

**YORK COUNTY  
SUBDIVISION AND  
LAND DEVELOPMENT ORDINANCE**



**January 18, 2012**

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# **SUBDIVISION AND LAND DEVELOPMENT ORDINANCE**

An Ordinance establishing rules, regulations and standards governing the subdivision and development of land within the County of York, Pennsylvania, pursuant to the authority granted in the Pennsylvania Municipalities Planning Code (Act 247) as enacted and amended, setting forth the procedures to be followed by the York County Planning Commission applying and administering these rules, regulations and standards and providing penalties for the violation thereof.

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

## **ARTICLE I**

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

#### **SECTION 101      SHORT TITLE**

This Ordinance is enacted pursuant to the Pennsylvania Municipalities Planning Code and may be cited as the "York County Subdivision and Land Development Ordinance."

#### **SECTION 102      PURPOSE**

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

- A.      Assisting in the orderly and efficient integration of land developments within the County.
- B.      Ensuring conformance of land development plans with the County Comprehensive Plan, and public improvement plans.
- C.      Ensuring the provision of adequate public facilities including roadways, walkways, street lighting, water supply, storm and sanitary sewerage facilities, recreation sites, open spaces and other improvements for the public health, safety and welfare. Ensuring coordination of inter-municipal public improvement plans and programs.
- D.      Securing the protection of water resources and drainageways and other environmental resources.
- E.      Facilitating the efficient movement of traffic.

- F. Securing equitable handling of all land development plans by providing uniform standards and procedures.
- G. In general, promoting greater health, safety, and welfare of the citizens of the County.
- H. Regulating the subdivision or development of land within any designated flood plain zone in order to promote the general health, safety, and welfare of the community.
- I. Requiring that each subdivision lot in flood-prone areas be provided with a safe building site with adequate access; and that public facilities which serve such uses be designed and installed to preclude flooding at the time of initial construction.
- J. Protecting individuals from buying lands which are unsuitable for use because of flooding by prohibiting the improper subdivision or development of unprotected lands within designated flood plain zones.

**SECTION 103 AUTHORITY AND JURISDICTION**

These regulations shall apply to all boroughs, cities, and townships within the County of York which do not have a subdivision and land development ordinance in effect. In those jurisdictions this Ordinance will be administered by the York County Planning Commission as a service to the municipalities. The adoption of a subdivision and land development ordinance by any borough, city or township shall act as a repeal in its entirety of these regulations within the said municipality.

The authority for the control and regulation of subdivision and land development within the municipalities of the County which do not have a subdivision and land development ordinance shall be as follows:

- A. **Approval by the York County Planning Commission:** The York County Planning Commission, also referred to as the YCPC, shall be vested with the authority to approve or disapprove all subdivision or land development plans.
- B. **Review by the staff of the York County Planning Commission:** The staff of the York County Planning Commission, also referred to as the staff of the YCPC, shall be vested with the authority to review subdivision or land development plans.

**SECTION 104 APPLICABILITY**

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

No lot in a proposed subdivision or land development may be sold, and no final permit to erect any building upon land in a subdivision or land development may be issued unless and until a final plan has been approved and recorded and either the York County Planning Commission has been assured by means of an Improvement Agreement acceptable to the governing body of the municipality in which the subdivision or land development is proposed, that the improvements will subsequently be installed or the required improvements in connection therewith have been constructed.

The standards and requirements contained in this Ordinance shall apply as minimum standards for subdivisions and land developments located within municipalities which do not have a subdivision and land development ordinance in effect. However, when such a municipality, in its building code, road ordinance, or other ordinance, code, resolution, or regulation other than a subdivision and land development ordinance, imposes more restrictive standards and requirements than contained herein, such other standards and requirements shall prevail. In addition, any subdivision and/or land development application within a municipality which has enacted a zoning ordinance shall be subject to all of the provisions of said zoning ordinance rather than any provision(s) of this Ordinance which would otherwise apply. Such municipal standards and requirements shall be subject to enforcement by the agency assigned such jurisdiction by said ordinance, code, resolution, or regulation. All municipal ordinance requirements shall be met or agreed to by the developer to the satisfaction of the municipality prior to approval of a land development and/or subdivision plan by the York County Planning Commission. Approval of a subdivision and/or land development plan by the York County Planning Commission shall not be construed as an indication that the plan complies with the local standards or requirements, only that the plan complies with the standards of this Ordinance and relevant requirements of law.

**SECTION 105      MUNICIPAL ADOPTION OF THIS ORDINANCE BY REFERENCE**

This Ordinance may be adopted by any local municipality by reference, in accordance with Section 502 of the Pennsylvania Municipalities Planning Code, Act 247. In addition, the York County Planning Commission may be designated as the official administrative agency for the review and approval of plans for such municipality by separate ordinance, contingent upon formal notice of such action by the municipality to the York County Planning Commission and the Commission's acceptance of such designation in writing.

**SECTION 106      INTERPRETATION**

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

- A.      Words used in the present tense also imply the future tense.
- B.      Words used in the singular also imply the plural and vice versa.
- C.      Words of masculine gender include the feminine gender, and vice versa.

- D. The words and abbreviation “includes”, “including”, “shall include”, “such as”, and “e.g.” are not limited to the specific example(s) given but are intended to extend the words’ or word’s meaning(s) to all other instances of like kind and character.
- E. The abbreviation “i.e.” means “that is” and is used in reference to a specific term(s), standard(s), use(s), or condition(s) and no other(s). This abbreviation is not used to refer to an example.
- F. The words “person”, “applicant”, or “developer” include a partnership, corporation, or other legal entity, as well as an individual.
- G. The words “shall”, “required”, or “must” are mandatory; the words “may” and “should” are permissive.

## ARTICLE II

### DEFINITIONS

#### SECTION 201 INTENT

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

#### SECTION 202 SPECIFIC WORDS AND PHRASES

For purposes of this Ordinance, the following words and phrases shall have the meaning given herein:

**ACCESS DRIVE** - A private minor vehicular right-of-way, other than a street or driveway, providing access from a public or private street to a parking area within a lot. For the purposes of this Ordinance, access drives shall be required for all commercial, industrial, institutional and multi-family uses, and all other uses excluding those for which driveways, as defined in this Ordinance, may be used.

**ACREAGE, GROSS** - The total acreage of a parcel including all easements and rights-of-way.

**ACREAGE, NET** - The acreage of a parcel, excluding the area of any street or railroad right-of-way, but including the area of any easement. Easements which may be a part of the net acreage, include, but are not necessarily limited to, sewer and water system easements and storm water management easements.

**ACT 167** - Act of October 4, 1978, P.L.864, (Act 167), as amended, and known as the “Stormwater Management Act”.

**ADA** - Americans with Disabilities Act of 1990, as amended.

**AGENT** - Any person, other than the applicant, who, acting for the applicant, submits to the York County Planning Commission subdivision or land development plans for the purpose of obtaining approval thereof.

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

**APPLICATION FOR DEVELOPMENT** - Every application, whether preliminary or final, required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a land development plan.

**BASE FLOOD** - The flood having a one percent (1%) chance of being equaled or exceeded in any given year. This is the regulatory standard also referred to as the “100 year flood”. The base flood is the national standard used by the National Flood Insurance Program (NFIP) and all Federal agencies for the purposes of requiring the purchase of flood insurance and regulating new development. Base Flood Elevations (BFEs) are typically shown on FEMA’s Flood Insurance Rate Maps (FIRMs).

**BASE FLOOD ELEVATION** - The computed elevation to which floodwater is anticipated to rise during the base flood. Base Flood Elevations (BFEs) are shown on Flood Insurance Rate Maps (FIRMs) and on the flood profiles. The BFE is the regulatory requirement for the elevation on floodproofing of structures. (The relationship between the BFE and a structure’s elevation determines the flood insurance premium.)

**BLOCK** - An area bounded by streets or other physical barriers on all sides.

**BUILDING** - Any structure or edifice designed or intended for use as an enclosure, a shelter, or for protection of persons, animals, or property.

**ACCESSORY BUILDING** - A detached building, the use of which is incidental and subordinate to that of the principal building, which is located on the same lot as that occupied by the principal building.

**PRINCIPAL BUILDING** - A building which is enclosed within exterior walls or fire walls, and is built, erected, and framed of component structural parts. The Principal Building is also designed for housing, shelter, enclosure, and support of individuals, animals, or property of any kind, and is a main structure on a given lot.

**CARTWAY or TRAVELWAY** - That portion of a street which is improved, or intended for vehicular use excluding the shoulders.

**CLEAR SIGHT TRIANGLE** - An area of unobstructed vision of both approaches of a driveway, access drive or street intersection as viewed by the driver measured from the centerlines of the intersecting roads a certain distance prior to the intersection. The specific distance varies according to road function.

**COMPREHENSIVE PLAN** - The official public document prepared in accordance with the Pennsylvania Municipalities Planning Code, consisting of maps, charts, and textual material, that constitutes a policy guide for the continuing physical and social development of a municipality and/or the county.

**CONTOUR LINE** - A line on a topographical map connecting points of like elevation.

**COST OF IMPROVEMENTS** - The amount which the Municipal Engineer estimates that the municipality would be required to expend in order to complete the improvements proposed by a

subdivider or land developer in a subdivision or land development plan in the event the subdivider or land developer cannot complete such improvements within the time set forth in the subdivision or land development plan or otherwise agreed upon. The Municipal Engineer's estimate shall take into consideration anticipated inflation in construction costs, bid preparation costs, and other costs which the municipality will incur in the event it is required to complete the proposed improvements.

**COUNTY** - York County, Pennsylvania.

**COVENANT** - A restriction placed on a deed and on subdivision or land development plans stipulating certain requirements the deed holder must meet or preventing him from using the property for certain purposes.

**CROSS-SECTION** - A profile of the existing ground at right angles to the centerline.

**CROWN** - The height of the center of a roadway surface above its edges.

**CULVERT** - A pipe, conduit or similar structure including appurtenant works which carries surface water.

**CURB** - The raised edge of a pavement that confines surface water to the pavement and protects the abutting land from vehicular traffic.

**CURB LINE** - A line formed by the face of the existing curb or in its absence the outer edge of the shoulder, along which curbing is or may be located.

**CUT** - To lower the level of the surface of an existing grade, or the vertical distance from the existing ground surface to the planned grade line at a given point.

**DEDICATION (REAL ESTATE)** - The deliberate assignment by a landowner of a certain land area for public use or common use, such as for a street, park or parking lot.

**DEED** - A written, legal document conveying or indicating ownership of real property.

**DEED RESTRICTION** - A covenant or other provision specifying a restriction upon the use of a property. Such restrictions may include, but are not necessarily limited to, the type of structure that can be constructed on a lot, design standards, minimum construction cost, etc.

**DENSITY** - The number of dwelling units or units of occupancy per acre, exclusive of street rights-of-way.

**DESIGN STORM** - The magnitude of precipitation from a storm event measured in probability of occurrence, i.e., storm frequency, and used in determining the design of storm water management control systems.

**DETENTION BASIN** - A structure designed to retard stormwater runoff by temporarily storing and releasing the runoff at a predetermined rate..

**DEVELOPER** - Any landowner, agent of such landowner, equitable landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

**DEVELOPMENT PLAN** - The provisions for development, including a planned residential development, 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 utilities. The phrase “provisions of the development plan” when used in the Pennsylvania Municipalities Planning Code (PA MPC) shall mean the written and graphic materials referred to in this definition.

**DIAMETER AT BREAST HEIGHT** - The measurement of the diameter of a tree taken at four and one-half (4 ½) feet above the ground surface.

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

**DRIVEWAY** - An improved surface for vehicular travel which provides access between a public or private street or access drive and the parking area for all residential uses (except multi-family) and all agricultural uses.

**DWELLING** - A building containing one (1) or more dwelling units. (See Appendix No.1 for Selected Illustrations of Residential Dwelling Types.)

**MULTI-FAMILY DWELLING** - A building containing three (3) or more dwelling units located on a single lot.

**SINGLE FAMILY ATTACHED DWELLING** - A portion of a building containing one (1) dwelling unit and having two (2) party walls. Each dwelling unit is located on a separate lot. End units which have one (1) party wall in common are included and are subject to the lot area requirements for other single family attached units but must meet setback requirements on the open side.

**SINGLE FAMILY DETACHED DWELLING** - A building containing only one (1) dwelling unit located on a single lot.

**SINGLE FAMILY SEMI-DETACHED DWELLING** - A portion of a building containing one (1) dwelling unit and having one (1) party wall in common with another dwelling unit. Each dwelling unit is located on a separate lot.

**TWO FAMILY DWELLING** - A building containing two (2) dwelling units located on the same lot.

**DWELLING UNIT** - One (1) or more rooms used for living and sleeping purposes and having a kitchen with fixed cooking facilities and a bathroom with a toilet and a bathtub or shower arranged for occupancy by one (1) or more individuals living as a single housekeeping unit.

**EASEMENT** - A right of limited use granted on private property by the owner for public use or private use by another party or parties. The owner of the property shall not have the right to make use of the land in a manner that violates the right of the grantee.

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

**FEMA** - Federal Emergency Management Agency

**FILL** - Any of the following:

1. Any act by which earth, sand, gravel, rock or similar material is placed, pushed, dumped, pulled, transported or moved to a new location above the stripped surface and shall include the conditions resulting therefrom;
2. The difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade;
3. The material used to make a fill.

**FLOOD INSURANCE RATE MAP (FIRM)** - An official map of a community on which FEMA has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

**FLOOD PLAIN** - Any land area susceptible to inundation by water from any natural source as delineated by applicable Federal Emergency Management Agency (FEMA) maps and studies as being a special flood hazard area (SFHA). An SFHA may also include an area re-designated by FEMA approval of a calculated revision request based on new or revised scientific or technical data in the form of a Physical Map Revision (PMA), Letter of Map Revision (LOMR), or a Letter of Map Change (LOMC).

**FLOOD-PROOFING** - Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

**FLOODWAY** - The channel of a watercourse and those portions of the adjoining flood plains that are reasonably required to carry and discharge the 100 year flood. Unless otherwise specified, the boundary of the floodway is as indicated on maps and flood insurance studies provided by FEMA.

In an area where no FEMA maps or studies have defined the boundary of the floodway, it is assumed, absent evidence to contrary, that the floodway extends from the stream to fifty (50) feet from the top of bank of the stream.

**FRONTAGE** - The portion of a lot which is parallel to and abuts a street right-of-way line. (See STREET LINE).

**FUTURE RIGHT-OF-WAY** - (1) The right-of-way width 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.

**GOVERNING BODY** - The council in cities, boroughs and incorporated towns; the board of commissioners of townships of the first class; board of supervisors in townships of the second class; the boards of commissioners in counties of the second through the eighth class or as may be designated in the law providing for the form of government.

**GRADIENT** - The slope, or rate of increase or decrease in elevation, of a surface, road, or pipe, usually expressed in percent or in inches of rise or fall per horizontal linear foot.

**GRADING** - All construction operations between site clearing and building or paving. Grading includes all excavating, hauling, spreading, and compacting operations.

**GROSS FLOOR AREA (GFA)** - The sum, in square feet, of the area of each floor level in a building within the interior walls. All such areas are included if the floor surfaces have a minimum clear standing head room of six (6) feet six (6) inches. The area of any parking garages within a building shall not be included within the GFA.

**IMPERVIOUS SURFACE (IMPERVIOUS AREA)** - A surface that prevents the infiltration of water into the ground. Impervious surfaces and areas shall include, but not be limited to, roofs, additional indoor living spaces, patios, garages, storage sheds and similar structures, driveways, streets and sidewalks. However, any area designed, constructed and maintained to permit infiltration, such as, but not limited to, decks, parking areas and driveways as specified herein shall not be considered impervious if such areas do not prevent infiltration. For the purposes of this Ordinance, a surface or area shall not be considered impervious if such surface or area does not diminish the capacity for infiltration of stormwater for storms up to and including a two (2) year 24-hour storm event. (See the definition of RETURN PERIOD).

**IMPROVEMENTS** - Physical changes to the land, including, but not limited to: buildings, structures, pavements, curbs, gutters, sidewalks, water mains, sanitary sewers, storm sewers, grading, street signs, water supply facilities, and sewage disposal facilities that may be necessary to produce useable and desirable lots.

**INTERIOR WALKWAY** - A public right-of-way, which does not constitute a sidewalk as required by Section 508 of this Ordinance, through a block between lots or between and/or through open space or other areas of a development for pedestrian traffic.

**LAND DEVELOPMENT** - Any of the following activities:

1. The improvement of one (1) lot or two (2) or more contiguous lots or parcels of land for any purpose involving:
  - a. a group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single non-residential 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 (2) or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups or other features.
2. A subdivision of land.
3. The following activities are excluded from the definition of land development:
  - 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;
  - 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 purposes of this subclause, an amusement park is defined as a tract or area used principally as a 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.

