia	American Meadow Sweet	5'
Vaccinium angustifolium	Late Low Bush Blueberry	0.25-1'
Vaccinium vacillans	Early Low Bush Blueberry	0.5-1.5'
Viburnum acerfolium	Maple Leaved Arrowwood	3-6.5'

Herbaceous Perennials		
Scientific Name	Common Name	Height at Maturity
Andropogon gerardii	Big Bluestem	5'
Asclepias tuberosa	Butterfly Weed	1-3'
Baptisia australis	False Blue Indigo	3-4'
Deschampsia cespitosa	Tufted Hairgrass	1-2'
Diervilla lonicera	Low Bush Honeysuckle	2-4'
Eupatorium fistulosum	Joe Pye Weed	5'
Heliopsis helianthoides	False Sunflower	3-5'
Monarda fistulosa	Bee Balm	3-4'
Oenothera fruticosa	Sundrops	0.67-1.17'
Panicum virgatum	Switchgrass	3-6'
Silphium perfoliatum	Cup Plant	3-8'
Solidago juncea	Early Goldenrod	1-4'
Sorghastrum nutans	Indiangrass	5-7'
Symphotrichum oblongifolium	Aromatic Aster	2-3'
Vernonia glauca	Tawny Ironweed	3-5'

Article 7 – Greenway Corridors and Riparian Buffers

ARTICLE 7
GREENWAY CORRIDORS AND RIPARIAN BUFFERS

SECTION 701. GENERAL STATEMENT

A Greenway Corridor is a strip of open land which will protect natural, cultural, and scenic resources, provide recreational benefits enhance the natural beauty and the quality of life in neighborhoods and communities. Greenways run through urban, suburban and rural areas to incorporate diverse natural, cultural and scenic features. Greenways may be land or water based, running along stream corridors, shorelines or wetlands. They can incorporate both public and private property. Some greenways are primarily recreational areas, while others function almost exclusively as environmental protection.

Riparian Buffers are strips of land along streams, ponds or wetlands that remains undeveloped where native tree and shrub growth is promoted to protect water quality.

SECTION 702. GREENWAY CORRIDORS

Greenway Corridors shall be included in accordance with the requirements of the York Township Official Map. Greenway Corridors shall consist of a Riparian Buffer and/or a Greenway Trail.

- A. A Greenway Corridor that does not include a stream, pond or wetland shall have a minimum width of thirty (30) feet for the Greenway Trail. Additional temporary easements shall be provided, as needed, on both sides of the Greenway Corridor for trail construction.
- B. A Greenway Corridor that follows a stream, pond or wetland shall contain a Riparian Buffer complying with the requirements of Section 703.
- C. Greenway Trails.
 - a. Greenway Trails shall comply with provisions of this Ordinance, the Zoning Ordinance and the American Association of State Highway and Transportation Officials (AASHTO) “Guide for the Development of Bicycle Facilities”, as amended.
 - b. Greenway Trails shall be placed on the same side of streams as trails on adjacent properties, or provide a stream crossing.
 - c. Greenway Trail surfaces shall be ten (10) feet in width and must conform to the Trail Construction Specifications included in Figures 7.1. through 7.5.
 - d. Greenway Trails shall have signs acknowledging the public access and stating the rules of the Greenway Trail. Signs shall be placed at each intersecting road, trail and/or parking compound, shall be provided and installed by the Township and shall be paid for by the developer.
- D. Where a Greenway Corridor is provided in a residential development, the Applicant may request a reduction of the requirements of Section 519.

Article 7 – Greenway Corridors and Riparian Buffers

- E. Ownership, Maintenance and Preservation of Greenway Corridors and/or Trails. The ownership and maintenance of Greenway Corridors and/or Trails through developments and subdivisions shall be according to one or more of the following provisions:
1. The Developer, with approval of the Commissioners, may offer the Greenway Corridor and/or Trail for dedication to the Township.
 2. The landowner of a non-residential development may own the Greenway Corridor and maintain the Greenway Trail.
 3. A homeowners' or unit owners' association may own the Greenway Corridor and maintain the Greenway Trail.
 4. With permission of the Commissioners and appropriate deed restrictions in favor of the Township, and in language acceptable to the Township Solicitor, the applicant may transfer the fee simple title for the lot covering the Greenway Corridor, or a portion thereof, to a private, nonprofit organization. The organization must be engaged in conservation of open space land or natural resources. The transfer shall be subject to the following provisions:
 - a. The organization is acceptable to the Township and is a bona fide conservation organization with a perpetual existence.
 - b. The conveyance contains appropriate provisions for proper retransfer or reverter in the event that the organization becomes unable to continue to carry out its functions.
 - c. A maintenance agreement acceptable to the Township Solicitor is entered into by the applicant, organization and Township.

SECTION 703. RIPARIAN BUFFERS/RIPARIAN FOREST BUFFERS

Riparian Buffers shall be established, enhanced, protected, and maintained for the following purposes: to maintain and improve the water resources associated with the surface waters of this Commonwealth; to perpetuate and foster the growth of healthy native forest; to preserve habitat for native species dependent on water resources or forest; and to ensure that activities and uses within the Riparian Buffer are sustainable.

Riparian Buffers are required to be the greatest of seventy-five (75) feet from tops of banks of watercourse, seventy-five (75) feet from boundaries of wetlands, or twenty-five (25) feet from boundaries of floodplains. When these areas are part of a property being subdivided, developed or redeveloped, to the maximum extent physically possible, they shall be established, enhanced and/or maintained as Riparian Forest Buffers to comply with the PA-DEP Riparian Forest Buffer Guidance. Zone 1 widths shall be at least fifty (50) feet and Zone 2 shall be the remaining widths of the Riparian Buffers.

This Section's minimum Riparian Buffer widths do not comply with the PA-DEP's minimum riparian forest buffer widths. If the Plan complies with this Section's minimum Riparian Buffer widths, but not the PA-DEP's minimum riparian buffer widths, the Township will inform PA-DEP.

- A. Section 606 shall apply with regard to all riparian area plantings, etc.
- B. Where watercourses are not stable and/or their banks are not vegetated, watercourse restoration shall be required and shall be designed in accordance with sound soil bioengineering practices and/or sound geomorphological stream channel classification

Article 7 – Greenway Corridors and Riparian Buffers

and restoration methodologies. The watercourse restoration shall be set forth in a Watercourse Restoration Plan as described in Section 311. Section 606 shall apply as regards to the watercourse restoration, etc.

- C. Development within the Riparian Buffer shall be limited to removing existing improvements; flattening manmade slopes; watercourse restoration or other stream improvements; trails; stream crossings, approaches, and appurtenances; fences; stormwater BMP and/or facility outfalls; buried utilities; and elements required by this Section.
- D. No trail development shall take place within any floodway except for streambank restoration, riparian plantings, and trail stream crossings.
- E. Buildings, streets, parking areas, stormwater BMP and/or facility embankments, walls, and/or other improvements not listed above, and grading required for those improvements, shall not encroach into Riparian Buffers.
- F. Grading of existing manmade contours within Riparian Buffers may include those activities listed in C and D above.
- G. Grading of the natural contours within Riparian Buffers shall only be allowed for restoring and enhancing watercourses and/or wetlands; restoring watercourses that are not stable and/or stabilizing streambanks that are not vegetated; installing and/or removing implementing small watercourse research recording apparatus; establishing trails; constructing stream crossings, approaches, and appurtenances; constructing stormwater BMP and/or facility outfalls; and buried utility installation to match adjacent existing contours and establishing access to and within utility easements.
- H. Grading shall be kept to a minimum. Fill shall be limited to the minimum physically possible to meet the purposes of this Section.
- I. Riparian Buffers shall be located within a land preservation/protection agreement or other enforceable instrument, such as a deed restriction, acceptable to the Township that ensures perpetual protection of the proposed area. The preservation/protection agreement shall clearly specify how the Riparian Buffers shall be managed and boundaries shall be marked with permanent survey markers.