**MAJOR LAND DEVELOPMENT** - A land development as defined above for which public improvement(s) such as, but not limited to, public streets, public water systems and public sewer systems, are proposed or required.

**MINOR LAND DEVELOPMENT** - A land development as defined above for which no public improvements are proposed or required

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

**LANDSCAPE ARCHITECT** - A Professional Landscape Architect registered as such in the Commonwealth of Pennsylvania.

**LATERAL** - A utility line between a main line, located in a utility easement or street right-of-way, and the building which the line serves.

**LOCATION MAP** - A map on a subdivision or land development plan which shows the site in relation to adjoining areas.

**LOT** - A designated parcel or area of land established by a plat or otherwise as permitted by law and to be used, transferred, developed or built upon as a unit.

**CORNER LOT** - A lot with two (2) adjacent sides abutting two (2) streets which have an interior angle of less than one hundred thirty-five degrees ( $135^{\circ}$ ) at the intersection of the two (2) street lines. A lot abutting on a curved street shall be considered a corner lot if the tangents to the curve at the points of intersection of the side lot lines with the street line intersect at an interior angle of less than one hundred thirty-five degrees ( $135^{\circ}$ ). The front setback dimensions required by the Municipality's Zoning Ordinance or the York County Subdivision and Land Development Ordinance shall apply to both street frontages. The remaining two yards shall be comprised of one side yard and one rear yard, the rear yard being opposite the street of address. Side and rear setbacks shall be provided respectively

**FLAG LOT** - A lot with long narrow panhandles or strips of land connecting the main body of the lot with the street, and providing the sole access from the street to that lot.

**REVERSE FRONTAGE LOT** - A through-lot having frontage both on an arterial or collector street, and on a local street, with vehicular access limited solely to the local street.

**DOUBLE FRONTAGE LOT** - A lot with front and rear street frontage.

**LOT AREA** - The area contained within the property lines of an individual parcel of land, excluding any area within a street right-of-way, but including the area of any easement. If a lot is traversed by a street right-of-way, whether existing or proposed, any principal building on said lot shall be located on a portion of that lot which area in and of itself contains the minimum lot area required by the Municipality's Zoning Ordinance or the York County Subdivision and Land Development Ordinance.

**LOT COVERAGE** - A percentage of the lot area which is covered by an impervious surface.

**LOT WIDTH** - The minimum required continuous distance between the side property lines (or in the case of corner lots between a front and side property line) measured along a single street right-of-way line. If a lot is traversed by a street right-of-way, whether existing or proposed, any principal building on said lot shall be located on a portion of that lot which contains the minimum lot width required by the Municipality's Zoning Ordinance or the York County Subdivision and Land Development Ordinance.

**METES AND BOUNDS** - A description of land by courses and distances.

**MEDIATION** - A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.

**MOBILEHOME** - A transportable, single family dwelling intended for permanent occupancy, contained in one (1) unit, or in two (2) or more units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it can be used without a permanent foundation.

**MOBILEHOME LOT** - A parcel of land in a mobilehome park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobilehome.

**MOBILEHOME PAD or STAND** - That part of an individual mobilehome lot which has been reserved for the placement of a mobilehome and appurtenant structures and connections.

**MOBILEHOME PARK** - A parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobilehome lots for the placement thereon of mobilehomes.

**MODIFICATION** - The granting of an exception to these regulations which in the opinion of the York County Planning Commission will not be detrimental to the general welfare, nullify the objectives of these regulations, or conflict with the Municipality's or the County's Comprehensive Plan.

**MONUMENT** - A concrete marker used to identify specific points on a legal boundary line.

**MUNICIPAL GOVERNING BODY** - The council in cities and boroughs, the board of commissioners in townships of the first class, the board of supervisors in townships of the second class, or any other similar body with the final decision-making, budgeting, and appointing authority of a general purpose unit of government.

**MUNICIPALITY** - Any city, borough, township, or other similar general purpose unit of government excluding county government. In most instances in this Ordinance, municipality refers to a borough in York County which has not adopted a subdivision and land development ordinance.

**NATURAL GRADE** - The elevation of the original or undisturbed natural surface of the ground.

**NFIP** - The National Flood Insurance Program administered by FEMA.

**NPDES PERMIT** - National Pollution Discharge Elimination System permit or equivalent document or requirements issued by the Environmental Protection Agency, the Pennsylvania Department of Environmental Protection, or their designees, pursuant to the Federal Water Pollution Control Act, as amended, 33 U.S.C. §1251 et seq, also known as the Clean Water Act, and/or the Pennsylvania Clean Streams Law, as amended, 35 P.S. §691.1 et seq.

**OWNER** - The owner of record of a lot or parcel of land.

**PA DEP** - Pennsylvania Department of Environmental Protection.

**PARCEL** - A lot, or contiguous group of lots in single ownership or under single control, and usually considered a unit for purposes of development.

**PENNDOT** - Pennsylvania Department of Transportation.

**PENNSYLVANIA MUNICIPALITIES PLANNING CODE (PA MPC)** - Act of 1968, P.L.805,No.247 as reenacted and amended.

**PERFORMANCE BOND** - Any financial security in an amount and form satisfactory to the Municipal Governing Body which may be accepted in lieu of a requirement that certain improvements be made prior to Final Plan approval, pursuant to Section 509 of the Pennsylvania Municipalities Planning Code.

**PHYSICIAN ASSISTANT** - A health care professional, supervised by a physician. Physician Assistants are involved in the treatment of patients through examination, diagnosis, ordering of tests, prescribing medication, and/or other functions determined by the supervising physician. Physician Assistant does not include nurses, technicians, medical assistants, clerical staff, or other employees of a medical facility or physician's office.

**PLAN** - The map or drawing of a subdivision or land development, including all supplementary data.

**FINAL PLAN** - A complete and exact subdivision or land development plan, prepared as for official recording, as required by this Ordinance.

**PRELIMINARY PLAN** - An initial subdivision or land development shown in lesser detail than a Final Plan, showing the salient existing features of a parcel and its surroundings and proposed street and lot layout and proposed as a basis for consideration prior to preparation of a Final plan.

**SKETCH PLAN** - An informal plan, not necessarily to scale, indicating salient existing features of a parcel and its surroundings and the general layout of the proposed subdivision or land development for discussion purposes only and not to be presented for approval.

**PLANNING MODULE FOR LAND DEVELOPMENT** - A revision to the Official 537 Plan submitted in connection with the request for approval of a subdivision or land development in accordance with DEP regulations.

**PLAT** - The map or plan of a subdivision or land development, whether preliminary or final.

**PROFILE** - A line on a drawing which shows elevations of points along a selected route. A profile usually shows both ground elevations and grade line elevations.

**PUBLIC GROUNDS** - Includes:

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

**PUBLIC HEARING** - A formal meeting held pursuant to public notice, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance.

**PUBLIC IMPROVEMENT** - Public improvements include, but are not limited to, construction, reconstruction, reservation, improvement, enlargement, alteration, demolition, or repair of a building, drainage and/or stormwater management system, street, alley, bridge, pedestrianway, bikeway, equestrian trail, landscaping, recreation area, playground, culvert, sidewalk, curb, sewer, ditch, embankment, sewage disposal system/plant, water supply system/treatment facility, and any other structure, area or facility which is owned by, under the control of, or offered for dedication to a government entity or authority. Any right-of-way and/or easement associated with a public improvement shall be considered a part of the improvement. For the purposes of this Ordinance, public improvements shall also include any activity involving a structure, area or facility as noted above, which is required by this Ordinance or other applicable regulation to meet public improvement standards to serve a development, but is not offered or accepted for public dedication, i.e., remains in private ownership.

**PUBLIC MEETING** - A forum held pursuant to notice under 65 Pa.C.S.CH.7 (Relating to open meetings).

**PUBLIC NOTICE** - A notice published once each 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 30 days and the second publication shall not be less than seven days from the date of the hearing.

**PUBLIC UTILITY** - A private or public corporation operating under a more or less exclusive franchise, regulated by governments, to provide a certain service or product to the general public, e.g., gas, electricity, telephone, and transportation systems.

**RETENTION BASIN** - A reservoir designed to retain storm water runoff with its primary release of water being through the infiltration of said water into the ground.

**RETURN PERIOD** - The average interval, in years, within which a storm event of a given magnitude can be expected to occur one time, For example, a 25-year return period rainfall would be expected to occur on average once every 25 years, or stated another way, the probability of a 25-year storm occurring in any one year is 0.04, i.e., a 4% chance.

**RIGHT-OF-WAY** - A legal right-of-passage across land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another special use. If the right-of-way involves maintenance by a public agency, it shall be dedicated to public use by the maker of the plat on which such right-of-way is established.

**SANITARY SEWAGE DISPOSAL, PUBLIC** - A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant, generally serving a major portion of a municipality or municipalities, and operated by a governmental agency, governmental authority, or public utility company.

**SANITARY SEWAGE DISPOSAL, CENTRALIZED** - A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant, commonly called a “package treatment plant”, generally serving a single land development, subdivision, or neighborhood, and operated by a governmental agency, governmental authority, public utility company, homeowner’s association, or a developer.

**SANITARY SEWAGE DISPOSAL, ON-LOT** - Any structure designed to treat sanitary sewage within the boundaries of an individual lot.

**SETBACK** - The required minimum horizontal distance between a structure and a property or street right-of-way line.

**FRONT SETBACK** - The minimum required distance between the street line and the front setback line projected the full width of the lot.

**SIDE SETBACK** - The minimum required distance between the side lot line and side setback line projected from the front yard to the rear yard.

**REAR SETBACK** - The minimum required distance between the rear lot line , or street line for a reverse frontage lot or double frontage lot, and the rear setback line projected the full width of the lot.

**SAFE STOPPING SIGHT DISTANCE** - The distance required by a driver traveling at a given speed to stop the vehicle after an object on the roadway becomes visible to the driver.

**SLOPE** - The face of an embankment or cut section or any ground whose surface forms an angle with the plane of the horizon. Slopes are usually expressed as a percentage or fractional expression based upon vertical difference in feet per 100 feet of horizontal distance.

**SPECIAL FLOOD HAZARD AREA (SFHA)** - The land area covered by the flood water of the base flood on FEMA NFIP maps. The SFHA is the area where the National Flood Insurance (NFIP) flood plain management regulations must be enforced and the area where the mandatory purchase of flood insurance applies. SFHAs include the Zones on FEMA maps designated as A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE and V.

**STORMWATER MANAGEMENT FACILITIES** - Those structures or landforms, pipes, storm sewers, berms, terraces, bridges, dams, basins, infiltration systems, swales, watercourses, and flood plains, used to implement a storm water management plan.

**STREET** - Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct, and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. (This definition does not include access drives and driveways as defined in this Ordinance.)

**ARTERIAL STREET** - A street or road which is used primarily for through traffic, including all roads identified in the County Comprehensive Plan or Official Map as arterial streets.

**COLLECTOR STREET** - A street or road which carries traffic from minor streets to the major system of arterial streets, including but not limited to the principal entrance streets of a residential development and all roadways identified in the County Comprehensive Plan or Official Map as collector streets.

**CUL-DE-SAC STREET** - A street with one (1) end intersecting a through street for public vehicular and pedestrian access and the other end terminating in a vehicular turnaround. A cul-de-sac street shall be designed as a minor or local street.

**CUL-DE-LOOP STREET OR “P” STREET**- A street that turns into and reconnects with its main axis, with the center or island used for parking, open space or development purposes, and which has a single point of access and egress. For regulatory purposes cul-de-loop and “P” streets shall be considered to be cul-de-sac streets.(See SECTION 505 D).)

**DEAD-END STREET** - A street or a portion of a street with only one (1) vehicular traffic outlet.

**MARGINAL ACCESS STREET** - A street that runs parallel to a higher-order street and provides access to abutting properties and separation from through traffic. A marginal access street shall be designed as a minor or local street.

**MINOR OR LOCAL STREET** - A street which is used primarily for local access to abutting properties and generally serving internally developed areas.

**PRIVATE STREET** - A street used or intended to be used by vehicular or pedestrian traffic, maintained by an individual landowner, a group of landowners, or other identifiable legal entity, and serving two (2) or more dwelling units or principal uses. A street not accepted for dedication by a municipality.

**SERVICE STREET OR ALLEY** - A minor right-of-way which is used to provide secondary vehicular access to the rear or side of two (2) or more properties.

**STREET LINE** - A line defining the edge of a street right-of-way and separating the street from abutting properties or lots. Commonly known as the "street right-of-way line."

**STRUCTURE** - Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

**SUBDIVIDER** - Any person, firm, partnership or corporation who subdivides land deemed as a subdivision as defined by this Ordinance, or said person, firm, partnership or corporation acting as owner or authorized agent of the landowner.

**SUBDIVISION** - The division or redivision of a lot or parcel of land by any means into two (2) or more lots, parcels, or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development: provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access, or residential dwellings, shall be exempted.

**MAJOR SUBDIVISION** - A land subdivision involving six (6) or more lots, or a land subdivision involving five (5) lots or less and requiring new streets or other public improvements.

**MINOR SUBDIVISION** - A land subdivision involving five (5) lots or less and involving no new streets or other public improvements.

**SUBSTANTIALLY COMPLETED** - Where, in the judgement of the municipal engineer, at least ninety percent (90%) (based on the cost of the required improvements for which financial security

was posted pursuant to Section 509 of the Pennsylvania Municipalities Planning Code) of those improvements required as a condition for final plan 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.

**SURVEYOR** - A Professional Surveyor registered as such in the Commonwealth of Pennsylvania.

**SWALE** - A man-made or natural wide, shallow ditch which gathers or carries surface water.

**TRAFFIC IMPACT STUDY** - A study of the existing traffic conditions and potential traffic impacts of a proposed subdivision or land development on the capacity, operation, and safety of the public street system in the surrounding area. The study shall include, but is not limited to, existing traffic counts, capacity of streets, turning movements, accidents and hazardous locations, as well as future conditions such as the changes in the functional classification of streets and trip generation brought about by the proposed development.

**WATERCOURSE** - Any channel of conveyance of surface water having a defined bed and banks, whether natural or man-made, with permanent or intermittent flow such as a stream, river, creek, brook, run, or swale.

**WATER SERVICE SYSTEM, PUBLIC** - A system for supplying and distributing water from a common source to dwellings and other buildings, generally serving a major portion of a municipality or municipalities, and operated by a governmental agency, governmental authority, or a public utility company.

**WATER SERVICE SYSTEM, CENTRALIZED** - A system for supplying and distributing water from a common source to two or more dwellings or other buildings, generally serving a single land development, subdivision, or neighborhood, and operated by a governmental agency, governmental authority, public utility company or a developer.

**WATER SERVICE SYSTEM, ON-LOT** - A system for supplying and distributing water to a single dwelling or other building from a source located on the same lot.

**WATERSHED** - All the land area that drains water into a particular stream, pond or other body of water.

**WETLAND** - An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances will support, a prevalence of vegetation typically adapted for life in saturated soil conditions. These areas generally include swamps, marshes, bogs, and similar areas.

**YCCD** - York County Conservation District.

**YCPC** - York County Planning Commission.

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## **ARTICLE III**

### **SUBMISSION PROCEDURES**

#### **SECTION 301      PREAPPLICATION CONSULTATION**

Copies of this Ordinance shall be available at reasonable charge on request for the use of any person who desires information concerning subdivision and land development standards and procedures in effect within York County. Any prospective developer shall schedule a consultation with the staff of the York County Planning Commission (YCPC) to discuss the applicability of the provisions of this Ordinance prior to plan submission.

#### **SECTION 302      SUBMISSION OF THE SKETCH PLAN**

Prospective applicants may submit a Sketch Plan for review by the staff of the YCPC. A Sketch Plan, if submitted, shall include at a minimum those items listed in Section 401.

A Sketch Plan shall be considered as submitted for informal review and discussion, and shall not constitute formal filing of the plan with the County.

As far as may be practical on the basis of the Sketch Plan review and discussion, the staff of the YCPC shall informally advise the prospective applicant of the extent to which the proposed land development conforms to the applicable provisions of this Ordinance and shall discuss possible plan revisions necessary to secure conformance.

#### **SECTION 303      MUNICIPAL ZONING APPROVALS**

Whenever the municipal 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 whenever a variance is required, the applicant shall obtain such special exception, conditional use, or variance prior to the submission of the Preliminary or Final Plan. The plan shall be designed and developed in accordance with all conditions which have been imposed upon the grant of any such zoning approval(s), and the date and nature of the approval shall be noted on the plan.

#### **SECTION 304      PLANS EXEMPTED FROM PRELIMINARY PLAN PROCEDURE**

The initial subdivision or land development filed with the YCPC for formal review and approval shall be considered as a Preliminary Plan. However, in the event that the initial plan is for a minor subdivision or a minor land development as defined in Section 203 of this Ordinance, the applicant may proceed directly to Final Plan preparation in compliance with the requirements of Section 406. The processing of a minor subdivision or land development plan shall be consistent with the procedures for processing a Final Plan as required by this Article.

## **SECTION 305 SUBMISSION OF THE PRELIMINARY PLAN**

Preliminary Plans and all required supplemental data for all proposed subdivisions and land developments shall be submitted to the staff of the YCPC.

- A. Official submission of a Preliminary Plan to the staff of the YCPC by an applicant shall consist of the following: (submissions which do not include the material specified in the following subsections shall not be accepted as an official submission.)
  - 1. One (1) copy of a complete Application for Consideration of a Subdivision or Land Development Plan;
  - 2. Twelve (12) black-on-white or blue-on-white prints on paper of the Preliminary Plan which shall fully comply with the provisions of this Ordinance as set forth in Section 402;
  - 3. Two (2) copies of all required supplemental data as set forth in Section 402.E;
  - 4. Fees shall be submitted as set forth in Section 804.
  - 5. In all instances where a subdivision or land development plan involves two or more municipal jurisdictions, one of which falls under the County Subdivision and Land Development Ordinance, separate sets of plans, applications, fees and accompanying data/documents must be submitted for that portion of the plan under the jurisdiction of the County Subdivision and Land Development Ordinance and that portion falling under another municipal jurisdiction(s).
  
- B. The applicant shall forward Preliminary Plan submission materials to the various review bodies as follows:
  - 1. One (1) application, one (1) plan print, and one (1) copy of the supplemental data to the Municipal Planning Commission;
  - 2. One (1) application, one (1) plan print, and one (1) copy of the supplemental data to the Municipal Engineer;
  - 3. One (1) application, one (1) plan print, and one (1) copy of the supplemental data to the Municipal Governing Body.
  
- C. Additional copies of the Preliminary Plan materials shall be submitted by the applicant to the respective agencies in the following circumstances:
  - 1. Whenever the property being subdivided or developed will front on an existing or proposed State highway or has a proposed street, access drive, or driveway entering on such a highway, one (1) plan print shall be submitted to the Pennsylvania Department of Transportation District Office;

2. Whenever the municipality has an adopted zoning ordinance, one (1) application and one (1) plan print shall be referred to the zoning officer;
3. Whenever a proposed subdivision or land development is located adjacent to another municipality, one (1) plan print shall be referred to that municipality;
4. Whenever the subdivision or land development requires a soil erosion and sedimentation control permit, one (1) application, one (1) plan print, and one (1) copy of supplemental data shall be submitted to the York County Conservation District.

**SECTION 306      REVIEW OF THE PRELIMINARY PLAN**

By the YCPC:

- A. When a Preliminary Plan has been officially submitted, such plan shall be placed on the agenda of the YCPC for review at its next regular monthly meeting, provided that such official submission has occurred no less than twenty-one (21) calendar days prior to such regular meeting. This procedure applies to revised plans as well as original plan submissions. Preliminary plan submission and approval shall precede final plan submission and approval. In no instance shall more than one plan, whether preliminary or final, be submitted at the same time for the same property for review by the YCPC staff and approval or denial by the YCPC Board.

Within ninety (90) days following the date of the regular meeting of the YCPC next following the date of the application (unless the next meeting does not fall in a 30-day period in which case the 90-day period commences on the 30<sup>th</sup> day following the date of the application), the YCPC shall, in accordance with the provisions of relevant ordinances and comprehensive plans, take action by approving, conditionally approving or disapproving the Preliminary Plan and document the findings upon which that action is based, in writing to:

1. The applicant;
2. The applicant's engineer;
3. The Municipal Planning Commission;
4. The Municipal Governing Body.

- B. The decision shall be communicated to the applicant within fifteen (15) days from the date that the decision has been made.

The applicant shall be provided with a form to indicate acceptance of the conditions of approval, if any were imposed. The form shall be signed and dated by the applicant and shall be returned to the YCPC within fifteen (15) calendar days of the date that the form was sent

to the applicant. Unless the signed, dated form is received by the YCPC within fifteen (15) calendar days of the date that the form was sent to the applicant, the YCPC action is to deny the application for failure to comply with the ordinance requirements cited in the action for conditional approval.

The conditions of approval must be satisfied to obtain Preliminary Plan approval. The applicant shall demonstrate compliance with all conditions of approval to the staff of the YCPC within one hundred eighty (180) calendar days of the YCPC action on the Preliminary Plan. If compliance with the conditions of approval are not attained within one hundred eighty (180) calendar days of the YCPC action, the application of the Preliminary Plan shall be considered disapproved. The staff of the YCPC shall acknowledge the satisfactory compliance with all conditions of approval of the preliminary plan at the YCPC meeting which follows the date upon which said conditions were satisfied by the applicant.

### **SECTION 307 SUBMISSION OF THE FINAL PLAN**

Within five (5) years after approval of the Preliminary Plan, a Final Subdivision or Land Development Plan and all required supplemental data shall be submitted to the staff of the YCPC. An extension of time may be granted by the YCPC upon written request. Otherwise, the plan submitted shall be considered as a new Preliminary Plan.

The Final Plan shall conform in all significant respects to the Preliminary Plan as previously approved by the YCPC and shall incorporate all modifications required by the YCPC in its Preliminary Plan approval.

The Final Plan may be submitted in phases, each covering a reasonable portion of the entire proposed subdivision or land development as shown on the reviewed Preliminary Plan, in accordance with the regulations set forth in Section 406. In the case of the Final Subdivision or Land Development Plan which is to be submitted in phases over a period of years, the time between submission of application for final approval of each stage or section shall be no greater than twelve (12) months.

Final Plans and all required supplemental data for all proposed subdivisions and land developments shall be submitted to the staff of the YCPC.

- A. Official submission of a Final Plan to the staff of the YCPC by a developer shall consist of the following: (submissions which do not include the material specified in the following subsections shall not be accepted as an official submission.)
  1. One (1) copy of a complete Application for Consideration of a Subdivision or Land Development Plan;
  2. Twelve (12) black-on-white or blue-on-white prints on paper of the Final Plan which shall fully comply with the provisions of this Ordinance as set forth in Section 406;
  3. Two (2) copies of all required supplemental data as set forth in Section 406.E;

4. Fees shall be submitted as set forth in Section 804.
  5. In all instances where a subdivision or land development plan involves two or more municipal jurisdictions, one of which falls under the County Subdivision and Land Development Ordinance, separate sets of plans, applications, fees and accompanying data/documents must be submitted for that portion of the plan under the jurisdiction of the County Subdivision and Land Development Ordinance and that portion falling under another municipal jurisdiction(s).
- B. The applicant shall refer Final Plan submission materials to the various review bodies as follows:
1. One (1) application, one (1) plan print, and one (1) copy of the supplemental data to the Municipal Planning Commission;
  2. One (1) application, one (1) plan print, and one (1) copy of the supplemental data to the Municipal Engineer;
  3. One (1) application, one (1) plan print, and one (1) copy of the supplemental data to the Municipal Governing Body.
- C. Additional copies of the Final Plan materials shall be submitted by the applicant to the respective agencies in the following circumstances:
1. Whenever the property being subdivided or developed will front on an existing or proposed State highway or has a proposed street, access drive, or driveway entering on such a highway, one (1) plan print shall be submitted to the Pennsylvania Department of Transportation District Office;
  2. Whenever the municipality has an adopted zoning ordinance, one (1) application and one (1) plan print shall be referred to the zoning officer;
  3. Whenever a proposed subdivision or land development is located adjacent to another municipality, one (1) plan print shall be referred to that municipality;
  4. Whenever a Sewage Facilities Planning Module is required as proposed by the applicant, one (1) plan print shall be referred to the Pennsylvania Department of Environmental Protection;
  5. Whenever the subdivision or land development requires a soil erosion and sedimentation control permit, one (1) application, one (1) plan print, and one (1) copy of supplemental data shall be submitted to the York County Conservation District.

**SECTION 308      REVIEW OF THE FINAL PLAN**

By the YCPC:

- A.      When a Final Plan has been officially submitted, such plan shall be placed on the agenda of the YCPC review at its next regular monthly meeting, provided that such official submission has occurred no less than twenty-one (21) calendar days prior to such regular meeting. This procedure applies to revised plans as well as original plan submissions. Preliminary plan submission and approval shall precede final plan submission and approval. In no instance shall more than one plan, whether preliminary or final, be submitted at the same time for the same property for review by the YCPC staff and approval or denial by YCPC Board.

Within ninety (90) days following the date of the regular meeting of the YCPC next following the date of the application (unless the next meeting does not fall in a 30-day period following the date of the application, in which case the 90-day period commences on the 30<sup>th</sup> day following the date of the application), the YCPC shall, in accordance with the provisions of relevant ordinances and comprehensive plans, take action by approving, conditionally approving or disapproving the Final Plan and document the findings upon which that action is based, in writing, to:

- 1.    The applicant;
  - 2.    The applicant’s engineer;
  - 3.    The Municipal Planning Commission;
  - 4.    The Municipal Governing Body.
- B.      The decision shall be communicated to the applicant within fifteen (15) days from the date that the decision has been made.

The applicant shall be provided with a form to indicate acceptance of the conditions of approval, if any were imposed. The form shall be signed and dated by the applicant and shall be returned to the YCPC within fifteen (15) calendar days of the date that the form was sent to the applicant. Unless the signed, dated form is received by the YCPC within fifteen (15) calendar days of the date that the form was sent to the applicant, the YCPC action is to deny the application for failure to comply with the ordinance requirements cited in the action for conditional approval.

The conditions of approval must be satisfied to obtain Final Plan approval. The applicant shall demonstrate compliance with all conditions of approval to the staff of the YCPC within one hundred eighty (180) calendar days of the YCPC action on the Final Plan. If compliance with the conditions of approval are not attained within one hundred eighty (180) calendar days of the YCPC action, the application of the Final Plan shall be considered disapproved. The staff of the YCPC shall acknowledge the satisfactory compliance with all conditions of

approval of the final plan at the YCPC meeting which follows the date upon which said conditions were satisfied by the applicant..

**SECTION 309 EFFECT OF ORDINANCE AMENDMENTS**

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

When an application for approval of a plan, whether Preliminary or Final, has been approved or approved subject to conditions acceptable to the applicant, no subsequent change or amendment in the Subdivision and Land Development Ordinance or other Ordinance or Plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved subdivision or land development in accordance with the terms of such approval within five (5) years from such approval. Where final approval is preceded by preliminary approval, the five (5) year period shall be counted from the date of the preliminary approval.

**SECTION 310 EFFECT OF FINAL PLAN APPROVAL**

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

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

**SECTION 311 RECORDING OF THE FINAL PLAN**

After the Final Plan is approved by the YCPC, the applicant shall provide one (1) mylar reproducible print and four (4) paper prints of the Final Plan to the staff of the YCPC for endorsement. The plan to be recorded shall be a clear and legible print of a type and material required by the County Recorder of Deeds.

After the staff of the YCPC has endorsed the plan to be recorded, the applicant shall file the plan with the York County Recorder of Deeds within ninety (90) days of the approval. The applicant shall provide proof of the recording by providing the YCPC with two (2) copies of the recorded plan. Until

such time as the applicant furnishes proof of recording the Final Plan, no building permits may be issued for the lot or lots which the plan involves.

**SECTION 312      RESUBDIVISION**

For any replatting or resubdivision of land, the same procedures, rules and regulations shall apply as prescribed herein for an original subdivision.

**SECTION 313      PLAN REVISIONS**

Once a plan, whether preliminary or final, has been accepted with the required fee and application by the YCPC staff for review, no revision(s) to such plan shall be accepted until after the YCPC meeting at which the plan is first placed on the agenda and reviewed by the YCPC. A revised plan shall address only those issues raised by the YCPC and/or comments received by the YCPC from municipal officials, including, but not limited to, the governing body, the municipal engineer, Zoning Officer, and Solicitor, or any other authority with jurisdiction. The revised plan shall identify the date of the original plan, the date of the revised plan, and any changes thereon. When additional revisions are proposed to a plan, other than as noted above in this Subsection, the submission of such plan shall constitute the submission of a new plan and all applicable fees shall be required. (See SECTION 314 below.)

**SECTION 314      PLAN WITHDRAWALS**

Regardless of the status of a plan, whether original or revised, in all instances the request for the withdrawal of a plan shall be in the form of a written statement signed by the owner of the property.

**SECTION 315      EXTENSION REQUESTS**

All requests for an extension of time of the decision process for a subdivision and/or land development plan, including requests for the tabling of a decision by the YCPC on a subdivision and/or land development plan application, shall be submitted in writing by an applicant, or a duly appointed representative acting on the applicant's behalf, for consideration at a regularly scheduled YCPC meeting. All requests for an extension or tabling shall state an ending date which corresponds to the date of a regularly scheduled YCPC meeting.

## ARTICLE IV

### PLAN REQUIREMENTS

#### SECTION 401 SKETCH PLAN REQUIREMENTS

The Sketch Plan for a subdivision or land development may be a free-hand drawing and need not be drawn to exact scale nor are precise dimensions required. The Sketch Plan shall be required to show the following:

- A. Name and address of landowner and equitable owner, name of municipality, title, north arrow, date and approximate scale.
- B. Existing parcel boundaries.
- C. Location map showing relation of the land development to the surrounding area and community.
- D. Existing and proposed streets, easements and rights-of-way.
- E. Proposed general lot layout.
- F. Number of acres in the parcel, average lot size, approximate number of lots, anticipated type of development.
- G. All public reservations such as schools, parks, etc.
- H. Topography or sketch showing existing drainage patterns and slope directions.
- I. Flood-prone and flood plain areas.
- J. Tax Map(s) and Parcel Number(s).

#### SECTION 402 PRELIMINARY PLAN REQUIREMENTS

- A. The Preliminary Plan of a proposed subdivision or land development shall be clearly and legibly drawn on one (1) or more sheets uniformly measuring 24" x 36" at a scale no less than one (1) inch equals one hundred (100) feet.
- B. If the Preliminary Plan requires more than one (1) sheet, a key diagram illustrating relative location of the several sections shall be drawn on each sheet.
- C. The Preliminary Plan shall include the following existing features and data:
  - 1. Name and address of owner.

2. Name of developer if different from owner.
3. Name of the proposed subdivision or land development plan.
4. Tax Map(s) and Parcel Number(s).
5. Name of the municipality or municipalities within which the subdivision or land development is proposed.
6. Names of all adjoining subdivisions and land developments, if any, and the names of owners of all adjacent land.
7. Name, address, and seal of the registered surveyor, or professional engineer, or landscape architect responsible for the subdivision or land development plan. The registered surveyor shall sign a statement attesting to the accuracy of the survey.
8. North point, graphic scale, written scale, and date including the month, day and year that the original drawing was completed, including the date(s) of any revisions.
9. A location map, for the purpose of locating the parcel(s) being subdivided, drawn at a scale not smaller than one (1) inch equals two thousand (2,000) feet and showing the relationship of the property, differentiated by tone or pattern, to adjoining property and to all streets, roads, and municipal boundaries, within one (1) mile of any part of the property.
10. Total boundaries of the parcel(s) being subdivided or developed showing bearings and distances and existing corner and line monuments.
11. The zoning district or districts, if applicable, within which the proposed subdivision or land development is located.
12. All existing buildings or other structures within the proposed subdivision or land development.
13. All existing streets on or within four hundred (400) feet of the subject parcel, including names, rights-of-way widths, and cartway widths.
14. All existing sewer lines, septic systems, storm sewers, water lines, wells, fire hydrants, utility transmission lines, culverts, bridges, railroads, and other man-made features within the parcel on which the subdivision or land development is proposed, and immediately adjacent to that parcel.