SECTION 704. TRAILS

- A. The applicant may alter the course of a trail from the Official Map within the tract for which development is proposed under the following conditions:
 - 1. The points at which the trail enters and exits the tract remain unchanged.
 - 2. The proposed alteration does not coincide with a paved road intended for use by motorized vehicles.
- B. When trails are intended for public use, they shall be protected by a permanent easement on the properties on which they are located. The width of the easement shall be a minimum of ten (10) feet or four (4) feet wider than the trail surface, whichever is greater.

Article 7 – Greenway Corridors and Riparian Buffers

- C. If an applicant proposes to develop a new trail, available for public use and connected to an existing trail, the land area protected for said trail may be credited toward any open space requirements.
- D. Trail improvements shall be in accordance with Section 705 Trail Construction Specifications.
- E. Width of the trail surface may vary, but in no case shall be less than six (6) feet or ten (10) feet within the Greenway Corridor.
- F. Trails shall not be designed for the intent to accommodate motorized vehicles.
- G. Trail grading shall be included with the Preliminary Plan.
- H. Downward side slopes adjacent to trails with greater than 5:1 grade shall require fencing and/or guide rail.
- I. Accessibility of trails for ADA compliance shall be in conformance with the Accessibility Guidelines for Outdoor Developed Areas, as amended. At such time when the U.S. Department of Justice adopts standards for accessibility of trails for ADA compliance, those standards shall then be the minimum requirement.
- J. Gates shall be provided at all street crossings, trail heads, and parking lot access points.

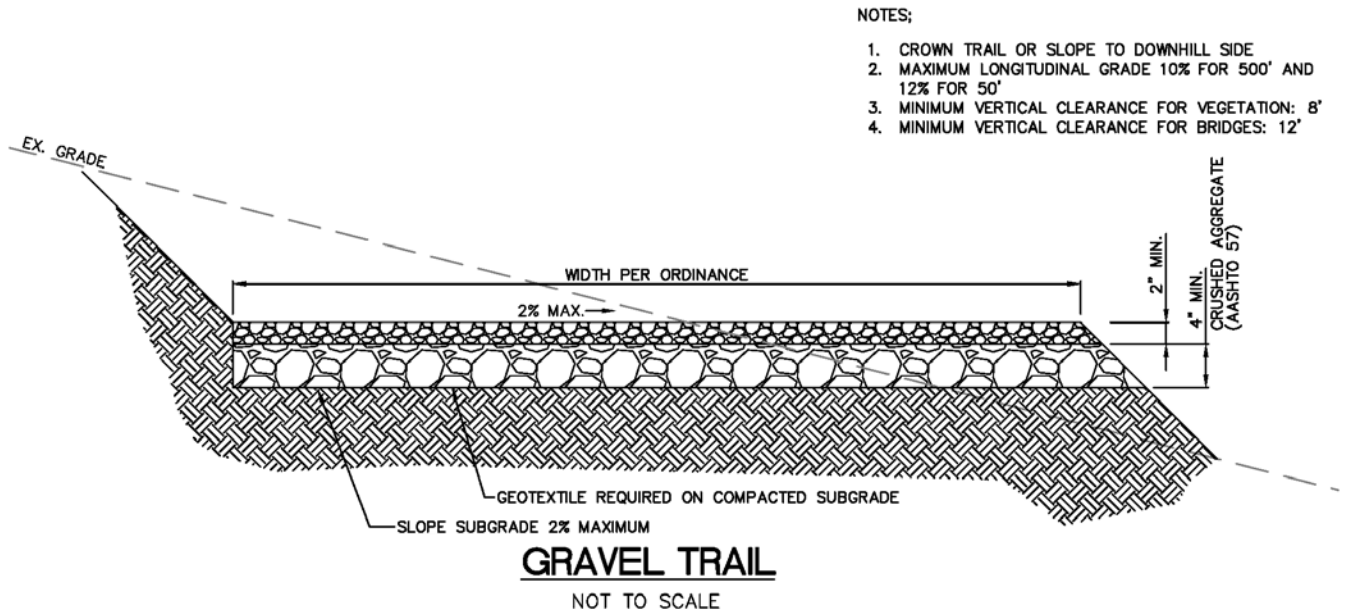
SECTION 705. TRAIL CONSTRUCTION SPECIFICATIONS

Included herein are the minimum standards, in the most current details, but note that materials and preservatives are subject to change. Research continues on the effects of various substances, therefore the Recreation Board will address the topic with each design.

- A. Trail Types.

Table 7.A						
Type	Surface	Minimum Width (ft)	Maximum Longitudinal Slope (%)	Required Cross Slope %	Vertical Clearance (ft)	Notes
Exercise/ Fitness	Gravel/ Pervious Paving	6	3	1	8' (12' under bridges)	
Walking/ Biking	Gravel/ Pervious Paving	6' (10' Equestrian)	8	1 – 2	8' (12' under bridges or Equestrian)	60"x 60" Landing/rest area every 1000'

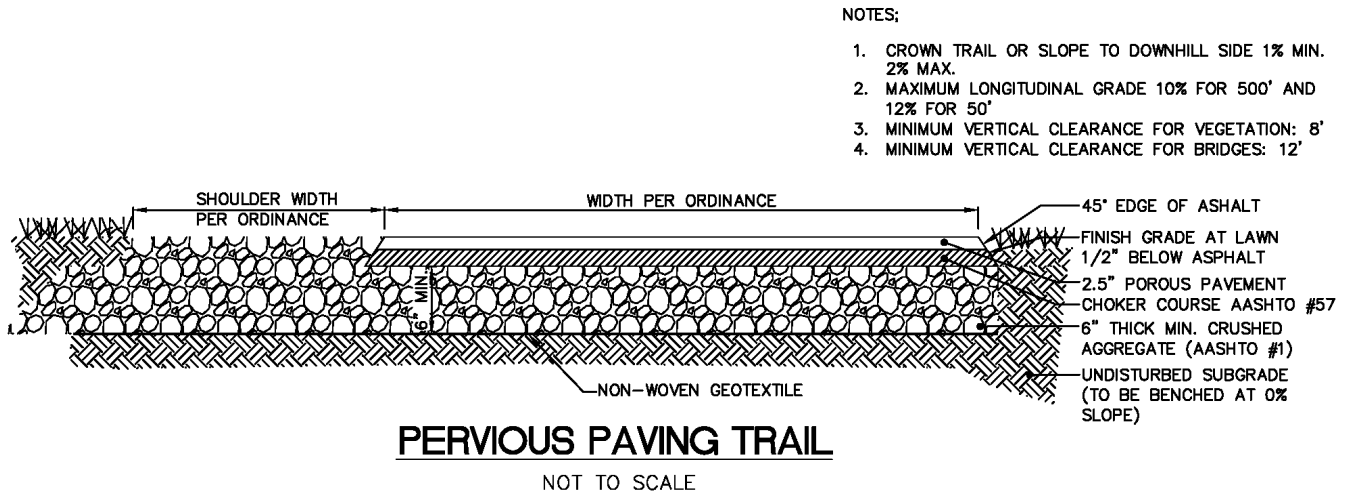
Article 7 – Greenway Corridors and Riparian Buffers



NOTES;

1. CROWN TRAIL OR SLOPE TO DOWNHILL SIDE
2. MAXIMUM LONGITUDINAL GRADE 10% FOR 500' AND 12% FOR 50'
3. MINIMUM VERTICAL CLEARANCE FOR VEGETATION: 8'
4. MINIMUM VERTICAL CLEARANCE FOR BRIDGES: 12'

FIG. 7.1



NOTES;

1. CROWN TRAIL OR SLOPE TO DOWNHILL SIDE 1% MIN. 2% MAX.
2. MAXIMUM LONGITUDINAL GRADE 10% FOR 500' AND 12% FOR 50'
3. MINIMUM VERTICAL CLEARANCE FOR VEGETATION: 8'
4. MINIMUM VERTICAL CLEARANCE FOR BRIDGES: 12'

FIG.7.2

- B. Steps are to be avoided if a longer, sloped route is possible. However, sometimes a more vertical route is needed to minimize the impact of a longer, sloped trail. In all such areas, where possible, both steps and a sloped route shall be provided.