15. Location, width, and purpose of existing easements and utility rights-of-way within the parcel on which the subdivision or land development is proposed.
16. Contour lines at vertical intervals of not more than two (2) feet for land with an average natural slope of five (5) percent or less, and at intervals of not more than five (5) feet for land with an average natural slope exceeding five (5) percent. Contours plotted from the United States Geological Survey may only be used for subdivision or land development plans of no more than five (5) lots which require no new streets or other public improvements. Contour data is not required beyond two hundred (200) feet of the proposed lots within remaining land which exceeds ten (10) acres.
17. Datum to which contour elevations refer.
18. A signature block for the York County Planning Commission approval of the proposed plan.
19. The plan must be signed by all of the owners of the land sought to be subdivided or developed and contain a notarized statement to the effect that the applicants are all the owners of the land proposed to be subdivided or developed and that the subdivision or land development shown on the plan is made with his, her or their free consent. In the event that a subdivision proposes to convey a lot to an adjacent parcel of another owner, then another signature block, signed by all owners of the land to which the lot is being conveyed, shall be placed on the plan..
20. A signature block for the Municipal Officials indicating a completed review of the proposed plan. The signature block shall be signed and dated prior to approval by the YCPC.
21. Significant natural features including, but not limited to, flood plains, wetlands, ponds and lakes, rock outcrops, wooded areas and trees of greater than eight (8) inches in diameter at breast height (DBH). Flood plain information shall be provided and referenced from Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) and studies for the site, displaying the boundary of the 100 year flood plain, floodway and special flood hazard areas, where applicable.
22. The point of access of driveways and access drives on all lots.
23. Clear sight triangles at each street, driveway and access drive intersections.
24. A separate existing conditions plan shall be submitted for all plans, in addition to other subsequent plan sheets and required information. The existing conditions plan shall show and label all natural and manmade features, with a note indicating which features are to remain or to be removed

- D. The full plan of proposed development, including:
1. Location, name, cartway width, and right-of-way width of all proposed streets.
  2. Typical cross-sections for proposed streets showing construction materials and specifications. Centerline profiles for each proposed street showing complete vertical geometry including lengths of vertical curves, grades and centerlines of intersecting streets and existing centerline grades and grading cross sections.
  3. Location, width, and purpose of proposed easements and utility rights-of-way.
  4. Building setback lines along each street and property line.
  5. The intended use of all non-residential lots.
  6. A lot number for each lot, a statement of the total number of lots, and the net and gross lot size in square feet and acres for each lot. Land which has been previously subdivided shall be numbered consecutively and shall not contain the same lot numbers used in the prior subdivision.
  7. Storm sewers (and other drainage facilities), with the size and material of each indicated, and any proposed connections with existing facilities.
  8. Sanitary sewer lines and water mains, with the size and material of each indicated, and the location of the proposed laterals.
  9. Parks, playgrounds, reserved open space and other areas dedicated or reserved for public or common use, with any conditions governing such use.
  10. If the developer proposes to impose restrictions on future lot owners by deed restrictions, or covenants, the text of such provisions shall be shown on the plan, or shall accompany the plan if such text is too lengthy to be placed on the plan.
  11. A contour grading plan.
  12. Table of site and development data including statements of the gross and net acreage of the entire parcel, proposed use of the property, development density, lot coverage, number of proposed lots, proposed minimum lot size, lineal feet of new streets proposed, off street parking requirements, and proposed type of sewage disposal and water supply, i.e., on-lot or public. If the property is proposed to be used for residential purposes, the number and type of proposed dwelling units shall also be listed.

13. Proposed location of wells, proposed location of on-lot sewage disposal system, and the location of percolation test holes and soil probe pits. All soil percolation tests performed shall be indicated as passed or failed.
  14. In the case of subdivisions to be developed in phases, over a period of time, a map delineating each phase of the proposed subdivision consecutively numbered so as to illustrate phasing of development and a schedule indicating the approximate time for which application for final approval of each phase is intended to be filed.
  15. A statement on the plan identifying all modifications, conditional use approvals, variances or special exceptions which have been granted, submitted or applied for from the municipality or the YCPC shall be provided on the plan, including the date(s) when such modifications, conditional use approvals, variances or special exceptions were granted, where applicable.
  16. Preliminary engineering designs of all bridges and culverts which are proposed for improvement, expansion or construction.
  17. Written or printable correspondence in the form of a letter or email from the Municipal Engineer indicating the date of the his review of the plan and stating any issues of concern or compliance with regard to municipal regulations and design standards.
- E. The Preliminary Plan shall be accompanied by the following supplemental data where applicable:
1. *Application for Consideration of a Subdivision or Land Development Plan.*
  2. Review Fee (s.804).
  3. A stormwater management plan in accordance with the municipality's stormwater management ordinance and/or regulations. In all cases, the stormwater management plan must be submitted to the Municipal Engineer for his/her review. The developer shall contact the Municipality's Engineer prior to the preparation of any plan in order to obtain plan requirements, design criteria, methods and controls applicable to the particular project.
  4. When sewage disposal service to the proposed subdivision or land development is to be provided by an existing public system, the applicant shall submit one (1) copy of a letter from the agency, authority or utility which agrees to provide sewer service subject to the execution of a service agreement.
  5. Proof, in the form of a letter or other official form of correspondence from DEP or the municipal Sewage Enforcement Officer, that a PA DEP Sewage Facilities Planning Module for Land Development has been submitted as required by the PA DEP.

6. When water service is to be provided by a certified public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility, a letter from the water supplier stating that capacity exists to serve the proposed subdivision or land development is required. If the plan proposes three (3) or more dwelling units or any nonresidential use, a Water Feasibility Report in accordance with SECTION 403 is required
7. Where the land included in the proposed subdivision or land development plan has an electric transmission line, a gas pipeline, or a petroleum or petroleum product transmission line located within the parcel, the plan shall be accompanied by a letter from the owner or lessee of such right-of-way stating all conditions on the use of the land and the minimum building setback or right-of-way lines. This requirement may also be satisfied by submitting a copy of the recorded agreement which shall contain the above data.
8. In the event that the plan proposes the use of utilities or other services extending from another municipality, a statement or certificate indicating that the proposal has been reviewed by that municipality or appropriate authority.
9. A plan for the control of erosion and sediment as described in Section 404 along with recommendations of the York County Conservation District. For plan submission, a letter from the YCCD stating that the Erosion and Sediment Control Plan has been received and is administratively complete is required.
10. An agreement that the applicant will install all underground utilities (if required) before paving streets or constructing sidewalks.
11. If the subdivision or land development includes hydric soils, the applicant shall submit a wetlands determination performed by a professional soil scientist or other qualified individual in accordance with the 1989, "Federal Manual for Identifying and Delineating Wetlands." If the subdivision or land development includes wetlands, copies of permits for the proposed activity within the wetlands from the U.S. Army Corps of Engineers and the York County Conservation District shall be submitted.
12. A Traffic Impact Study in accordance with SECTION 405.
13. A letter from Municipal Officials, and the Municipal Planning Commission where applicable, indicating their review of the plan, stating any issues that may be of concern.
14. Other certificates as required.

### **SECTION 403 FEASIBILITY REPORT ON WATER FACILITIES**

For any subdivision or land development plan, initially or cumulatively involving three (3) or more dwelling units, or any non-residential use, the developer shall submit a feasibility report concerning

the availability and adaptability of water facilities in or near the proposed subdivision or land development. Said report shall be prepared by an appropriately licensed professional with expertise in hydrology, soils, and geology and be submitted in conjunction with the Preliminary Plan for review and recommendations by the Municipality and the local office of the Pennsylvania Department of Environmental Protection. The Feasibility Report shall consist of an examination of the possible use of an on-site water supply system(s) and the impact of such system(s) on ground water supplies during average, seasonal and drought conditions. If the York County Planning Commission deems it necessary to obtain the services of a consultant to review the Feasibility Report on Water Facilities, the applicant shall be responsible for the costs of such review..

#### **SECTION 404      EROSION AND SEDIMENT CONTROL PLAN**

All subdivision or land development plans, regardless of size, shall address erosion and sediment control (E & SC) with respect to any earth disturbance as required by Chapter 102 of Title 25 of the Rules and Regulations of the Pennsylvania Department of Environmental Protection.

If required, the applicant shall submit an Erosion and Sediment Control Plan (E&SC Plan) to the York County Conservation District. The E&SC Plan shall be prepared by a person trained and/or experienced in E&SC methods and techniques.

#### **SECTION 405      TRAFFIC IMPACT STUDY**

- A. A traffic impact study is required for all subdivisions and land developments which will generate two hundred fifty (250) average daily vehicle trips or more per day. The number of vehicle trips generated shall be determined using the latest edition of the Institute of Transportation Engineers Trip Generation Manual.
  
- B. The applicant, or his designee, shall contact the YCPC staff and the Municipal Engineer to schedule a pre-study meeting to review the proposed development and its potential impact on the surrounding area. At that meeting the YCPC staff and the applicant, or his designee shall discuss the following study elements: study area limits; type and intensity of development; number and length/area of new roads, access drives, internal ring roads, internal access points and parking accommodations; location of site access points; any capacity, safety, or access problems previously documented for the existing roadways within the study area; anticipated completion of the development, i.e., project horizon and the peak hour of the development.
  - 1. During this phase of the study process, the developer shall conduct such a study for any development which will generate less than two hundred fifty (250) vehicle trips per day if it is determined by the YCPC staff there are severe capacity, safety, or access deficiencies on the roadways within the study area.
  
  - 2. As a result of the review of the proposed development, YCPC staff may determine that not all of the traffic impact study elements need to be addressed. In this case, an abbreviated version, i.e., an assessment of traffic impact may be conducted. Such analysis, in the form of an executive summary, may be submitted to the YCPC as a technical memorandum. All

study element requirements which are recommended to be waived by the YCPC staff must be documented in the memorandum. In any instance when an element(s) of a Traffic Impact Study which would otherwise be required is not included, the applicant shall submit a modification request with the memorandum for review and approval by the York County Planning Commission.

C. Study Elements:

1. Technical Memorandum

- a) A brief overview of the development project shall be provided.
- b) The developer, the developer's engineer and any other parties involved in the preparation of the traffic impact study shall be noted in this memorandum.
- c) A summary of the key findings and recommendations of the study shall be provided.
- d) The memorandum shall serve as the executive summary of the study.

2. Introduction/Overview of the Proposed Development

- a) The following information shall be provided in this section: characteristics of the development site; the type and intensity of the development; number and length/area of new roads, access drives, internal ring roads, internal access points, and parking accommodations; location of site access points onto existing roads; and construction staging.
- b) The geographic limits of the study area, along with a description of any features and landmarks, shall be provided.

3. Base or Existing Traffic Conditions

- a) A description of each existing road and intersection within the study area shall be provided, and shall include right-of-way/cartway width, posted speed limits, pavement condition, and current daily traffic volume count. (Annual Average Daily Traffic (AADT). AADT counts for State roads can be obtained from the most current edition of the PennDOT Roadway Management Information System (RMS) report.)
- b) Intersection turning movement counts at all site access points and key road intersections shall be conducted during peak hours. The counts shall be provided on an intersection schematic diagram. Depending on the complexity of the development, at the pre-study meeting(s) the YCPC staff shall determine the appropriate number and the length of the peak hour periods to conduct counts. Typically, peak periods range during weekdays from 6:00 a.m. to 9:00 a.m. in the morning peak and from 3:00 p.m. to 6:00 p.m. in the evening peak. For some uses, such as, but not limited

to, retail commercial and house of worship, additional and/or unique peak period analysis for Saturday afternoon and Sunday morning, respectively, may be required.

- c) All highway improvements that are guaranteed by either the Municipality or PennDOT for implementation by the project horizon year shall be listed.
- d) An inventory of existing public or private transportation services available within one mile of the site shall be made and included in the study.
- e) A capacity analysis and a determination of levels of service on the study area's roadways and intersections, as well as the site's access points and internal circulation (if applicable) shall be conducted. The analysis shall utilize the techniques described in the most current edition of the Highway Capacity Manual, Special Report 209.
- f) Gap or queue studies shall be conducted where applicable for unsignalized and signalized intersections, respectively.
- g) The frequency of intersection and mid-block accidents shall be examined and hazardous locations identified. Specifically, an inventory of accidents over a three (3) year period shall be conducted, and accident clustering identified.
- h) Safe Stopping Sight Distance

An analysis for the Safe Stopping Sight Distance on the study area's intersections and site access points shall be conducted. Measurements shall be taken utilizing PENNDOT's Safe Stopping Sight Distance provisions contained in the Commonwealth Code, Title 67, Chapter 441.

- i) Signalized Corridor Optimization

If the study area is located within one half (1/2) mile of a signalized intersection, then traffic signalization modeling shall be conducted in addition to traffic signal warrant analysis.

#### 4. Background Traffic Growth/Future Traffic Conditions Without Development

- a. The anticipated rate of growth per year for the study area shall be determined without the proposed development. The method used to determine the growth rate must be approved by the YCPC staff. Information sources which may be used to calculate the growth rate are previous regional transportation planning studies, traffic impact studies done for planned or recently constructed developments within the study area, the York County Comprehensive Plan, and population trend information available through the York County Planning Commission.

- b. The project horizon shall be a minimum of the estimated time frame from plan submission to total build-out of the development, including completion of all phases, plus ten (10) years.
  - c. Future no-build and peak hour volumes for roads and intersections with the study area shall be calculated. Intersection schematic diagrams with the calculated volumes shall also be prepared.
  - d. Capacity analysis to determine Level of Service (LOS) at critical locations shall be conducted. The analysis shall take into consideration any guaranteed road improvements as noted in Subsection C.3.c) of this Section.
5. Analysis of Future Conditions with the Proposed Development
- a. Trip Generation
    - (1) The total number of vehicle trips to be generated by the site shall be estimated using the following trip generation sources: Institute of Transportation Engineers (ITE) Trip Generation Manual, most current edition; ITE Transportation and Land Development manual, most current edition; or another trip generation source approved by the YCPC staff. All sources used to aid in the calculation of trip generation must be referenced in the study.
    - (2) For commercial uses, if the calculation for either pass-by or diverted link trips is required, the estimates must be justified in the report, based upon the ITE Trip Generation Manual.
  - b. Trip Distribution
    - (1) The directional characteristics of the site traffic flow shall be determined using one of the following methods: existing traffic or planning studies conducted in or in proximity to the study area, proportion of volumes on the existing roadways that abut the site; professional experience, or travel demand forecasting techniques using modeling such as the TransCAD Computer Model. The sources of information used to calculate trip distribution shall be provided in the study.
    - (2) For larger developments with proposed parking facilities, the distribution of traffic flow shall be calculated for access drives, internal ring roads, and internal reservoir access points, as well as the parking facilities specifically. Potential pedestrian circulation shall be treated in the same manner.

c. Trip Assignment

- (1) Vehicle trips shall be assigned to the mainline and turning movement volumes for future conditions with the development. Acceptable sources which can be used to assign the site-generated traffic are the same as mentioned in Subsection C.5.a (1) of this Section. The assignment shall be documented in the study text.
- (2) Trip assignments shall be made for applicable internal vehicle and pedestrian movements.

d. Peak Hour Volumes

As a result of the above calculations, mainline and turning movement counts for all site access points and the existing roadway network within the study area shall be provided. Internal vehicular, and pedestrian volumes, if applicable, shall also be provided. Schematic diagrams showing these volumes shall be provided in the study text.

e. Capacity Level of Service (LOS) Analysis

- (1) Capacity analysis shall be performed and levels of service shall be determined on the study area roadways and intersections for future traffic conditions with the development. The analysis shall include the guaranteed improvements in the analysis for the future scenario without development. (See Subsection C.4.d)) The LOS results for future build and future no-build scenarios shall be compared..
- (2) The YCPC staff shall consider a course of corrective action if the projected generation of vehicle trips from a development decreases the LOS of the existing mainline or turning movements to an "E" or less.

6. Transportation Development Improvements

- a. If deficiencies are evident on the study area roadways and at critical intersections, the developer or the developer's engineer shall consult with the YCPC staff and municipal officials to develop improvements to remedy these deficiencies. A description including cost and probable funding of these improvements, accompanied by schematic layouts, shall be provided in the text. The developer and Municipality shall prepare an agreement to effect the improvements in accordance with Article VI of this Ordinance. This agreement shall be in a form acceptable to the YCPC's Solicitor and approved by the YCPC, and the Agreement may require the developer and Municipality to indemnify and to hold harmless the YCPC for any issues arising out of or related to the improvements.

- b. The same procedure shall be followed if deficiencies or potential hazards are evident for internal traffic and pedestrian circulation.
- c. The possibility of initiating or expanding transit (public or private) service and Transportation Demand Management (TDM) programs such as ride-sharing within the study area shall be examined. This effort shall be coordinated with the municipality, the York County Transportation Authority or an appropriate private transportation provider and the York County Planning Commission.
- d. Capacity/Level of Service (LOS) Analysis
  - (1) The proposed improvements in LOS for mainline and turning movements shall be tested. (The goal of this exercise is to ensure that the roadway or intersection operates at an LOS no worse than the existing conditions.) The guaranteed improvement, tested in the future scenario without development, shall be included in the addition to the proposed improvements.
  - (2) The traffic mitigation benefits of transit and TDM improvement scenarios shall be tested in addition to the improvements mentioned in Subsection C.6.d.(1) of this Section, if applicable.
- e. Cost Sharing

If the cost of any improvement is to be shared, then a proration of cost shall be calculated and presented in the study. Documentation shall include the identification of all participating entities, a statement of the responsibilities of each entity, and official letters of commitment from each entity confirming said responsibilities, pecuniary or otherwise.