Article 8 – Manufactured/Mobile Home Park Regulations

ARTICLE 8
MANUFACTURED/MOBILE HOME PARK REGULATIONS

SECTION 801. PURPOSE

York Township recognizes the importance of providing a variety of residential dwelling types, designs and layouts to meet the housing needs of its residents. In accordance with the requirements of Article V, Section 501 of the PA Municipalities Planning Code, Act 247, Article 8 is established to provide reasonable standards for the development of manufactured/mobile home parks which will be coordinated with the design and improvement requirements of this ordinance as a whole, and will encourage safe environments for manufactured/mobile home residents.

SECTION 802. PLAN REQUIREMENTS AND PROCESSING PROCEDURE

Manufactured/mobile home park plans shall be processed in accordance with Article 3 and the York Township Zoning Ordinance.

SECTION 803. DESIGN STANDARDS AND OTHER REQUIREMENTS

The arrangement and design standards of streets, easements, blocks, lots, stormwater management and erosion and sediment control shall be in accordance with the requirements contained in this Ordinance, except as otherwise specified in this Article and/or the York Township Zoning Ordinance, as amended.

- A. Site-Location and Design Standards.
 - 1. Layout of Lots/Spaces.
 - a. All manufactured/mobile home lots/spaces shall abut a street.
 - b. Lots/spaces abutting straight portions of streets shall be laid out with:
 - 1) Side lot/space lines parallel to each other and angled from sixty (60) to ninety (90) degrees from street centerlines, to form adjacent lots/spaces of constant depths and widths.
 - 2) Front and rear lot/space lines parallel to street centerlines, to form adjacent lots/spaces of constant widths.
 - c. Lots/spaces abutting curved portions of streets shall be laid out with:
 - 1) Side lot/space lines perpendicular to street centerlines, to form adjacent lots/spaces of constant depth.
 - 2) Front and rear lot/space lines parallel to street centerlines.
 - 2. Lot/Space Dimensions. Lot/space widths shall be a minimum of sixty (60) feet at the required building setback line for interior lots/spaces. Lot/space areas shall be a minimum of 7,200 square feet. In addition, each lot/space shall provide for all public utilities, pads, hookups, appurtenant structures and other appendages.
 - 3. Building Setback Lines. Lots/spaces shall have minimum front and rear setbacks of twenty (20) feet. Side setbacks shall be a minimum of fifteen (15) feet.
 - 4. Corner lots/spaces. Corner lots/spaces shall have the manufactured/mobile home situated to permit required building setbacks from both streets, maintain required clear sight triangles, and allow proper safe stopping sight distances.

Article 8 – Manufactured/Mobile Home Park Regulations

5. Buffer Strips and Screening. Screening shall comply with Buffer Planting Strip C in accordance with Section 610.
- B. Manufactured/Mobile Home Park Street System. The street system shall be private and provide a means of safe access and circulation. The following standards shall also be applied to manufactured/mobile home park street systems.
1. Streets shall comply with all standards in Article 5.
 2. Interior streets shall be designed in a manner which will prohibit through traffic.
 3. The manufactured/mobile home park shall be provided with two entrances for emergency access.
 4. Where a manufactured/mobile home park abuts an existing or proposed arterial street, the Commissioners may require marginal access streets, reverse frontage with screen planting along the rear property line, or such other treatment as may be necessary to separate through and local traffic.
- C. Blocks. The size and shape of blocks shall be determined with regard to:
1. Need for safe vehicular and pedestrian access and circulation.
 2. Block lengths shall not exceed 600 feet.
- D. Sidewalks and Pedestrian Paths.
1. Sidewalks shall be required to provide safe pedestrian circulation to and within the park. Sidewalks shall be constructed in accordance with Section 507.
 2. Pedestrian paths shall be designed within blocks to permit convenient access to other areas of the Manufactured/mobile home park. Pedestrian paths shall be constructed in accordance with Section 507.
- E. Easements.
1. Easements shall be provided for all utilities and pedestrian paths not located in a public right-of-way, conservation areas, watercourses and stormwater BMPs, C&C facilities or other stormwater facilities in accordance with Section 521.
 2. Where necessary for access to public or common lands, a pedestrian easement shall be provided with a width of no less than ten (10) feet. Additional width may be required by the Commissioners depending on the purpose and use of the easement.
- F. Mailboxes. The owner shall provide and maintain a central location(s) for mailboxes.
- G. Vehicular Parking Facilities. Two (2) off street parking spaces shall be provided on each manufactured/mobile home lot/space. The parking spaces shall meet all the requirements of the Township Zoning Ordinance and Article 5.
- One half (0.5) visitor/overflow parking spaces shall be provided per manufactured/mobile home lot/space. Visitor/overflow parking areas shall be interspersed throughout the park.

Article 8 – Manufactured/Mobile Home Park Regulations

SECTION 804. WATER SUPPLY

- A. All manufactured/mobile home parks shall be connected to a public water supply system in accordance with Section 513.
- B. Fire hydrants shall be designed and installed in accordance with the provisions of Section 523.

SECTION 805. SEWAGE DISPOSAL

All manufactured/mobile homes and service buildings shall be connected to a public sanitary sewage disposal system in accordance with Section 514.

SECTION 806. STORMWATER MANAGEMENT, EROSION AND SEDIMENT CONTROL, AND FLOODPLAIN MANAGEMENT

All manufactured/mobile home parks shall conform to the requirements of the York Township Stormwater Management Ordinance and the York Township Floodplain Management Ordinance, as amended.

SECTION 807. REFUSE COLLECTION STATIONS

- A. All refuse collection stations shall be located in areas conveniently located to manufactured/mobile home park residents and shall meet all the requirements of Section 518.
- B. Solid waste disposal shall be the responsibility of the manufactured/mobile home park operator and shall be performed in accordance with the requirements of PA-DEP.

SECTION 808. RECREATION FACILITIES

- A. All manufactured/mobile home park land development plans shall provide for suitable and adequate recreation for residents of the park.
- B. Recreation Area Criteria.
 - 1. The amount of land required to be provided for recreational purposes shall be a minimum 720 square feet of play space for each manufactured/mobile home lot/space.
 - 2. No land area required by this section may consist of floodplain or riparian buffer areas.
 - 3. Such land shall be equipped and landscaped to serve the purpose of active recreation by reason of its size, shape, location and topography and shall be subject to the approval of the Commissioners.
 - 4. Recreation areas shall be accessible from all areas of the manufactured/mobile home park.
- C. Fee in Lieu of Private Reservation of Recreation Land. Where the Applicant does not wish to provide recreation areas within the manufactured/mobile home park and where the Commissioners determines that because of the size, shape, location, access, topography or other physical features of the land that it is impractical to set aside a

Article 8 – Manufactured/Mobile Home Park Regulations

recreation area as required by this Article, the Commissioners shall require a payment of a fee in lieu of required private reservation of such land which shall be payable to the Township prior to approval of each final section of the overall plan. Such fee shall be in accordance with Article 9.

SECTION 809. IMPROVEMENT AND CONSTRUCTION REQUIREMENTS

- A. All improvements, construction requirements, and engineering specifications shall be provided in accordance with this Ordinance.
- B. Street or individual post lights shall be provided to illuminate streets, driveways, and walkways for the safe movement of vehicles and pedestrians. Their type and location shall be shown on the Lighting Plan submitted with the Preliminary Plan.

SECTION 810. FEES

At the time of filing the Preliminary Plan and the Final Plan for the development of a tract of land for a manufactured/mobile home park, the Applicant shall be required to pay to York Township fees in accordance with Article 9.

SECTION 811. INSPECTION OF MANUFACTURED/MOBILE HOME PARKS

The York Township is hereby authorized to make such inspections as are necessary to determine satisfactory compliance with this ordinance and regulations issued hereunder.

- A. The Township shall have the power to enter at reasonable times upon any private or common property for the purpose of inspecting and investigating conditions relating to the enforcement of this ordinance and regulations issued hereunder.
- B. It shall be the duty of the owner(s) of the manufactured/mobile home park to give the Township access to such premises and records at reasonable times for the purpose of inspection.

SECTION 812. MANUFACTURED/MOBILE HOME PLACEMENT AND REMOVAL

- A. It shall be the responsibility of the manufactured/mobile home park owner to obtain a building permit prior to the placement of a manufactured/mobile home.
- B. The manufactured/mobile home park owner shall supply to the Township Tax Collector the Status of Occupancy Report for new and vacated manufactured/mobile homes placed or leased within the manufactured/mobile home park. The Status of Occupancy Report shall be provided within ten (10) days of new tenant occupancy.
- C. It shall be unlawful for the owner, tenant or custodian of a manufactured/mobile home to remove or attempt to remove from York Township a manufactured/mobile home without first obtaining a Removal Permit from the Township Tax Collector.

SECTION 813. MODIFICATION OF REQUIREMENTS

The application for a modification of requirements shall be in accordance with the provisions of Article 11.

SECTION 814. ENFORCEMENT, AMENDMENTS, REMEDIES, SEVERABILITY, AND

Article 8 – Manufactured/Mobile Home Park Regulations

REPEALER

The enforcement, amendments, remedies, severability and repealer provisions shall be in accordance with the provisions of Article 12.

Article 9 – Fees

ARTICLE 9 **FEEES**

SECTION 901. FEES

- A. Fee Resolution.
1. The Commissioners shall establish by resolution a schedule of fees to be paid by the applicant at the time of submission of all plans.
 2. Fees for all other permits required for and by the Township shall be established by resolution.
- B. At the time of filing, all plans shall be accompanied by the appropriate fees to defray the cost of reviewing the proposed plans and required data. The following fees or proof of payment shall be submitted with the application:
1. Application Fee.
 2. York County Planning Commission Review Fees. Applicant must show proof that the plans and required reports have been submitted to York County Planning Commission for review and that applicable fees have been paid to the County.
- C. No plan shall be considered by the Commissioners or Township Planning Commission unless all current and applicable fees and charges are paid in full. In the event the Applicant disputes the amount of any such fees, the Applicant shall, within ten (10) days of the billing date, notify the Township Secretary that such fees are disputed, in which case the Township shall not delay or disapprove a land development application due to the Applicant's request over disputed fees. Resolution of disputed fees shall be in accordance with the procedures outlined in the PA Municipalities Planning Code.

SECTION 902. REVIEW AND INSPECTION FEES

- A. Fees required to be paid in accordance with this Ordinance shall be paid to the Township by the Applicant for the below listed services:
1. Review of all information submitted in conformance with provisions of this Ordinance. This includes all originally submitted and revised plans, reports and specifications.
 2. Inspection of the layout of the site for conformance to the submitted survey, plan and specifications.
 3. Review of planning modules for land development.
 4. Review of cost estimates for required improvements.
 5. Inspection of improvements during construction.
 6. Final inspection of completed/installed improvements.

Article 9 – Fees

7. Other technical services as deemed necessary or required by the Township and/or the YTWSA.
- B. Where outside consultants are necessary for reviews, inspections and assistance, fees required to be paid by this Section shall be billed to the Applicant.
- C. The Applicant shall be responsible for any and all legal fees incurred by the Township for:
 1. Review of all information submitted for conformance with provisions of this Ordinance or the laws of the Commonwealth, or other review services.
 2. Preparation or review of any special legal agreements between the Township and the Applicant or other third parties.
- D. Sanitary sewage hydraulic capacity study fee.
- E. All outstanding invoices must be paid in full prior to the recordation of the plan.

SECTION 903. OTHER FEES

- A. Fee in Lieu of Recreation/Open Space Land Dedication for all residential developments if applicable, shall be collected in accordance with the requirements of Section 520.
- B. The Applicant shall be responsible for the cost of advertising for any required public hearing.
- C. The Applicant shall be responsible for the preparation of any required deeds of dedication.
- D. The Applicant shall be responsible for all recording costs.
- E. Sanitary sewer connection and tapping fees shall be paid in accordance with the most recent fee schedule adopted by the YTWSA.

Article 10 – Waiver or Modification of Requirements

ARTICLE 10 **WAIVER OR MODIFICATION OF REQUIREMENTS**

SECTION 1001. GENERAL STATEMENT

This Ordinance is intended as the minimum standard for the protection of the public health, safety and welfare of the Township residents. If the literal compliance with any provision of these regulations is shown by the Applicant to cause undue hardship as it applies to the particular property or alternative standards are shown to provide equal or better results, the Commissioners, on recommendation of the Township Planning Commission and/or Township Engineer, may grant a waiver or modification from such provision, providing the purpose and intent of the Ordinance is observed.

SECTION 1002. PROCEDURE FOR REQUESTING WAIVER OR MODIFICATION OF PROVISIONS OF THIS ORDINANCE.

- A. Application Requirements. All requests for waivers or modifications shall be submitted in conjunction with applications for Sketch, Preliminary or Final Plan approval. All requests shall be in writing (Appendix 3-R) and shall identify:
 - 1. The specific section of this Ordinance which is requested to be waived or modified.
 - 2. Justification for the waiver or modification. The request shall state in full the grounds and facts of hardship on which the request is based.
 - 3. Provisions, if any, proposed as an alternate to the requirements.
- B. The request for a waiver or modification and accompanying documentation shall be submitted through the Township staff to the Commissioners. Accompanying this submittal will be the Township Planning Commission, Township Engineer and/or Township staff recommendations.
- C. The Commissioners shall inform the applicant or the applicant's authorized representative of the decision during the meeting at which the decision is reached. The applicant shall include on the Final Plan, a note which identifies the specific waivers or modifications as granted, the date of the meeting, and any conditions the Commissioners have placed on the waivers or modifications.

Article 11 – Definitions

ARTICLE 11 **DEFINITIONS**

SECTION 1101. DEFINITIONS

Unless otherwise stated, the following words and phrases shall be construed throughout this Ordinance to have the meanings indicated in this section.

Accelerated Erosion: The removal of the surface of the land through the combined action of human activities and the natural processes, at a rate greater than would occur because of the natural process alone.

Access Drive: A private drive, other than a driveway, which provides for vehicular access within a Land Development for all non-residential uses.

Addition: Any construction which increases the size of a building, or accessory building included but not limited to a porch, patio, deck, attached garage or carport, or a new room or wing.

Agent: Any person, other than the property owner, who is acting for the property owner.