**SECTION 406 FINAL PLAN REQUIREMENTS**

- A. The Final Plan of a proposed subdivision or land development shall conform to the standards and data requirements set forth for Preliminary Plans in Sections 402.A through 402.D of this Ordinance.
- B. It shall not be necessary to resubmit supporting maps and data submitted with the Preliminary Plan as set forth in Section 402.E of this Ordinance, provided that no change has occurred.
- C. The following additional data shall be illustrated on the Final Plan:
  - 1. The latest source of title to the land as shown by the deed, page number and book of the County Recorder of Deeds, including the tax map and identification number of the area within the proposed subdivision or land development.

2. For all street rights-of-way and property lines, dimensions, bearings or deflection angles of all straight lines, and radii, arcs and central angles of all curves. Dimensions shall be in feet and hundredths of a foot. Bearings shall be in degrees, minutes and seconds for all street rights-of-way, access drives and property lines. The location, bearing and length of every proposed property line shall be based upon survey data and shall be certified to the same by the surveyor responsible for the plan. The remaining acreage of parcels larger than ten (10) acres from which lots are being subdivided may be drawn by deed plotting.
3. A signed statement by a registered surveyor that the description is based upon a survey and does not have an error of closure greater than one (1) foot in ten thousand (10,000) feet.
4. Clear sight triangles at each street, driveway, and access drive intersection.
5. Offer of dedication of land for the widening of existing streets and, if requested by the Municipality, and upon agreement by the developer, the future right-of-way line for existing streets.
6. Primary control points, or descriptions and ties to such control points, to which all dimensions, angles, bearings, and similar data on the plan refer.
7. Location of permanent reference monuments and markers.
8. In the case of a property which abuts a State road, the following statement: "A Highway Occupancy Permit (HOP) is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the 'State Highway Law,' before driveway access to a State Highway is permitted." All HOP applications, excluding those for residential driveways, require a "Review of Awareness" by the YCPC Transportation Department prior to its submittal to the Pennsylvania Department of Transportation (PENNDOT). Verification is required prior to final plan approval that the HOP has been approved by PENNDOT; and, the Permit number is required to be placed on the plan.
9. The proposed building setback lines and placement of each building and structure.
10. All easements or rights-of-way where provided for or owned by public services and any limitations on such easements or rights-of-way. Rights-of-way shall be shown and accurately identified on the plan. Easements shall either be shown or specifically described on the plan. Easements shall be located in cooperation with the appropriate public utilities.
11. Final engineering designs of all bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Pennsylvania Department of Environmental Protection (PA DEP) - Division of Dams and Encroachment and the Pennsylvania Department of Transportation.

12. Such private deed restrictions as may be imposed upon the property as a condition of sale, together with a statement of all restrictions previously imposed which may affect the title to the land being subdivided or developed.
  13. A signature block for the York County Recorder of Deeds shall be provided on the first sheet of the plan.
  14. The plan must be signed by all of the owners of the land sought to be subdivided or developed and contain a notarized statement to the effect that the applicants are all the owners of the land proposed to be subdivided or developed and that the subdivision or land development shown on the plan is made with his, her or their free consent. In the event that a subdivision proposes to convey a lot to an adjacent parcel of another owner, then another signature block, signed by all owners of the land to which the lot is being conveyed, shall be placed on the plan.
  15. Written or printable correspondence in the form of a letter or email from the Municipal Engineer indicating the date of his review of the plan and stating any issues of concern or compliance with regard to municipal regulations and design standards.
  16. A signature block for the Municipal Officials indicating a completed review of the proposed plan. The signature block shall be signed and dated prior to approval by the YCPC.
  17. A signature block for the York County Planning Commission approval of the proposed plan.
- D. Additional Final Plan Requirements for a Land Development: In addition to the requirements of Section 406. A, B & C, the Final Plan for a land development involving either multi-family dwellings, commercial, industrial or other nonresidential uses shall show the following:
1. Location and general exterior dimensions of principal and accessory buildings.
  2. Location and dimensions of vehicular entrances, exits, access drives, access barriers, acceleration and deceleration lanes.
  3. Location, arrangement and dimensions of parking spaces, width of aisles, width of bays, and angle of parking. The total area of the parking lot shall be noted. (See SECTION 513 M)
  4. Location and dimensions of pedestrian entrances, exits, and walks.
  5. Location, arrangement and dimensions of truck loading and unloading spaces and docks.

6. Location, dimensions and materials of walls, fences, buffers, screen plantings and landscaped areas.
  7. Location and dimensions of unenclosed storage areas and screening (if applicable).
  8. Location, size, height and orientation of all signs other than signs attached flush to building facades.
  9. Location and dimensions of all other proposed facilities and structures.
  10. Finished grades, slopes, and banks.
  11. The phases, if any, to be followed in the construction of the land development.
- E. The Final Plan shall be accompanied by the following supplemental data where applicable:
1. Application for Consideration of a Subdivision or Land Development Plan.
  2. Review fee (s.804).
  3. Plans showing:
    - a) Location, size and invert elevation of all sanitary sewer, water distribution and storm drainage systems and the location of all manholes, inlets and culverts;
    - b) Final profiles, cross-sections, and specifications for proposed streets, sanitary sewers, water distribution systems, and storm drainage systems shall each be shown on one (1) or more separate sheets.
  4. Corrected and updated from the Preliminary Plan, all detailed drawings and specifications for improvements.
  5. Documentation from the Sewage Enforcement Officer that each lot has been approved for on-lot sewage systems (where applicable).
  6. A copy of the approved Pennsylvania Department of Environmental Protection Sewage Facilities Planning Module (where applicable).
  7. Offers of dedication or reservation of land for public purposes including a legal description of all areas offered for dedication.
  8. When an agency, authority or utility providing sewer or water service to the subdivision or land development has approval authority under its own jurisdiction, a letter which indicates that the plans meet the relevant agency, authority or utility specifications shall be submitted.

9. A plan for the control of erosion and sedimentation as described in Section 404. A letter of approval from the York County Conservation District indicating concurrence with the proposed method of controlling sedimentation and erosion must be submitted.
10. A letter from Municipal Officials and the Municipal Planning Commission, where applicable, indicating their review of the proposed plan stating any issues that may be of concern.
11. Copies of all required permits, or pending applications for such permits, and related documentation from the PA DEP, and any other agency, where any alteration or relocation of a stream, wetland or watercourse is proposed. In addition, documentation shall be submitted indicating that all affected adjacent municipalities have been notified of the proposed alteration or relocation.
12. Copies of all maintenance and homeowners' agreements. The municipal solicitor shall be provided the opportunity to review the agreements that establish a planned community or otherwise impose benefits or burdens upon the lots or individual units in the subdivision or land development. The review shall be for the purpose of ensuring the health, safety, and welfare of all residents of the municipality as well as the protection of present and future owners.
13. Certification from the Municipal Engineer that the developer has installed all improvements to the specifications of this Ordinance or certification from the Municipal Solicitor that the developer has posted an improvement bond or other accepted security in an amount sufficient to assure completion of all improvements.
14. A Traffic Impact Study in accordance with SECTION 405.
15. A stormwater management plan in accordance with the municipality's stormwater management ordinance and/or regulations. In all cases, the stormwater management plan shall be submitted to the Municipal Engineer for his/her review. The developer shall contact the Municipality's Engineer prior to the preparation of any plan in order to obtain plan requirements, design criteria, methods and controls applicable to the particular project.
16. Other certificates as required.

## **ARTICLE V**

### **DESIGN STANDARDS**

#### **SECTION 501      APPLICATION OF STANDARDS**

- A. The following design principles, standards and requirements shall be applied by the York County Planning Commission (YCPC) in evaluating all plans for proposed subdivisions and land developments.
- B. The standards and requirements outlined herein shall be considered minimum standards and requirements for the promotion of the public health, safety, and general welfare.
- C. Whenever provisions of this ordinance conflict with the provisions of other ordinances and regulations, the most restrictive provisions shall apply.

#### **SECTION 502      IMPROVEMENTS IN DESIGNATED SPECIAL FLOOD HAZARD AREAS**

- A. Where a proposed subdivision and/or land development lies partially or completely within any identified special flood hazard area, and/or where proposed development activities border on any such area as designated on a FEMA Flood Insurance Rate Map, the plan shall include a delineation of the flood plain and floodway area, if delineated on the FIRM. The delineation shall be based on the Flood Insurance Rate Map (FIRM) for the municipality. If provided on the FIRM, the flood elevations shall be indicated on the subdivision and/or land development plan.
- B. All proposed subdivisions and land developments shall comply with all applicable flood hazard and flood plain management regulations including, but not limited to, the Municipality's flood plain management ordinance and all other municipal, State and Federal regulations which apply. A letter from the Municipality indicating compliance with applicable municipal flood regulations shall be provided.

#### **SECTION 503      STREET SYSTEMS - GENERAL**

All streets proposed to be constructed within the municipality shall conform to the following general design requirements:

- A. Proposed streets shall be planned with regard to the existing street system, public convenience in terms of fire protection and pedestrian traffic, probable volumes of traffic, existing and proposed use of land on abutting properties and future development extensions of the street system.

- B. The arrangement of streets shall provide for continuation of existing or platted streets and for proper access to adjoining undeveloped parcels suitable for future development.
- C. Streets shall be laid out with regard to topography so as to produce satisfactory drainage, access to all lots, and grades which are in compliance with this ordinance’s design criteria.
- D. The finished elevation of proposed streets shall not be more than one (1) foot below the Regulatory Flood Elevation. Profiles and elevations of streets must be submitted with plans to ensure compliance with the requirements. Drainage openings shall be sufficient to discharge flood flows without increasing flood heights.
- E. The streets must be located and built with regard to the proposed traffic functions, including the minimization of through-traffic on minor streets and the protection of major streets from excessive access points.
- F. The arrangement, character, extent, and location of all streets shall be generally consistent with the applicable municipal Comprehensive Plan, the Official Map, and the York County Comprehensive Plan.

**SECTION 504 SUBDIVISIONS ABUTTING ARTERIALS**

Where a subdivision abuts or contains an existing or proposed arterial street, the YCPC shall require the following treatment:

- A. Reverse frontage lots and/or rear service streets or alleys;
- B. Such other treatment as may be necessary for protection of residential properties;
- C. Such other treatment as may be necessary to minimize access on arterial streets.

**SECTION 505 STREET DESIGN**

- A. Width: Minimum widths for all streets shall be as follows:

<u>Classification</u>	<u>Minimum Right-of-Way Width</u>	<u>Minimum Cartway Width</u>
Arterial Street	80 feet	40 feet
Collector Street	60 feet	36 feet
Minor or Local Street (No parking)	50 feet	24 feet

<u>Classification</u>	<u>Minimum Right-of-Way Width</u>	<u>Minimum Cartway Width</u>
Minor or Local Street (Parking on 1 side)	50 feet	28 feet
Minor or Local Street (Parking on 2 sides)	50 feet	32 feet
Service Street or Alley	24 feet	24 feet

- B. Existing Frontage Along a Street of Improper Cartway Width: Where a subdivision or land development abuts an existing public road of improper cartway width, the developer shall, if requested by the YCPC, improve the cartway to the required width in accordance with Section 505.A. Where uncertainty exists as to the road classification, it shall be as specified in the County’s Comprehensive Plan or in the municipality’s Comprehensive Plan (if applicable).
- C. Dead-End Streets: Dead-end streets shall be prohibited, except when designed as temporary cul-de-sac streets by the developer on his own land in order to permit future street extensions into adjoining parcels. These temporary dead-end streets must be approved by the YCPC and indicated on the plans. They must be constructed to the same standards as cul-de-sac streets, minus the curbing requirements at the terminus of the cul-de-sac. The turnaround is to be removed by the developer when extending the existing street.
- D. Cul-de-sac Streets: All Cul-de-sac streets, including cul-de-loop and “P” streets, shall meet with the following minimum standards:
1. Cul-de-sac streets, and cul-de-loop and “P” streets, shall have a minimum length of two hundred fifty (250) feet and a maximum length of seven hundred (700) feet. The length of a cul-de-sac street shall be measured from the center of the turnaround to the point of intersection of the centerline of the cul-de-sac street and the right-of-way line of the intersecting through street. The length of a cul-de-loop or “P” street shall be measured along the street’s entire length from the point at which such street reconnects with its main axis to its intersection with the right-of-way line of the intersecting through street.
  2. The development proposed which is to be served by the street shall not generate in excess of two hundred and fifty (250) Average Daily Vehicle Trips as indicated for the type of land use proposed in the most recent edition of the Institute of Transportation Engineers Trip Generation Manual. If more than one cul-de-sac, cul-de-loop or “P” street intersect, both the length of such streets, as measured in Subsection 1. above, and the number of Average Daily Vehicle Trips shall be measured cumulatively.

3. Cul-de-sac streets, whether permanently or temporarily designed as such, shall be provided with a snow easement with both a width and depth of twenty (20) feet located at the terminus of the cul-de-sac street for plowed snow during the winter months. The easement shall be grassed and maintained by the owner of the lot on which the easement is located. The easement shall be designed to collect and convey any stormwater to the stormwater system to prevent a maintenance problem with the refreezing of melted snow on the cul-de-sac street. No obstructions of any kind, which shall include driveways and utility pedestals, shall be placed in the easement area. All driveways shall be set back at least five (5) feet from a snow easement.
- E. Alleys: The use of alleys shall be limited to providing a secondary means of access to the side or rear of those lots with street frontage and shall be designed to discourage through traffic.
- F. Private Streets: Private streets shall be permitted only when such private streets conform to the specifications and requirements of minor or local streets as specified in this Ordinance. Plans which propose a private street shall be accompanied by an agreement which shall be approved by the Municipal Solicitor and be recorded with the York County Recorder of Deeds as part of the Final Plan. This agreement shall establish the conditions under which the street will be constructed and maintained. The agreement shall stipulate the following:
1. Identification of the person responsible for the private street.
  2. Assurance that the street shall be constructed in conformance with the specifications of this Ordinance.
  3. The method of assessing maintenance and repair cost.
  4. Provision for enforcing the agreement upon all parties of the agreement.
- G. Horizontal Curves: Where connecting street lines deflect from each other at any one (1) point, the lines must be connected with a true, circular curve. The minimum radius of the centerline for the curve must be as follows:

<u>Type of Street</u>	<u>Minimum Radius</u>
Arterial	500 feet
Collector	300 feet
Minor or Local	175 feet

Straight portions of the street must be tangent to the beginning or end of curves. Except for minor or local streets, there must be a tangent of at least one hundred (100) feet between reverse curves. For curves on arterial streets, proper superelevation must be provided as required by the

YCPC Transportation Department or the Pennsylvania Department of Transportation (PENNDOT), if applicable.

Proper sight distance must be provided with respect to horizontal alignment to permit the following minimum sight distances:

<b><u>Design Speed (Miles per Hour)</u></b>	<b><u>Minimum Required Sight Distance</u></b>
60 mph	525 feet
55 mph	450 feet
50 mph	400 feet
45 mph	325 feet
40 mph	275 feet
35 mph	225 feet
30 mph	200 feet
25 mph	150 feet
20 mph	125 feet

Sight distance shall be measured along the center line from height of eye (3.5 feet) to height of object on roadway (0.5 feet).

- H. Vertical Curves: Changes in grade in excess of one percent (1%) shall be joined by vertical curves. Proper sight distance must be provided with respect to vertical alignment to permit the following minimum sight distances:

<b><u>Design Speed (Miles per Hour)</u></b>	<b><u>Minimum Required Sight Distance</u></b>	
	<b><u>Crest</u></b>	<b><u>Sag</u></b>
60 mph	190 feet	120 feet
50 mph	110 feet	90 feet
40 mph	60 feet	60 feet
35 mph	46 feet	49 feet
30 mph	30 feet	40 feet
25 mph	16 feet	26 feet

Sight distance shall be measured along the centerline, from height of eye (3.5 feet) to height of object on roadway (0.5 feet).

I. Grades: The centerline grades of streets must meet the following requirements:

	<b><u>Minimum Grade</u></b>	<b><u>Maximum Grade</u></b>
Arterial Street	.5%	6%
Collector Street	.5%	7%
Minor or Local Street	.5%	12%
Service street or Alley	.5%	12%

The grade within the diameter of a turnaround at the terminus of a cul-de-sac street shall be a minimum grade of .5%, but no greater than a grade of 6%.

In all grades exceeding one percent (1%), vertical curves must be used and designed for required sight distance. PENNDOT standards shall be used for State roads.

J. Crown: The slopes of the crown on minor residential and neighborhood collector streets shall be at least one-quarter ( $\frac{1}{4}$ ) inch per foot but not more than three-eights ( $\frac{3}{8}$ ) inch per foot or as directed by the Municipal Engineer. This applies only to straight sections of road. Where a curve is banked to reduce lateral vehicular acceleration as required by the design speed of the road, the crown requirement is eliminated.

K. Slope of Banks: Measured perpendicular to the street centerline, the slope of banks shall not exceed:

1. For fills – 3 (horizontal) to 1 (vertical).
2. For cuts – 2 (horizontal) to 1 (vertical)

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

**SECTION 506 INTERSECTION DESIGN**

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

**TYPE OF INTERSECTION**

	<b>Arterial with Arterial</b>	<b>Arterial with Collector</b>	<b>Collector with Collector</b>	<b>Collector with Minor/Local</b>	<b>Minor/Local with Minor/Local</b>
Angle of Intersection Street of Centerlines	90°	75° - 105°	75° - 105°	75° - 105°	75° - 105°

- B. Intersection Grades: Where the grade exceeds seven percent (7%), the approaches to the intersection must have a minimum length of fifty (50) feet (measured from the intersection of the centerlines) within which no grade may exceed a maximum of four percent (4%).
- C. Intersection Curve Radii: Design of curb or edge of pavement must take into account such conditions as types of turning vehicles, likely speeds of traffic, angle of turn, number of lanes, and whether parking is permitted; however, curb or edge of pavement radii must not be less than the following:

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

Three-centered compound curves equivalent to the above minimum simple curves are permitted.

- D. Clear Sight Triangles: Proper sight clearance must be maintained at all street intersections, and shall be shown on all subdivision and land development plans. Measured along the centerline of each street, there shall be a clear sight triangle with sides as follows:

<u>Type of Street</u>	<u>Clear Sight Triangle Side</u>
Arterial	150 feet
Collector	75 feet
Minor or Local	75 feet

Within such triangles, no structure, grading, or landscaping greater than three (3) feet in height that would obscure the vision of a motorist shall exist or be placed.

- E. Safe Stopping Sight Distance (SSSD): Adequate safe stopping sight distance must be provided at each street intersection. The required and proposed SSSD at each intersection must be indicated on all subdivision and land development plans, both for proposed and existing intersections. The SSSD at each proposed intersection must meet the distances specified in PENNDOT’s Safe Stopping Sight Distance provisions in the Commonwealth Code, Title 67, Chapter 441.

All intersections involving alleys and service streets designed as such shall provide Safe Stopping Sight Distance and avoid vehicle turning movement conflicts and other potential hazards.

- F. Street Intersections: The distance between street intersections shall be in accordance with the following:

	<b>TYPE OF INTERSECTION</b>				
	<b>Arterial with Arterial</b>	<b>Arterial with Collector or Minor/Local</b>	<b>Collector with Collector</b>	<b>Collector with Minor/Local</b>	<b>Minor/Local with Minor/Local</b>
Minimum Distance Between Centerlines of Intersections	800 feet	800 feet	400 feet	400 feet	400 feet
Minimum Separation of Center-lines for Streets Not in Alignment	Must be in alignment with planned or proposed streets entering from opposite side.			150 feet	150 feet

- G. Multiple Intersections: Intersections involving the junction of more than two (2) streets shall not be permitted.

**SECTION 507 STREET CONSTRUCTION**

- A. Streets must be surfaced and paved to the grades and dimensions drawn on plans, profiles, and cross-sections submitted by the applicant and approved by the YCPC.
- B. Before paving the street surface, the applicant shall install required utilities, including sanitary sewers, and provide, where necessary, adequate subsurface drainage for the streets, as acceptable to the Municipal Engineer.
- C. The pavement base and wearing surface must be constructed according to the most recent PENNDOT Specifications.
- D. The YCPC shall decide if a collector or arterial street is required as a direct result of the construction of the development, in which case the applicant is responsible for paving the additional width required. The functional classification of a new street shall be determined by the York County Planning Commission.

**SECTION 508 CURBS, GUTTERS, AND SIDEWALKS**

The YCPC shall require installation of curbs, gutters, and sidewalks in any land development where the evidence indicates that such improvements are necessary to ensure the health, safety, and welfare of the municipality’s residents. Curbs, gutters and sidewalks shall be installed according to the following specifications:

- A. Curbs: Curbs shall be required along all new streets and along existing streets as needed to control storm water runoff and prevent erosion and deterioration of streets. On minor or local streets, rolled curb or vertical curb may be used. On collector or arterial streets, only the vertical curb shall be used. The transition from one (1) type of curb to another shall be effected only at a street intersection. All vertical and rolled curbs shall be designed and constructed as directed by the Municipal Engineer, consistent with PENNDOT Publication 408.
- B. Sidewalks: Sidewalks shall be required in all Residential and Commercial Zones as designated in the Municipal Zoning Ordinance (if applicable) to provide adequate pedestrian circulation and/or access to shopping areas, playgrounds and other community facilities. If no municipal zoning ordinance is in place, sidewalks shall be required in any residential, commercial, or industrial development if it is determined by the Municipal Engineer that they are necessary to provide adequate pedestrian circulation.
  - 1. Width and Location: All sidewalks shall have a surface of four (4) feet in width. However, in cases where an extension of, or connection to, an existing sidewalk of

lesser or greater width is proposed, the new sidewalk shall taper to meet the existing sidewalk. Such taper shall begin and end within five (5) feet of the existing walk. All sidewalks must commence one (1) foot inside the right-of-way line and extend toward the curb line. A grass planting strip not less than two (2) feet in width shall be provided between the curb or roadway edge and the sidewalk, unless the Municipal Engineer determines that no grass planting strip is necessary.

2. Construction Specifications: Sidewalks shall be constructed of concrete and be four (4) inches thick, unless under a driveway, in which case a thickness of six (6) inches is required. Upon a properly prepared subgrade, four (4) inches of PENNDOT 2RC crushed stone shall be properly compacted using a mechanical tamper. The minimum bearing strength of the stone subgrade shall be two thousand (2,000) pounds per square inch. Upon the crushed stone, the sidewalks shall be constructed by putting concrete in separate slabs thirty (30) feet in length. The slabs shall be completely separated by one-quarter ( $\frac{1}{4}$ ) inch expansion joints and scored every five (5) feet.
- C. Interior walkways shall be provided where necessary to ensure pedestrian access to open space and recreation areas, and connection to all areas of a development and surrounding pedestrian systems whether existing or proposed. Such walkways must have a right-of-way of no less than ten (10) feet in width and a paved walk surface of no less than four (4) feet in width. The paving material requirements shall be at the discretion of the Municipal Engineer. Interior walkways and any associated right-of-way shall be shown in detail as to location, dimension and to scale on any subdivision and/or land development plan for which such walkways are proposed. Such walkways shall have a maximum right of way of twenty (20) feet, which may also be used as a utility easement.
- D. Gutters: The requirement of, and the specifications for, the construction of gutters shall be as determined by the Municipal Engineer.

## **SECTION 509 OTHER STREET PROVISIONS**

- A. Dead-End Service Drives or Alleys: Where existing service drives or alleys dead end, they must be provided with a paved turnaround with a minimum diameter of eighty (80) feet or a paved "T" turnaround of a minimum width of ten (10) feet and a minimum length of twenty (20) feet.
- B. Access: Streets shall be laid out to provide access to all lots and to adjacent undeveloped areas, and the developer shall improve these streets to the limits of the development.
- C. Reserve Strips: Controlling access to the development or to adjacent areas by means of reserve strips is prohibited except when their control is placed in the jurisdiction of the municipality under conditions approved by the YCPC and PENNDOT, if applicable.
- D. Traffic Control Signs and Devices: The cost of traffic signs and devices and the placement of such signs and devices within a development shall be the responsibility of the applicant.

Such costs shall be included in any financial security posted for improvements and is therefore subject to the provisions of SECTIONS 606, 607, 608, 609 and 610 of this Ordinance. All traffic control signs and devices shall be subject to all relevant provisions of this Ordinance, as well as local municipal regulations, and State and Federal standards where applicable. The applicant is responsible to place or construct such signs and devices at appropriate times during or after street construction.

## **SECTION 510 MINIMUM SITE ACCESS REQUIREMENTS**

All land development plans containing twenty-five (25) or more dwelling units, or non-residential buildings, containing twenty-five thousand (25,000), or greater, square feet of gross floor area shall be provided with at least two (2) access drives.

## **SECTION 511 DRIVEWAYS AND ACCESS DRIVES**

### **A. Driveways:**

1. Within ten (10) feet of the street right-of-way, driveways shall not exceed twenty (20) feet in width
2. The number of driveways shall not exceed two (2) per lot.
3. Driveways shall not enter a public street:
  - a) Within forty (40) feet of the street right-of-way line of any intersecting street.
  - b) Within five (5) feet of a fire hydrant.
  - c) Within five (5) feet of an adjoining property line, except for single family attached dwellings for which the minimum distance to an adjoining property line shall be two (2) feet.
4. A driveway must be located in safe relationship to sight distance and barriers to vision. The safe stopping sight distance (SSSD) at each driveway shall not be less than the distances found in PA Code Title 67, Chapter 441.

A fifty (50) foot clear sight triangle shall also be provided for each driveway and shall be indicated on the plan. The triangle is measured as follows: along the centerline of the driveway from where it meets the cartway of the street for ten (10) feet; and, along the centerline of the street in both directions from the intersection with the driveway centerline, a distance of fifty (50) feet. Within such triangle, no structure, grading, or landscaping greater than three (3) feet in height that would obscure the vision of a motorist shall exist or be placed. A clear sight triangle of the dimensions and

specifications noted above shall be provided for a driveway where said driveway intersects with an access drive.

5. In no case may any driveway exceed a slope of eight percent (8%) along its center line within twenty-five (25) feet of the street right-of-way. The maximum slope of any portion of the driveway beyond the right-of-way shall not exceed fifteen percent (15%).
6. The cartway of all driveways shall be constructed, and all work shall conform to the requirements of the latest edition of PENNDOT Publication 408. For driveways longer than one hundred (100) feet, only the first twenty-five (25) feet shall be required to be paved with bituminous materials.
7. Where a driveway enters a bank through a cut, unless a retaining wall is used, the shoulders of the cut shall not exceed fifty percent (50%) in slope within twenty-five (25) feet of the point at which the drive intersects the street right-of-way. The height of the bank must not exceed three (3) feet within twenty (20) feet of the street.
8. All lots must have a separate driveway located on the lot which that drive serves (i.e., one driveway may not serve more than one lot), except for pre-existing, land-locked lots of record.
9. The minimum required angle between the centerline of a driveway and the centerline of the street which that driveway intersects shall be sixty-five (65) degrees.
10. Driveways accessing a State Highway are allowed only by virtue of a highway occupancy permit (HOP) issued by PENNDOT; and no subdivision or land development shall be approved without such permit.
11. Driveway access shall be provided to the street of lesser classification when there is more than one (1) street classification involved.
12. Driveway intersections with access drives shall be designed as right angle intersections.

B. Access Drives:

1. Access drives shall be provided with a twelve (12) foot wide cartway for each lane of travel. However, the minimum pavement width for an access drive shall be eighteen (18) feet. Thus, an access drive providing for two-way traffic is required to be a minimum of twenty-four (24) feet. The maximum permitted width for an access drive is thirty-six (36) feet. However, emergency services such as, but not limited to, fire protection facilities, police stations, and ambulance facilities are exempt from the maximum access drive width standard of this SECTION.

2. An access drive must be located in safe relationship to sight distance and barriers to vision. The safe stopping sight distance (SSSD) at each access drive shall not be less than the distances found in PA Code Title 67, Chapter 441.

A seventy-five (75) foot clear sight triangle shall also be provided for each access drive and shall be indicated on the plan. The clear sight triangle shall be measured as follows: along the centerline of the access drive from where it meets the cartway of the street for twenty (20) feet; and, along the centerline of the street in both directions from the intersection with the access drive centerline, a distance of seventy-five (75) feet. Within such triangle, no structure, grading, or landscaping greater than three (3) feet in height that would obscure the vision of a motorist shall exist or be placed. A clear sight triangle of the dimensions and specifications noted above shall be provided for an access drive where said access drive intersects with another access drive or a driveway.

3. Access drives accessing a State highway shall be required to obtain a highway occupancy permit (HOP) from PENNDOT prior to plan approval. A “Review of Awareness” by the YCPC Transportation Department is required prior to the submittal of the HOP application to PENNDOT.
4. The vertical and horizontal alignments of access drives shall conform to the specifications for minor streets as stated in this Ordinance.
5. All access drives shall be constructed in accordance with the latest edition of PENNDOT Publication 408.
6. When vehicular parking is prohibited along access drives, the prohibition signing along the cartway shall be based on the most current edition of the Manual of Uniform Traffic Control Devices (MUTCD), or any other source approved by the YCPC Traffic Engineer.
7. Access drives shall be set back fifteen (15) feet from all side and rear property lines; however, this setback can be waived along one (1) property line when a joint parking lot is shared by adjoining uses.
8. An access drive shall be designed with right angle intersections with streets and other access drives.
9. A turning template based on the type and number of vehicles anticipated to utilize a proposed access drive shall accompany all subdivision/land development plans which propose an access drive.
10. All access drives shall be designed in accordance with Highway Design, Design Manual DM Part 2, Publication 70, and AASHTO standards.

## **SECTION 512     BLOCKS**

- A.     The length, width and shape of blocks shall be determined with due regard to the following:
  - 1.     Provision of adequate sites for type of buildings proposed.
  - 2.     Zoning requirements, if any.
  - 3.     Topography.
  - 4.     Requirements for safe and convenient vehicular and pedestrian circulation.
- B.     Blocks shall have a maximum length of one thousand, six hundred (1,600) feet. In the design of blocks longer than one thousand, one hundred (1,100) feet, special consideration shall be given to the requirements of satisfactory fire protection.
- C.     Residential blocks shall be of sufficient depth to accommodate two (2) tiers of lots, except where reverse frontage lots bordering an arterial or collector street are used.
- D.     Crosswalks or pedestrian interior walkways may be required where necessary to assist circulation or provide access to community facilities.
- E.     For commercial and industrial uses and areas, the block layout shall be designed with reference to service of the public and with provisions for adequate off-street parking and loading facilities.

## **SECTION 513     OFF-STREET PARKING FACILITIES**

- A.     Off-street parking shall be required in accordance with the provisions of this section or the Municipality's Zoning Ordinance, if applicable, prior to the occupancy of any building or use, so as to alleviate traffic congestion on streets. Off-street parking facilities shall be provided whenever:
  - 1.     A building is constructed or a new use is established.
  - 2.     The use of an existing building or structure is changed to a use requiring more parking facilities.
  - 3.     An existing building or structure or use is altered or enlarged so as to increase the amount of parking required.
- B.     Surfacing: All parking lots shall be constructed and maintained with a paved surface of concrete or bituminous materials, or another dust-free surface such as permeable asphalt, approved by the YCPC.

- C. Separation from Streets and Sidewalks: For multi-family and nonresidential uses, where a parking area or other area open to movement of vehicles abuts the right-of-way of a public street, sidewalk or walkway, a pipe railing, post and chain barricade, raised curbs, or similar devices satisfactory to the Municipal Engineer must line the public right-of-way, sidewalk or walkway, except at access points, so that parked vehicles will not extend into the street right-of-way, sidewalk or walkway.
- D. Drainage: Parking lots shall be graded to a minimum slope of three-quarter percent (.75%) to provide for drainage.
- E. Stormwater Management: All off-street parking facilities shall meet the requirements of the municipality’s stormwater management ordinance and zoning ordinance, if applicable. If the municipality’s ordinances do not address stormwater, the off-street parking facility shall meet the requirements set forth in Section 517 of this ordinance.
- F. Minimum Size of Parking Spaces:
  - 1. Standard car spaces: Ten (10) feet wide by twenty (20) feet deep.
  - 2. Handicapped parking spaces: As provided for in the Americans with Disabilities Act (ADA) of 1990, as amended.
- G. Design Standards for Handicapped Parking Spaces: As provided for in the Americans with Disabilities Act of 1990, as amended.
- H. Aisles: All aisles shall have the minimum widths indicated in the following table:

<u>Angle of Parking</u>	<u>Width of Aisle in Feet</u>	
	<u>One-way Traffic</u>	<u>Two-way Traffic</u>
90 degrees	22	24
60 degrees	18	N/A
45 degrees	13	N/A
30 degrees	12	N/A
Parallel	12	22

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

- I. Marking of Parking Spaces and Interior Drives: All parking lots shall be adequately marked and maintained for the purpose of defining parking spaces and interior drives. At a minimum, the lines of all parking spaces and interior drives (including directional arrows, etc.) shall be solid and four (4) inches in width.