Americans With Disabilities Act (ADA): Americans with Disabilities Act of 1990, Public Law 101-336, as amended.

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

Application: All forms and other materials required to apply for any permit, variance, waiver, or other approval.

Aquatic Bench: This hydrologic zone, also known as shallow water terrace, includes all areas that are inundated by the normal pool to a depth of 1 foot.

Area, Gross Lot: The total horizontal area contained within the property lines of individual parcels of land.

Area, Net Lot: The total horizontal area within the property lines of individual parcels of land, excluding:

1. Areas within an existing or proposed, public or private, easement or right-of-way the terms or conditions of which restrict or limit the nature, dimensional characteristics or intensity of development or development activities within the said easement or right-of-way;
2. In the case of an interior lot, any right-of-way and/or easement connecting such interior lot to a road or street;
3. Areas of prohibitive slope, watercourses, fifty (50) feet landward from the top-of-bank of any watercourse, floodplains and wetlands.

Article 11 – Definitions

4. Easement areas of joint and cross access drives (Section 512.H.9.) shall not be deducted from gross lot area in the calculation of net lot area.

Area, Building: The aggregate of the maximum horizontal cross-section areas of all buildings on a lot, excluding cornices, eaves and gutters projecting not more than eighteen (18) inches.

Authority, York Township Water and Sewer: A municipal authority incorporated pursuant to and existing under the Municipality Authorities Act of 1945, Act of May 2, 1945, P.L. 382, as contained by Act No. 22, approved on June 19, 2001, 53 Pa. C.S.A. §5601 *et seq.*, as amended and supplemented.

Basin, Detention: A stormwater management best management practice designed to capture and release stormwater directly to surface waters of this Commonwealth at controlled rates.

Basin, Retention: A stormwater management best management practice designed to capture and to release stormwater directly to surface waters of this Commonwealth at controlled discharge rates and to retain a substantial permanent pool for water quality treatment.—

Berm: A mound of soil, either natural or manmade.

Best Management Practices (BMPs): Activities, facilities, designs, measures, planning or procedures used to minimize accelerated erosion and sedimentation and manage stormwater to protect, maintain, reclaim and restore the quality of waters within this Commonwealth before, during and after earth disturbance activities.

Bikeway: A pathway, often paved, which may be separated from streets and sidewalks, designed to be used by non-motorized cyclists.

Block: A unit of land bounded by streets or by a combination of streets, railroad rights-of-way, waterways, non-subdivided areas and/or other definite barriers.

Board of Commissioners (Commissioners): The Board of Commissioners of the Township of York.

Buffer: An area that protects adjacent uses from visual and/or audible intrusions. Typical buffers include trees and evergreen plants, bushes and shrubs, forbs and grasses, and other landscape features and materials. Typically the only structures permitted within landscape buffers are walls or fences that enhance primary buffer functions. However, this is not meant to restrict innovative structures (such as waterfalls or fountains) that enhance primary buffer functions.

Buffer, Riparian: A Best Management Practice (BMP) that is an area of permanent vegetation along surface waters.

Buffer, Riparian Forest: A type of riparian buffer that consists of permanent vegetation that is predominantly native trees, shrubs and forbs along surface waters that is maintained in a natural state or sustainably managed to protect and enhance water quality, stabilize stream channels and banks, and separate land use activities from surface waters.

Article 11 – Definitions

Building: Any structure on a lot, having a roof supported by columns or walls, including covered porches, bay windows, and chimneys. *See Structure.*

Building, Accessory or structure: A subordinate building the use of which is customarily incidental to that of the main or principal building.

Bulb-Out: Curb extensions used to narrow paved street widths, typically at places where pedestrians cross. They usually extend the width of a parking lane, about 8 feet from the conventional curb line.

Caliper: the outside bark measurement diameter of a tree trunk as measured four (4) inches above ground level

Canopy cover (tree): The furthest spreading area of the branches of a tree which shade the ground

Carport: A roofed structure, enclosed on not more than three (3) sides, designed or used for parking vehicles.

Cartway: The paved area of a street, driveway or access drive, including parking lanes, travel lanes, acceleration and deceleration lanes, but not including shoulders, curbs, sidewalks or swales.

Certificate of Occupancy: The document which permits the occupancy of a building and certifies that the structure has been constructed in compliance with all applicable building codes and ordinances.

Certificate of Use: The document which permits the use of a lot in accordance with the approved plans and specifications and which certifies compliance with the provisions of this Ordinance.

Channel: Any natural or manmade conveyance. Channels include rivers, streams, creeks, watercourses, ditches, swales, etc. and exclude pipes, pumps, and other similar facilities.

Clear Sight Triangle: An area of unobstructed vision at the intersection of two (2) or more streets, access drives or driveways, defined by lines of sight between points at a given distance from the intersection of the centerlines of both streets

Commissioners: The Board of Commissioners of the Township of York.

Common Elements: All portions of a condominium other than the units

Common Facilities: Amenities owned by a group, such as a homeowners' or unit owners' association, which may include open space, recreational facilities, community sewage disposal facilities, community water supply facilities, stormwater BMPs and facilities, common parking areas and access drives, preservation areas, private streets, or other community facilities.

Common Open Space: A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or

Article 11 – Definitions

enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities.

Comprehensive Plan: The York Township Comprehensive Plan, as amended from time to time. (YT SALDO, §202.24)

Condominium: Ownership in common with others of a parcel of land and certain parts of a building thereon which would normally be used by all the occupants, together with individual ownership in fee of a particular unit or apartment in such building or on such parcel of land and may include dwellings, offices and other types of space in commercial buildings or on property.

Conservation Areas: Environmentally sensitive areas preserved for the continuation of the natural environment.

Conservation District: The York County Conservation District.

County: County of York, Pennsylvania.

Crosswalk: Any portion of a street, access drive or easement delineated for pedestrian crossing by lines, surface markings, signs and/or by a change in surface material.

Dedication: The transfer of property by the owner to another party.

Design Standards: Criteria defining parameters to be followed in site and/or building design and development.

Developer: Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or land development.

Development Plan: The provisions for development of land, including a plat of subdivision; all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities.

Driveway: A private vehicular travelway providing access between a dwelling and/or a farm and a street.

Dwelling: A building or structure designed specifically for human habitation, but not including hotels, motels, rooming houses or other accommodations used for transient occupancy.

Dwelling Unit: One (1) or more rooms used for living and sleeping purposes and having cooking, sleeping and sanitary facilities and arranged for occupancy by not more than one (1) family.

Easement: A grant of one or more property rights by the property owner to and/or for the use by the public or a private entity.

Engineer, Professional: An individual licensed and registered under the laws of the Commonwealth of Pennsylvania to engage in the practice of engineering.

Article 11 – Definitions

Engineer, Township: A Professional Engineer, licensed as such in the Commonwealth of Pennsylvania, duly appointed as the Engineer for the Township.

Environmentally Sensitive Area: Any area encompassing sensitive and/or special value features, natural or manmade, including, but not limited to: floodplains and riparian buffers, wetlands, bodies of water, watercourses, natural flow pathways, prohibitive steep slopes, and other sensitive resources, such as historic structures, ruins, prehistoric sites, etc.

Evapotranspiration: The combined processes of evaporation from the water or soil surface and transpiration of water by plants.

Evergreen Letter of Credit: Automatically renewing or extending form of security.

Final Approval: Occurs at the time that Township Board of Commissioners has determined that all conditions related to the approval of a plan have been satisfied.

Financial Security: A letter of credit or other form of guarantee posted to secure the completion of improvements indicated on an approved plan.

Floor Area, gross: The footprint of the ground floor of a building, including the area of any roofed appendages (i.e., porches, carports and terraces). All dimensions shall be measured between exterior faces of walls.

Forestry (timber harvesting): The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling of trees for commercial purposes, which does not involve any land development.

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

Golf Course: A tract of land for a regulation, par three (3) or executive nine (9) or more hole course.

Grade: The slope of ground which indicates the rate of change of elevation in feet.

Grade, Finish: The completed surfaces of lawns, walks and roads brought to grades as shown or designed on official plans.

Groundwater Recharge: Replenishment of existing natural underground water supplies.

Greenway/Greenway Corridor: A linear open space established along wither a natural corridor, such as a riverfront, stream valley or ridge line, or over land along a railroad right-of-way converted to recreational use, a canal, a scenic road or other route. Greenways are often used for recreation, as a land use buffer, or to provide a corridor and habitat for wildlife.

Article 11 – Definitions

Hazardous Waste: Any substance classified by the U.S. Environmental Protection Agency, the Pennsylvania Department of Environmental Protection, or the Township as having the potential to damage health or impair safety.

Herbaceous Perennials: Non-woody plant species which persist year after year and/or resprout from their rootstock annually.

Hydrologic Soil Group (HSG): The group of soils having similar runoff potential under similar storm and cover conditions. Soil properties that influence runoff potential are those that influence the minimum rate of infiltration for a bare soil after prolonged wetting and when not frozen, include: depth to seasonal high water table, saturated hydraulic conductivity after prolonged wetting, and depth to a layer with a very slow water transmission rate. Changes in soil properties caused by land management or climate changes also cause the soil group to change. The influence of ground cover is treated independently

Impoundment: A body of water, such as a pond, confined by a dam, dike, floodgate, or other barrier.

Improvements: Those physical additions, installations and changes required to render land suitable for the use intended, including but not limited to grading, paving, curbing, street lights and signs, fire hydrants, water mains, electric service, gas service, sanitary sewers, storm drains, sidewalks, crosswalks, driveways, culverts, and other public utilities and street trees.

Improvement(s), Public: Streets, pavements, curbs, gutters, sidewalks, public utilities, sanitary sewers, stormwater BMPs and facilities, grading, street signs, street trees, required plantings, and other items required for the welfare of the property owners and the public.

Infiltration: The entrance of surface water into the soil, usually at the soil/air interface.

Land Development: Any of the following activities:

1. The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:
 - a. A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
 - b. The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features; or
2. A subdivision of land.
3. Excluded from the definition of land development are the following:
 - a. The conversion of an existing single family detached dwelling or single family semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium

Article 11 – Definitions

- b. The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; or
- c. The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For the purposes of this sub-clause, an amusement park is defined as a tract or area used principally as the location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by proper authorities.

Landowner: The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

Level of Service: The measure of how well a transportation system operates and is generally estimated utilizing the methodologies contained in the *Highway Capacity Manual* published by the Transportation Research Board, as amended.

Loading Space: An off-street space for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which has access to a street.

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

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

Lot Area: see *Area, Gross Lot and Area, Net Lot*

Lot, Corner: A lot or parcel of land abutting on two (2) or more streets at their intersection, or on two (2) parts with the same street forming an interior angle of less than 135 degrees.

Lot Development Plan: Land development of one (1) lot involving:

- a. Improvements to a single residential lot, including a family residential building.
- b. Improvements involving less than 5,000 square feet of disturbance to a single nonresidential lot, but not including any building additions.

Lot, Flag: A lot which does not meet the minimum frontage requirements and where access to the public road is by a narrow private right-of-way or driveway (known as the flagpole of the lot).

Lot, Interior: A lot other than a corner lot.

Lot, Reverse Frontage: A lot extending between, and having frontage and access on two parallel streets and having vehicular access restricted to the street of lower ADT.

Lot, Through: A lot extending between, and having frontage on two parallel streets.

Article 11 – Definitions

Lot Coverage: The total area of improvements (i.e. building, structures, paving and/or pavers etc.) divided by Net Lot Area.

Lot Lines: The property lines of a lot or parcel as defined herein:

Front Lot Line: The lot line(s) within or along and/or parallel or most closely aligned with the street right-of-way or access drive. Flag lot front lot lines shall also include the 'body' or 'flag' property line which most closely parallels the street of address.

Rear Lot Line: The lot line(s) most nearly opposite and most distant from the street of address, and most parallel to the street right-of-way line, except for a lot line that is itself a street right-of-way line. In the case of a lot having only three (3) property lines, a line ten feet in length within the lot, between the two side lot lines, which is parallel to (or in the event of a curved lot line, is equidistant to) the front lot line shall be used as the rear line.

Side Lot Line: The lot line(s) which determine the depth of a lot and are not front or rear lot lines.

Lot, Width: The distance from each side property line as measured at the minimum front setback.

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

Manufactured/Mobile Home Lot: A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile home.

Manufactured/Mobile Home Park: A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

Marsh: A wetland dominated by herbaceous emergent plants.

Marsh, High: A hydrologic zone that: extends upslope from the low marsh zone and encompasses the areas that may be subject to periodic inundation after storms.

Marsh, Low: A hydrologic zone that: encompasses the waterward shoreline of a pond or wetland and is permanently inundated to 0 to 6 inch depths. **Median:** That portion of a divided highway, street or access drive separating lanes of traffic proceeding in opposite directions.

Median: That portion of a divided highway, street or access drive separating lanes of traffic proceeding in opposite directions.

Metes and Bounds: A system of describing and identifying land by measures (metes) and direction (bounds) from an identifiable point of reference such as a monument or other

Article 11 – Definitions

marker, the corner of intersecting streets, or, in rural areas, a tree or other permanent feature.

Mid-block Crosswalk: The right of way for pedestrian use extending from a street into a block or across a block to another street.

Monocultures: A single species of plant occupying a given area.

Municipalities Planning Code (MPC): The Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247, as amended and reenacted.

Municipality: The Township of York, York County, PA.

Native Plants: Trees, shrubs, forbs and grasses found in the Mid-Atlantic region prior to its settlement by Europeans

Natural Feature: A component of a landscape existing or maintained as part of the natural environment and having ecologic value in contributing beneficially to air quality, erosion control, groundwater recharge, noise abatement, visual amenities, growth of wildlife, human recreation, reduction of climatic stress or energy costs. Such features include those which, if disturbed, may cause hazards or stress to life, property, or the natural environment.

On-Lot Sewage Disposal System: Any system of piping, tanks, or other facilities serving a single lot and collecting and disposing of sewage in whole or in part into the soil and/or any waters of this Commonwealth of Pennsylvania or by means of conveyance to another site for final disposition, and which is approved by the Pennsylvania Department of Environmental Protection.

Open Space: Any parcel or area of land or water which is unimproved.

Outfall: Point where water flows from a conduit, stream, or drain.

Outlet: Points of water disposal from a stream, river, lake, tidewater or man-made drain.

PA-DEP: Pennsylvania Department of Environmental Protection.

Parcel: *see Lot*

Plan: The map or plat of a subdivision or land development, whether sketch, preliminary or final.

Planning Commission: The York Township Planning Commission, unless otherwise noted.

Private Street: All streets which have not been dedicated to or accepted by the municipality or governmental entity.

Property Owner: *see Landowner*

Public: Owned, operated or controlled by a governmental entity (Federal, state, county, or local).

Article 11 – Definitions

Public Hearing: A formal meeting held pursuant to public notice by the governing body or Zoning Hearing Board, intended to inform and obtain public comment prior to taking action in accordance with the Zoning and/or Subdivision and Land Development Ordinance(s).

Public Improvements: Any construction or enhancement that is designed to provide transportation, water supply, sewage disposal, flood protection, recreational facilities and/or to serve public requirements in accordance with this Ordinance.