- J. All dead-end parking lots shall be designed to provide a minimum ten (10) feet of backup area for all end parking spaces.
- K. Lighting: If illumination of a parking lot is required, the following standards shall apply:
  - 1. Any area open to the public, including entrances and exits, shall be lighted.
  - 2. All lighting shall be so arranged as to reflect the light downward and away from adjoining premises and public rights-of-way.
  - 3. All lighting plans shall be indicated on a land development plan, or on a subdivision plan, if applicable. The lighting plans shall be acceptable to the Municipal Engineer.
- L. Perimeter landscaping: When a parking lot abuts a street or access drive, a landscaped strip shall be provided along the entire street line. This landscaping strip may be located within any other landscaped strip required to be located along a street. The required width of landscape strips follows:

<b><u>Number of spaces in parking lot including joint facilities</u></b>	<b><u>Landscape strip width in feet measured from street r.o.w. line</u></b>
25 to 100	15
100 to 250	20
Over 250	25

Vegetative ground cover alone shall not be sufficient to meet this requirement. Trees, shrubs or other approved material shall be provided. At least one (1) shade tree shall be provided for each one hundred (100) linear feet of landscaping area. These trees shall have a clear trunk of at least five (5) feet above finished-grade level.

- M. Interior Landscaping: In any parking lot containing twenty-five (25) or more parking spaces (except a parking garage), five percent (5%) of the total area of the parking lot shall be devoted to interior landscaping. Such interior landscaping shall be placed at the end of parking space rows to break up rows of parking spaces at least every ten (10) parking spaces, and to help visually define travel lanes through or next to the parking lot. Landscaped areas situated outside of the parking lot, such as peripheral areas and areas surrounding buildings, shall not constitute interior landscaping.

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

Vegetative ground cover alone is not sufficient to meet this requirement. Trees, shrubs, or other approved material shall be provided. At least one (1) shade tree shall be provided for each three hundred (300) square feet (or fraction) of required interior landscaping area. These trees shall have a clear trunk of at least five (5) feet above finished-grade level.

Parked vehicles shall not overhang interior landscaped areas more than two and one-half (2 ½) feet. Where necessary, wheel stops or curbing shall be provided to ensure no greater horizontal overhang. If a parking lot of under twenty-five (25) spaces is built without interior landscaping, and later additional spaces are added so that the total is twenty-five (25) spaces or more, the interior landscaping shall be provided for the entire parking lot.

N. 1. Schedule of Required Off-Street Parking Spaces

TYPE OF USE	MINIMUM NUMBER OF SPACES
<b>Residential Uses:</b>	
Single family detached dwelling units, Mobilehomes on separate lots not located within a Mobilehome Park	2 spaces per dwelling unit
Single family semi-detached dwelling units	2 spaces per dwelling unit
Single family attached dwelling units	3 spaces per dwelling unit (See Subsection 511.N.9)
Two family dwelling units	2 spaces per dwelling unit
Multi-family dwelling units	1.5 spaces for each 1 bedroom dwelling unit, and 2 spaces for each 2 or more bedroom dwelling unit.
<b>Public and Institutional Uses:</b>	
House of Worship	8 spaces per 1,000 sq. ft. of GFA
Movie Theater	1 space per 4 seats, plus 1 space per employee on largest shift
Cemetery	1 space per employee, plus 4 additional spaces when an office building or other business service facility is located on-site
Recreational Community Center	4 spaces per 1,000 sq. ft of GFA, plus 1 space per employee on the largest shift
Outpatient Medical Clinic	4 spaces per each physician and physician assistant, and 1 space per employee on the largest shift
Hospital	5 spaces per bed based on design capacity, plus 1 space per employee on the largest shift

TYPE OF USE	MINIMUM NUMBER OF SPACES
Library	3 spaces per 1,000 square feet of GFA, plus 1 space per employee on the largest shift
Day Care Center	1 space per employee, plus 1 space per each 4 children
Nursing home	1 space per 3 beds based on design capacity, plus 1 space per employee, including all medical staff, on the largest shift.
Elementary School	1 space per 4 students based on design capacity plus 1 space per employee, including all faculty members
Middle School or Junior High School	1 space per 4 students based on design capacity plus 1 space per employee, including all faculty members
High School	1 space per 3 students based on design capacity, plus 1 space per employee, including all faculty members
<b>Commercial/Office Uses:</b>	
Auction house	1 space per 2 seats of design capacity, plus 1 space per employee
Supermarket or Grocery Store	5 spaces per 1,000 sq. ft of GFA, plus 1 space per employee on the largest shift
Funeral home	1 space per 2 seats, plus 1 space per employee on the largest shift
Business, Financial or Professional Office	3 spaces per 1000 sq. ft. of GFA, plus 1 space per employee
Government Office	4 spaces per 1000 sq. ft. of GFA, plus 1 space per employee
Walk-In Bank	3 spaces per 1000 sq. ft. of GFA, plus 1 space per employee on the largest shift
Drive-In Bank	4 spaces per 1000 sq. ft. of GFA, plus 1 space per employee on the largest shift
Hotel or Motel	1 space per guest room, plus 1 space per employee on the largest shift. (Spaces associated with restaurants and meeting rooms shall be in addition to this requirement.)

<b>TYPE OF USE</b>	<b>MINIMUM NUMBER OF SPACES</b>
Animal Hospital or Veterinary Clinic	3 spaces per 1000 sq. ft of GFA, plus 1 space per employee
Kennel	1 space per 15 animals of design capacity, plus 1 space per employee on the largest shift
Retail store or personal service business	1 space per 200 square feet of GFA exclusive of areas not used for sale or display of merchandise, plus 1 space for each employee on the largest shift
Shopping centers	4.5 spaces per 1000 square feet of GFA
Vehicle sales :	1 space per salesman on the largest shift, plus 1 space per employee other than salesmen on the largest shift, required spaces do not include parking of vehicles for sale
Vehicle repair and service	2 spaces per service bay or area, plus 1 space per employee on the largest shift, including parts departments and other repair/service related functions
Sit-down restaurant	1 space for each 4 seats of the maximum design capacity, plus 1 space for every 2 employees on the largest shift
Convenience store without gasoline pumps	4 spaces per 1000 sq. ft of GFA, plus 1 space per employee on the largest shift
Convenience store with gasoline pumps	5 spaces per 1000 sq. ft of GFA in addition to spaces at gas pumps for fueling vehicles, and 1 space per employee on the largest shift
Permanent roadside agriculture stand	1 space per 100 square feet of floor area for public use plus 1 space per each employee on the largest shift
Restaurant	1 space per 2 customer seats, plus 1 space per employee on the largest shift
Bar or Lounge	1 space per 4 customer seats, plus 1 space per employee on the largest shift
Fast-food restaurant	1 space per 2 customer seats, plus 1 space per employee on the largest shift

2. Parking Space Requirements for Uses Not Listed - Where a proposed use is not listed in Subsection N.1, the YCPC shall determine the minimum parking requirements for the proposed use based on 1) the recommendation of the YCPC staff after the YCPC

staff's consultation with the developer, and 2) a comparison of the proposed use to similar uses listed in Subsection N.1 and the most recent edition of Parking Generation, An Informational Report of the Institute of Transportation Engineers (ITE) if applicable.

3. Vehicles Stored On-Site - All uses proposed by a subdivision or land development plan shall, in addition to the parking spaces required in the preceding Table, provide one (1) additional parking space for each vehicle which is normally stored and/or maintained on the premises.
4. Gross Floor Area - Parking spaces provided based on Gross Floor Area (GFA) shall be provided in the highest whole number in proportion to the actual GFA of the building proposed for the use.
5. Parking Space Location - Required off-street parking spaces may be located on-site or off-site unless otherwise specified in this Ordinance. When located off-site, i.e., off of the lot containing the use which the parking spaces serve, but not on-street, such spaces shall be located no farther than three hundred (300) feet from the principal building or use which said spaces serve. However, all parking spaces designed to serve handicapped persons must comply with all applicable location and design requirements of the Americans with Disabilities Act of 1990, as amended. (See Subsection 513.Q).

When parking spaces serving a use are to be located off-site as specified herein, provision shall be made for safe pedestrian access by sidewalks, walkways or vehicular shuttle service to and from the use which such spaces serve.

6. Number of Parking Spaces Required - The number of off-street parking spaces required for a development site or parcel containing more than one (1) use shall be cumulative for all existing and proposed uses on the development site or parcel.
7. Shared Parking - The YCPC in its sole discretion may approve a subdivision and/or land development plan which proposes a number of parking spaces that is less than the number otherwise required by this Ordinance as follows:

When an applicant demonstrates that two (2) or more uses can share parking spaces based on mutually exclusive times of parking demand, the YCPC may reduce the required number of parking spaces accordingly. Any subdivision or land development plan proposing such a shared parking arrangement shall clearly show and state the nature of the shared parking arrangement, and provide the location, dimension and number of spaces involved. Further, such plan shall be accompanied by a joint use and maintenance agreement signed by all parties utilizing and/or bearing a responsibility for the parking facilities under said agreement. Said agreement shall be recorded with the plan and be made a part of the deed(s) of the parcel(s) on which

said uses and parking spaces are located. However, any change of use which is not consistent with a plan involving shared parking spaces as noted above shall be subject to the minimum parking space requirements of this Ordinance.

8. Adjusted Required Parking - For all non-residential uses, the number of parking spaces required to be constructed may be reduced by up to twenty-five (25%) percent, provided the following requirements are met:
  - a. The developer shall submit a notarized, recordable agreement which indicates the total number of parking spaces required for the proposed use, and the number of spaces proposed to be constructed initially. The subdivision and/or land development plan which the proposed parking spaces are to serve shall contain a note indicating the existence of the agreement, the total required parking spaces, and the number of parking spaces to be constructed initially. The agreement shall be recorded with the approved plan.
  - b. The developer may add needed parking spaces up to the total number of required parking spaces shown on the original parking layout at any time without an additional land development plan submission. However, written notice shall be provided to the Municipality and an Erosion and Sediment Control Plan approved prior to construction of any additional parking spaces.
  - c. A stormwater management plan for the total number of parking spaces, including all parking spaces which will not be constructed initially, shall be provided for review and approval by the Municipality prior to subdivision/land development plan approval. The area designated for future parking, i.e., additional parking spaces which could be added if needed, shall be incorporated into the site design as required by this Ordinance.
  - d. If at any time, the Municipality determines that the reduced number of parking spaces which was permitted under this Subsection, N.8, is insufficient to meet the needs of the use, the Municipality may direct the owner to construct additional parking up to the total number of spaces required by Section 513 within six (6) months of such notification. The number of parking spaces for a use may be determined by the Municipality to be insufficient if patrons, employees, suppliers, or others attempting to access the use are forced to park on the street, on neighboring properties, or in areas that are not identified as parking spaces to serve the use on the approved land development plan. Parking in approved overflow areas or shared parking areas are not to be included in such a determination.
  - e. All parking spaces required by SECTION 513 shall be shown on the land development plan. Parking areas not proposed for initial construction shall be designated as such. A note shall be placed on the plan binding all heirs,

owners, and successors int title indicating that, upon written notice by the Municipality, the owner shall construct the full number of parking spaces shown on the land development plan.

- f. The adjusted parking space requirements permitted by Subsection N.8 shall not apply to shared parking facilities as provided for in Subsection N.7.
- 9. Single Family Attached Dwelling Parking Space Location - A minimum of three (3) off-street parking spaces shall be provided for each single family attached dwelling unit. Two (2) of the three (3) required off-street parking spaces for each single family attached dwelling unit must be located on the lot which the parking spaces serve. If not located on the lot of the single family attached dwelling which the parking space serves, the one (1) remaining required off-street parking space for each single family dwelling unit must be located in a separate off-street parking area. Such off-street parking areas shall be dispersed throughout the single family attached dwelling development in direct proportion to the number and location of the single family dwelling units in the development. Such parking facilities shall be designed and constructed in compliance with the requirements of SECTION 513 of this Ordinance.
- O. Handicapped Accessible Parking Spaces - Where applicable, provisions shall be made for handicapped accessible parking, regardless of whether located on-street or off-street. All handicapped parking spaces shall be located and designed in compliance with the Americans With Disabilities Act (ADA) of 1990, as amended. Such parking spaces shall be provided a path of accessibility from the parking space to the sidewalk and/or other pedestrian access paths and areas on and/or adjacent to the proposed subdivision and/or land development site.

**SECTION 514 LOTS AND LOT SIZES**

- A. Lot Frontage:
  - 1. All lots shall front on a dedicated public street (existing or proposed), other than an alley or service street. Lots not fronting upon a public street shall not be approved, except in the case of a private street which is in conformance with the specifications and requirements of minor or local streets as specified in this Ordinance.
  - 2. Double frontage lots are prohibited, except where created as reverse frontage lots to prevent direct vehicular access to collector or arterial streets.
  - 3. All residential reverse frontage lots shall have a rear setback with a minimum depth of fifty (50) feet measured from the street right-of-way line of the street higher classification. Within such rear setback, and immediately adjacent to the right-of-way line, there shall be a planting screen of at least ten (10) feet in width, across which there shall be no right of access.

4. Lots utilizing driveways shall not directly access an arterial or collector street. Reverse frontage lots are required along such streets in order to limit traffic hazards and to provide for the efficient movement of traffic.
5. Corner lots shall provide for front setbacks on both street frontages. One (1) side setback and one (1) rear setback shall be provided for the remaining two (2) lot boundary lines. The rear setback must be opposite the street of address.
6. Any lot which has, or is proposed to have, in excess of two (2) street frontages, i.e., a lot fronting on more than two separate streets, shall require front setbacks from all streets unless one of the streets is a service street or alley. The required minimum setback for any lot fronting on a service street or alley shall be ten (10) feet from the right-of-way of the service street or alley. Where applicable, a rear setback shall be provided opposite the street of address.
7. If a service street or alley is the only frontage available to a lot, then a front setback shall be required for that service street or alley.

B. Flag Lots:

1. Flag lots shall not be created when lots can be designed to satisfy the minimum width requirements.
2. The regulations which apply to Flag Lots, including dimensional requirements shall be as follows:
  - a) The flag lot must access directly onto a public street.
  - b) The “staff” or access portion is to be excluded in determining lot area and in the placement of setbacks. It shall serve only the lot upon which it is located, and shall be a deeded part of the flag lot. No portion of the staff shall be used for on-site sewage disposal or improvements other than access improvements. The required dimensions of the “staff” are as follows”
    - 1) Minimum width – Twenty (20) feet.
    - 2) Maximum Length – Seven Hundred (700) feet.
  - c) The front building setback line and lot width shall be measured along the front lot line (other than the street line) most nearly parallel to the public street from which the access is taken.
  - d) No more than two (2) contiguous flag lots shall be permitted.

C. Lot Dimensions:

1. Where the municipality has adopted a zoning ordinance, the lot dimensions specified for a particular use in the appropriate district shall be provided.
2. If no zoning or other applicable ordinance is in effect in the municipality, the following minimum lot size standards shall be met:

Principal Use	Public Water and Public Sewer		Public Water or Public Sewer		No Public Water or Public Sewer	
	Lot Area	Lot Width	Lot Area	Lot Width	Lot Area	Lot Width
Single Family Detached Dwelling	8,000 sq. ft.	80 ft.	30,000 sq. ft.	90 ft.	43,560 sq. ft.(1 acre)	150 ft.
Single Family Semi-Detached Dwelling	4,000 sq. ft./dwelling unit	40 ft./dwelling unit	30,000 sq. ft./dwelling unit	70 ft./dwelling unit	43,560 sq.ft. (1 acre)/ dwelling unit	75 ft./dwelling unit
Single Family Attached Dwelling	1,500 sq. ft./dwelling unit	20 ft./dwelling unit	NOT PERMITTED		NOT PERMITTED	
Two-Family Dwelling	8,000 sq. ft.	80 ft.	30,000 sq. ft./dwelling unit	90 ft.	43,560 sq. ft. (1 acre)	150 ft.
Multi-Family Dwelling	2,000 sq. ft./dwelling unit	80 ft	NOT PERMITTED		NOT PERMITTED	
All Other Uses	15,000 sq. ft.	90 ft.	30,000 sq. ft.	90 ft.	43,560 sq. ft. (1 acre)	150 ft.