Public Meeting: A forum held pursuant to notice under 65 PA. C.S.CH.7

Public Notice: Notice published once a week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.

Public Sewer: A municipal sanitary sewer system, or a comparable common or package sanitary facility approved by the Commonwealth of Pennsylvania, Department of Environmental Protection.

Public Street: Any road which is dedicated to and maintained by a governmental entity.

Public Water: A municipal water supply system, or a comparable common water facilities approved by the Commonwealth of Pennsylvania, Department of Environmental Protection.

Recreation, Active: Any leisure time activity, usually of a formal nature and often performed with others, requiring equipment and taking place at prescribed places, sites or fields.

Recreation, Passive: An activity that requires little or no physical exertion on the part of the participant such as walking, sitting, picnicking and board games.

Reverse Subdivision: The combination of two (2) or more lots into a single lot.

Right-of-Way: The right of one to pass over the property of another.

Right-of-Way Line: The line defining the edge of a street right-of-way and separating the street from abutting properties or lots.

Right-of-Way, Street: The area of property identified as necessary for the use and maintenance of a roadway, whether public or private.

Roadway: see *Cartway*

Runoff: Any portion of precipitation that flows over the land.

Screening: The use of plant materials, fencing, walls and or earthen berms, or combinations thereof, of sufficient height and density to conceal the structures and/or uses on the premises from the view of adjoining property and/or to provide a sound buffer.

Article 11 – Definitions

Setback (Building Setback Line): The line within a property defining the required minimum distance between any structure and the right of way or property line(s).

Sewage Disposal System: A sanitary sewage collection method in which sewage is carried from the site by a system of pipes to the central treatment and disposal plant.

Sewage Enforcement Officer (SEO): The Sewage Enforcement Officer of the Township.

Sewage Planning Module (PA-DEP): A revision to, or an exception to the Township's Official Sewage Facilities Plan (Act 537) submitted in connection with the request for approval of a subdivision or land development in accordance with Department regulations.

Sewage System, Community: A private utility designed, operated, and/or maintained to collect sewage or industrial wastes of a liquid nature from two (2) or more lots, and the treatment and/or disposal of the sewage or industrial waste on one (1) or more of the lots or at any other site. Such systems shall comply with all requirements of all applicable regulations of the PA-DEP and York Township Water and Sewer Authority.

Sewer: A public or private utility system designed to collect, centrally treat and/or dispose of effluent from customers in compliance with PA-DEP regulations or regulations of the Township, whichever is more stringent.

Shoulder (Street): The portion of the street, contiguous to the cartway, for the accommodation of stopped vehicles, for emergency parking, and for lateral support of base and surface courses of pavement.

Sidewalk: A paved walkway parallel to a cartway, and separated therefrom by a grass strip and/or a curb.

Safe Stopping Sight Distance (SSSD): The maximum measured distance along an intersecting street which a driver stopped at a street, access drive or driveway along that street can continuously see another vehicle approaching.

Site: A parcel of land which is the subject of an application for development. A site may include more than one lot.

Subdivision and/or Land Development Plan: An accurately scaled development plan that illustrates the existing conditions on a land parcel as well as depicting details of a proposed development.

Slope: The face of an embankment or cut section; any ground whose surface makes an angle with the plain of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet over 100 feet of horizontal distance.

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.

Storm Sewer: A pipe or conduit, or a system of pipes or conduits, which intercepts and carries surface stormwater runoff, but excludes sewage, industrial wastes and similar discharges.

Article 11 – Definitions

Stormwater: Runoff from precipitation, snow melt, surface runoff and drainage.

Stormwater Management Facility: Manmade measures designed and constructed to convey stormwater runoff away from structures or improved land uses, or to control, detain or manage stormwater runoff to avoid or reduce downstream damages. The term includes, but is not limited to, transportation and related facility drainage systems and manmade stormwater detention basins. The term does not include replacement wetlands or major dams and reservoirs constructed for water supply, recreation, river basin flood control or other regional or basin-wide purposes.

Street: A public or private way excluding driveways and access drives which affords the principal means of access to abutting properties intended to be used by vehicular traffic or pedestrians, including streets, avenues, roads, lanes, alleys, boulevards, highways and any other public or private right-of-way.

Arterial: A street that connects and distributes traffic to and from communities, employment centers and shopping areas, at higher speeds, with access control, channelized intersections and restricted parking.

Collector: A street that connects and distributes traffic between local and arterial streets and provides access to abutting properties and community facilities.

Cul-de-sac: A street with a single common ingress and egress and with a turnaround at the end, including self-looping streets.

Local: A street that provides frontage for access to abutting lots and carries slow speed traffic primarily having a destination or origin on the street itself.

Lane/Alley: A private street which affords only a secondary means of access to abutting properties and not intended for general traffic circulation.

Street Width: The distance across the street including the cartway and parking/shoulder areas.

Structure: Any manmade object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

Subdivision: The division or redivision of a lot, tract or parcel of land by any means into two (2) 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 petition of 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, not involving any new street or easement of access or any residential dwelling, shall be exempted.

Subgrade: The natural ground lying beneath a road or parking lot.

Substantially Completed: Where, in the judgment of the Township Engineer, at least ninety percent (based on the cost of the required improvements for which financial security was posted) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

Township: The Township of York, York County, Pennsylvania.

Article 11 – Definitions

Tract: All contiguous land owned by the same landowner. Tracts separated by rights-of-way are considered to be contiguous.

Urban Growth Boundary: The border which separates areas that are appropriate for more urbanized uses and the extension of services and utilities, from areas intended for rural and resource uses.

Viewshed: That portion of the landscape which can be readily viewed by the observer from one (1) or more vantage points. The extent of area that can be viewed is commonly delineated by land form, vegetation and/or distance.

Waiver or Modification: Relief from the requirements of the SALDO granted by the Commissioners.

Walkway: A path designed for pedestrian travel.

Water Supply System: Any public or private utility designed for the collection, treatment, storage, and distribution of potable water from the source of supply to two (2) or more consumers.

Watercourse: A stream of water, river, brook, creek, or channel or ditch for water whether natural or man-made.

Waters of this Commonwealth: Rivers, streams, creeks, rivulets, impoundments, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs, and other bodies or channels of conveyance of surface and underground water, or parts thereof; whether natural or artificial, within or on the boundaries of this Commonwealth.

Wetlands: 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 vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas.

Yard: An area between the principal structures and the property lines.

Yard, Front: An open space on the same lot as the building between the front line of the building and the street projected to the side lines of the lot. Each yard that abuts a street on a corner lot shall be considered a front yard.

Yard, Rear: An open space on the same lot as the building between the rear line of the building and rear lot line projected to the side lines of the lot.

Yard, Side: A space extending from the front yard to the rear yard between the principal building and the side lot line.

Zoning Hearing Board: The York Township Zoning Hearing Board.

Zoning Officer: The person designated to administer and enforce the zoning ordinance.

Article 12 – Enforcement, Amendments, Remedies, Appeals, Severability and Repealer

ARTICLE 12 **ENFORCEMENT, AMENDMENTS, REMEDIES, APPEALS, SEVERABILITY AND** **REPEALER**

SECTION 1201. ADMINISTRATION AND ENFORCEMENT

- A. The Commissioners and Township Planning Commission shall have the duty and authority for the administration and general enforcement of the provisions of this Ordinance, as specified or implied herein.

Officials of the Township, including the Zoning Officer or his/her authorized representative, having regulatory duties and authority connected with or appurtenant to the subdivision, use, or development of land shall have the duty and authority for the controlling enforcement of the provisions of this Ordinance, as specified or implied herein or in other Ordinances of the Township.

- B. The Zoning Officer or his/her authorized representative, shall require that the application for any permit required by this Ordinance contain all information necessary to enable him/her to ascertain whether the proposed building, alteration or use is located in an approved subdivision or land development publicly recorded in accordance with the provisions of this and other applicable Township Codes and Ordinances. No permit shall be issued until the Zoning Officer or his/her authorized representative, has determined that the site for the proposed building, alteration or use complies with all the provisions of this Ordinance and conforms to the site description as indicated on the approved and recorded Final Plan.
- C. The Township Sewage Enforcement Officer shall require that the Sewage Planning Module and applications for Sanitary Sewage Disposal System Permits contain all the information necessary to ascertain that the sites for the proposed systems are acceptable in accordance with the provisions of this Ordinance, the Pennsylvania Department of Environmental Protection, and other Township regulations.
- D. The approval of a subdivision and/or land development plan or of any improvement installed, or the granting of a permit for the erection or use of a building or land therein, shall not constitute a representation, guarantee, or warranty of any kind or nature by the Township or any official, employee, or appointee thereof, of the safety of any land, improvement, property or use from any cause whatsoever, and shall create no liability upon, or a cause of action against the Township or such official, employee or appointee for any damage that may result pursuant thereto.

SECTION 1202. AMENDMENTS

Amendments to this Ordinance shall become effective only after a public hearing held pursuant to public notice as defined, and in accordance with the "Pennsylvania Municipalities Planning Code", Act 247, as amended.

- A. From the time an application for approval of a plan is duly filed as provided in this Ordinance, and while such application is pending approval or disapproval, no change or amendment of this Ordinance, zoning or other governing ordinance or plan shall affect the decision on such application adversely to the Applicant, and the Applicant shall be

Article 12 – Enforcement, Amendments, Remedies, Appeals, Severability and Repealer

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.

The Applicant shall be entitled to Final Plan approval in accordance with the terms of the approved Preliminary Plan application as hereinafter provided. However, if a plan application is properly and finally denied, any subsequent plan application shall be subject to the intervening change in governing regulation.

- B. When an application for approval of a plan has been approved without conditions or approved with the Applicant's acceptance of conditions, no subsequent change or amendment in this Ordinance, 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 (5) years from such approval.
- C. Where Final Plan approval is preceded by Preliminary Plan approval, the aforesaid five (5) year period shall be counted from the date of the Preliminary Plan approval. In the case of any doubt as to the terms of a Preliminary Plan approval, the terms shall be construed in the light of the provisions of this Ordinance or the governing ordinance or plans as they stood at the time when the application for such approval was duly filed.
- D. Where the Applicant has substantially completed the required improvements as depicted on the Final Plan within the aforesaid five (5) year period, or any extension thereof as may be granted by the Commissioners, no change of any 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.
- E. In case of a Preliminary Plan calling for the installation of improvements beyond the five (5) year period, a schedule shall be filed by the Applicant with the Preliminary Plan delineating all proposed phases as well as deadlines within which applications for Final Plan approval of each phase are intended to be filed. Such schedule shall be updated annually by the Applicant on or before the anniversary of the Preliminary Plan approval, until Final Plan approval of the final phase has been granted, and any modification in the aforesaid schedule shall be subject to approval of the Commissioners at their discretion.
- F. Each phase in any residential subdivision or land development, except for the last phase shall contain a minimum of twenty-five (25) percent of the total number of dwelling units as depicted on the Preliminary Plan, unless a lesser percentage is approved by the Commissioners at their discretion.

Provided the Applicant has not defaulted with regard to or violated any of the conditions of the Preliminary Plan approval, including compliance with Applicant's aforesaid schedule of submission of Final Plans for the various phases, then the aforesaid protections afforded by substantially completing the improvements depicted upon the Final Plan within five (5) years shall apply and for any phase or phases, beyond the initial phase, in which the required improvements have not been substantially completed within said five (5) year period, the aforesaid protections shall apply for an additional term or terms of three (3) years from the date of Final Plan approval for each phase.

Article 12 – Enforcement, Amendments, Remedies, Appeals, Severability and Repealer

- G. Failure of the Applicant to adhere to the aforesaid schedule of submission of Final Plans for the various phases shall subject any such phase to any and all changes in this Ordinance, Zoning Ordinance, and other governing ordinances enacted by the Township subsequent to the date of the initial Preliminary Plan submission.

SECTION 1203. REMEDIES AND JURISDICTION

A. Preventive Remedies.

1. 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.
2. The description by metes and bounds of the property 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.
3. 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. This authority to deny such a permit or approval shall apply to any of the following Applicants:
 - a. The owner of record at the time of such violation.
 - b. 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.
 - c. 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.
 - d. 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.
4. 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.

- B. Enforcement Remedies. Any person, partnership, or corporation who or which has violated the provisions of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$500.00 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 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 Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation unless the District Justice determining that

Article 12 – Enforcement, Amendments, Remedies, Appeals, Severability and Repealer

there has been a violation, determines that there was a good faith basis for the person, partnership or corporation violating the Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth (5th) day following the date of determination of a violation of the District Justice, and thereafter each day that a violation continues shall constitute a separate violation.

SECTION 1204. APPEALS

All appeals from decisions of the Commissioners in the administration of this Ordinance shall be made in accordance with the provisions of the Municipalities Planning Code.

SECTION 1205. INTERPRETATION AND APPLICATION OF PROVISIONS.

In the interpretation and application of the provisions of this Ordinance, said provisions shall be deemed to be the minimum requirements necessary for the promotion and protection of the public health, safety and welfare. Where the provisions of this Ordinance and all implementing standards and specifications impose greater restrictions upon subdivision and/or land development than those of any other Township Ordinance or any regulation or any applicable land development agreement, the provisions of this Ordinance and its standards and specifications shall be controlling. Where the provisions of any statute, regulation, other Township Ordinance or applicable land development agreement impose greater restrictions upon subdivision and/or land development than this Ordinance, the provisions of such statute, regulation, other Ordinance, or applicable land development agreement shall be controlling.

SECTION 1206. CONSTRUCTION

Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights or liability incurred, or any permit issued, or any approval granted or any cause or causes of action existing prior to the enactment of this Ordinance.

SECTION 1207. SEVERABILITY

The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Commissioners that this Ordinance would have been enacted if such illegal, invalid or unconstitutional section, sentence, clause, part, or provision had not been included herein.

SECTION 1208. REPEALER

- A. Any Ordinance or part thereof inconsistent herewith is hereby repealed to the extent of such inconsistency.
- B. Nothing in this Ordinance hereby adopted shall be construed to affect any suit or legal proceeding now pending in any court, any rights accrued or liability incurred or any cause of action; neither shall any right or remedy of any character be lost, impaired or affected.
- C. Any previously existing Subdivision and Land Development Ordinance is hereby repealed.

Article 12 – Enforcement, Amendments, Remedies, Appeals, Severability and Repealer

SECTION 1209. CODIFICATION STATEMENT

It is the intention of the Commissioners and it is ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of York Township, York County, Pennsylvania and the sections of this Ordinance may be renumbered to accomplish that intention.

SECTION 1210. ENACTMENT

This Ordinance shall take effect and be in force in five (5) days as provided by law.

DULY ORDAINED by the Board of Commissioners of the Township of York, York County, Pennsylvania, on the _____ day of _____, 20____, in lawful session duly assembled.

BOARD OF COMMISSIONERS
TOWNSHIP OF YORK

(Name)

(Title)

(Name)

(Title)

(Name)

(Title)

(Name)

(Title)

(Name)

(Title)

Attest: _____
(Secretary)

[TOWNSHIP SEAL]