D. Setbacks:

1. Where the municipality has adopted a zoning ordinance, the setbacks specified for a particular use in the appropriate district shall be provided.
2. If no zoning or other applicable ordinance is in effect in the municipality, the following setback requirements shall be met:

	<b>Front Setback</b>	<b>Side Setbacks</b>	<b>Rear Setback</b>
<b>Residential Uses</b>	25 Feet	10 Feet	30 Feet
<b>Other Uses</b>	35 Feet	20 Feet	40 Feet

- E. Front Setback Exception: Where at least two (2) adjacent buildings within one hundred (100) feet of a property are set back a lesser distance than that required or permitted, the average of the lesser distances becomes the required minimum front setback for the property.

## **SECTION 515 SANITARY SEWAGE DISPOSAL**

The developer shall provide the most effective type of sanitary sewage disposal consistent with the municipality's official plan for sewage facilities prepared in accordance with the Pennsylvania Sewage Facilities Act (Act 537) and Chapter 71 of the Pennsylvania Department of Environmental Protection (PA DEP) Regulations.

### **A. Public Sanitary Sewers**

1. If the project is located within an Established Growth Area, as designated by the County's Comprehensive Plan, connection to a public sanitary sewer system shall be required where such a system is proposed by the municipality's official plan for sewage facilities, can feasibly be provided to the proposed development, and where such a system can adequately fulfill the sewage disposal needs of the subdivision or land development.
2. Where a public sanitary sewer system is not yet accessible to the site, but is planned for extension within a five (5) year period, the developer shall install sanitary sewer lines within the subdivision boundary to the point where the future connection to a public sewer system will be made. Lateral connections shall be constructed for all lots. Connections shall be available in the structures so as to allow the switch from the use of on-lot systems to the public system. Such sewer systems shall be capped until ready for use. On-lot disposal facilities shall be provided for interim use.
3. Upon completion of any public sewer system, a reproducible as-built plan of the system must be filed with the municipality.

- B. On-Lot Sewage Disposal Systems: In subdivisions/land developments where connection to a public sewage system is not possible, on-lot sewage disposal systems shall be provided in accordance with the Pennsylvania Sewage Facilities Act, Chapter 73 of DEP Regulations, and the requirements of the Municipal Sewage Enforcement Officer. Each lot shall be provided with a tested, approved primary and secondary absorption area on the lot which the system serves.

## **SECTION 516 WATER SUPPLY**

Based upon the results of the feasibility report required in Section 403 of this ordinance, all subdivisions and land developments must be provided with water supply facilities as follows:

- A. If the project is located within an established Growth Area as designated by the York County Comprehensive Plan, connection shall be made to a public water supply system where such a system can feasibly be provided to the proposed subdivision or land development and where the capacity of such a system can adequately fulfill the water supply demands of the proposed subdivision or land development.
- B. Where plans approved by a public water supplier provide for the installation of such public water facilities within five (5) years, the developer shall provide a complete water supply system ready to be connected to the proposed water main supply system.
- C. Upon completion of the water supply system, a reproducible as-built plan of the system must be filed with the municipality.
- D. Where there is no existing public water supply and the feasibility report indicates that connection to a public water supply system is not feasible, each lot/unit in the development must be provided with an individual water supply system in accordance with minimum standards approved by the PA DEP.
- E. All new or replacement water systems located in flood plain districts, whether public or private, shall be flood-proofed up to the Regulatory Flood Elevation.

## **SECTION 517 OTHER UTILITIES**

- A. Easements, Width and Location: Easements with a minimum width of fifteen (15) feet shall be provided for poles, wires, conduits, storm and sanitary sewers, gas, water and heat mains and/or other utility lines intended to service the abutting lots. No structures shall be placed within such easements. To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.
- B. Petroleum, Gas and Electric Transmission Lines: Where any petroleum, petroleum products, natural gas or electric transmission line traverses a land development, the developer shall confer with the applicable transmission or distribution company to determine the minimum distance which shall be required between each structure and the centerline of such transmission line.

Additionally, the following is required with the preliminary plan submittal, if applicable (otherwise a final plan): a letter from the owner of the transmission line stating any conditions on the use of the property and the right-of-way width, or a copy of the recorded agreement which shall contain the above data.

- C. Flood-proofing of all Utilities: All new or replacement public and private utilities and facilities in flood-prone areas shall be elevated or flood-proofed up to the Regulatory Flood Elevation.
- D. Underground Installation: Electric, telephone, and all other utility facilities shall be installed underground unless special considerations require otherwise.

**SECTION 518 WATERCOURSES AND DRAINAGEWAYS**

- A. Where a land development or subdivision is traversed by a watercourse, stream, channel, or other drainageway, the developer must provide a drainage easement conforming substantially to the existing alignment of the drainageway. The easement must be of a width adequate to:
  - 1. Preserve the unimpeded flow of natural drainage.
  - 2. Improve or protect the drainageway
  - 3. Install a stormwater sewer.
  - 4. Accommodate a one hundred (100) year design storm.
- B. Where watercourses and drainageways involve wetlands, it shall be the responsibility of the developer to obtain all State and Federal permits or waivers, prior to the approval of any subdivision or land development plan.

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## ARTICLE VI

### IMPROVEMENTS, DEDICATION AND RESERVATION

#### SECTION 601        MONUMENTS AND MARKERS

A. Specifications: Monuments and markers must be constructed as follows:

	<u>Material</u>	<u>Minimum Size</u>
Monument	concrete with brass cap/dowel	4" x 4" x 30"
Marker	Iron pipes, steel bars or rebar	½" or 5/8" x 30"

- B. Placement and Marking: Monuments and markers must be placed by a Registered Surveyor so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They must be set so that the top of the monument or marker is level with the surface of the surrounding ground. Monuments must be marked on top with a brass dowel.
- C. Location of Monuments - At least two (2) permanent reference monuments must be set at the intersection of lines forming angles in the perimeter boundary of a subdivision or land development. The top of the monuments shall be set at the ground level of the finished grade where such monuments are located.
- D. Location of Markers - Markers must be set at all lot corners and all angles, i.e., changes in bearings, of property lines. The top of markers shall be set at the ground level of the finished grade where such markers are located.
- E. Removal: Any monuments or markers that are removed must be replaced by a Registered Surveyor at the expense of the person removing them.

#### SECTION 602        FIRE HYDRANTS

Fire hydrants shall be required for all subdivisions or land developments provided with a community water system or a public water supply system. Fire hydrants shall be located within six hundred (600) feet of any dwelling unit or structure open to the public. Fire hydrants shall be installed in accordance with the requirements of the local fire authority and all applicable regulations.

#### SECTION 603        STREET NAMES

Continuations of existing streets shall be known by the same name. Names for new streets shall not duplicate or closely resemble names of existing streets within the same postal area. All proposed street names are subject to review by the York County 911 Office and the Address Management Section of the U.S. Postal Service in Harrisburg and approval by the municipal governing body. Written certification of review and acceptance by the York County 911 Office and the U.S. Postal

Service in Harrisburg, and approval by the municipal governing body must be provided for plans involving new street names or street name changes prior to plan approval by the YCPC

**SECTION 604            STREET NAME SIGNS**

The subdivision or land development shall be provided with street name signs at all street intersections. Street name signs shall be furnished and installed by the municipality after adoption of the street. The costs of furnishing and installing street name signs will be born by the developer as part of the costs of improvements. The construction of street name signs shall be in accordance with Section 930, Post Mounted Signs, of PennDot Publication 408, Latest Edition.

**SECTION 605            STREET LIGHTS**

For the safety and convenience of the development, on-site or public street lights shall be installed. At a minimum, one (1) public street light shall be installed at each street intersection.

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

**SECTION 606            INSTALLATION OF IMPROVEMENTS**

The final responsibility for the installation of the improvements required by this Ordinance rests with the applicant. Upon installation of improvements in accordance with the specifications of the approved plan and the Municipal Engineer, the applicant must take the final steps to dedicate the improvements and have them accepted by the Municipal Governing Body.

**SECTION 607            COMPLETION OF IMPROVEMENTS OR GUARANTEE THEREOF  
PREREQUISITE TO FINAL PLAN APPROVAL**

No plan shall be finally approved unless the streets shown on such plan have been improved as may be required by this Ordinance, and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm drains and other improvements as may be required have been installed in accordance with this Ordinance. In lieu of the completion of any improvements required as a condition for the final approval of a plan, the developer shall deposit with the Municipal Governing Body a corporate bond or other financial security in an amount sufficient to cover the costs of any improvements which may be required. Such financial security may include, among others, a lending institution's irrevocable letter of credit or a restrictive or escrow account in a lending institution. Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required. The amount of financial security or bond shall be equal to one hundred ten percent (110%) of the cost of the completion estimated as of ninety (90) days following the date scheduled for completion by the developer. The procedures for securing the

appropriate securities or bonds and related requirements shall be as outlined in Section 509 of the Pennsylvania Municipalities Planning Code Act 247, as amended.

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 Municipal Governing Body 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 to be erected shall not be withheld following: the improvement of the streets providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as 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.

## **SECTION 608      RELEASE FROM IMPROVEMENT BOND**

When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Municipal Governing Body, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Municipal Engineer. The Municipal Governing Body shall, within ten (10) days after receipt of such notice, direct and authorize the Municipal Engineer to inspect all of the aforesaid improvements. The Municipal Engineer shall, thereupon, file a report, in writing, with the Municipal Governing Body and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Municipal Engineer of the aforesaid authorization from the Municipal Governing Body. Said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part; and, if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Municipal Engineer, said report shall contain a statement of reasons for such nonapproval or rejection.

The Municipal Governing Body shall notify the developer, within fifteen (15) days of receipt of the Engineer's report, in writing by certified or registered mail, of the action of the Municipal Governing Body with relation thereto.

If the Municipal Governing Body or the Municipal Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guarantee bond or other security agreement.

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

Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the Municipal Governing Body or the Municipal Engineer.

Where herein reference is made in this Ordinance to the Municipal Engineer, he shall be engaged as a consultant thereto.

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

**SECTION 609      REMEDIES TO EFFECT COMPLETION OF IMPROVEMENTS**

In the event that any improvements which may be required have not been installed as provided in this Ordinance or in accordance with the approved Final Plan, the Municipal Governing Body is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Municipal Governing Body may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other purpose.

**SECTION 610      OFFERS OF DEDICATION**

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

**SECTION 611      LAND RESERVATION**

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

**SECTION 612      EFFECT OF PLAN RECORDING ON DEDICATION AND RESERVATION**

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

- A. Dedicate all streets and other public ways to public use.
- B. Dedicate all public areas to public use.
- C. Reserve for possible future public acquisition such additional areas.

**SECTION 613      MAINTENANCE GUARANTEE**

Where the Municipal Governing Body accepts dedication of all or some of the required improvements following completion, the Municipal Governing Body may require the posting of financial security to secure 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 Section 607 with regard to installation of such improvements, and the amount of the financial security shall not exceed fifteen percent (15%) of the actual cost of installation of said improvements. Defective improvements include any defect in material or workmanship that was latent in character and not discernible at the time of final inspection or acceptance by the municipality and any damage to improvements by reason of the settling of ground, base or foundation thereof. However, any damage to the street surface caused by tire chains, snow removal equipment or utility cuts by others are not the responsibility of the developer.

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## ARTICLE VII

### MOBILEHOME PARK PROVISIONS

#### SECTION 701 APPLICABLE STANDARDS AND REQUIREMENTS

The design and development of mobilehome parks, and any proposed expansion of an existing mobilehome park, shall conform to all the standards and requirements set forth for subdivision and land developments in this Ordinance. In any municipality which has a locally adopted ordinance which governs mobilehome parks with greater restrictions, the ordinance whose standards are more strict shall apply.

#### SECTION 702 APPLICATION FOR MOBILEHOME PARK APPROVAL

Applications for a mobilehome park approval shall conform to the requirements and procedures as established in Articles III and IV of this Ordinance. The applicant shall submit an *Application for Consideration of a Subdivision or Land Development Plan* to the York County Planning Commission.

#### SECTION 703 SITE LOCATION, DIMENSIONS AND SPECIFICATIONS

- A. Units per Lot - Each mobilehome lot shall contain no more than one (1) mobilehome.
- B. Minimum Lot Area - The minimum lot area for the location of a single mobilehome shall be five thousand (5,000) square feet.
- C. Minimum Lot Width - Each mobilehome lot shall be a minimum of fifty (50) feet in lot width.
- D. Sanitary Sewage Disposal - All mobilehome parks shall be served by a centralized or public sewer system.
- E. Water Supply - All mobilehome parks shall be served by a centralized or public water system.
- F. Setback from Mobilehome Park Boundaries - Every mobilehome, office, or other building within a mobilehome park shall be set back a minimum of twenty-five (25) feet from a property or street line. The area within the required setback shall be naturally landscaped.
- G. Setbacks - Each mobilehome lot shall provide for a minimum front setback of twenty (20) feet from the street line which the mobilehome lot abuts. Side and rear setbacks shall be a minimum of ten (10) feet.
- H. Separation Distance - In no case shall the distance between any two (2) mobilehomes be less than twenty (20) feet.

- I. Streets - All streets in a mobilehome park, whether or not offered or accepted for dedication, shall be constructed to minor street standards as contained in this Ordinance.
- J. Off-street Parking - A minimum of three (3) off-street parking spaces shall be provided for each mobilehome lot. Two (2) of the three (3) required off-street parking spaces for each mobilehome lot must be located on the lot which the parking spaces serve. If not located on the mobilehome lot which the parking space serves, the one (1) remaining required off-street parking space for each mobilehome must be located in a separate off-street parking area. Such off-street parking areas shall be dispersed throughout the mobilehome park in direct proportion to the number and location of the mobilehome lots in the mobilehome park. Such parking facilities shall be designed and constructed in compliance with the requirements of SECTION 513 of this Ordinance.
- K. The requirements contained in this Ordinance for curbs, gutters, sidewalks, and all other street provisions and related regulations shall apply to mobilehome parks and streets within mobilehome parks unless otherwise specified herein.
- L. All of the provisions, standards and regulations contained and/or noted in SECTION 703 shall, at a minimum, apply to any mobilehome, including manufactured housing involving two (2) or more separable units, e.g., a unit commonly referred to as a “double-wide”, if such a dwelling is located within a mobilehome park.
- M. A mobilehome park shall provide a minimum of twenty (20%) percent of the gross area of the parcel upon which the mobilehome park is located as common open space, which shall not be a part of any individual mobilehome lot. The required common open space shall be designed for the use of all residents of the mobilehome park. The required open space shall contain no building or other impervious area, and shall not contain a stormwater detention basin.

## **ARTICLE VIII**

### **ADMINISTRATION AND ENACTMENT**

#### **SECTION 801      ENFORCEMENT**

It shall be the duty of the Municipal Governing Body or the duly authorized representative of the municipality to enforce the provisions of this Ordinance. The Enforcement Officer shall require that the application for a building permit contain all information necessary to enable him to ascertain whether the proposed building, alteration, or use is located in an approved subdivision or land development. No building permit shall be issued until the Enforcement Officer has certified that the site for the proposed building, alteration, or use complies with all the provisions of this Ordinance and conforms to the site description as indicated on the approved and recorded Final Plan.

#### **SECTION 802      MODIFICATIONS**

The YCPC may grant a modification of the requirements of one or more provisions of this Ordinance if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in questions, provided that such modification will not be contrary to the public interest and that the purpose and intent of the Ordinance is observed.

All requests for a modification shall be in writing and shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the Ordinance involved and the minimum modification necessary.

The staff of the YCPC shall provide a recommendation to the YCPC with regard to all modification requests.

#### **SECTION 803      AMENDMENTS**

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

#### **SECTION 804      FEES**

A. The YCPC shall by resolution create a schedule of review fees to be paid by the applicant at the time of plan submission to defray the cost of administering and processing plans. Review fees shall be required for the following:

1. Preliminary Subdivision or Land Development Plan

2. Final Subdivision or Land Development Plan
  3. The YCPC reserves the right to hire an expert(s)/consultant(s) to review a plan and/or its accompanying data. The cost of such review is to be paid by the developer.
- B. In addition to such review fees, the applicant shall pay the cost of:
1. Reviewing the land development plan and engineering details.
  2. Inspecting the site for conformance to survey.
  3. Preparing cost estimates of required improvements during installation.
  4. Inspection of required improvements during installation.
  5. Final inspection for completion of installation of required improvements.
  6. Legal services necessary for the processing of the subdivision or land development plan.
  7. All tapping fees and connection charges for connection to a municipal water system.
  8. All tapping fees and any required charges for reservation of sewage capacity in a municipal sewage system.
- C. The fees as noted in subsection A shall be paid in the form of a check or money order payable to York County Planning Commission.
- D. The costs as noted in subsection B will be billed to the applicant by the municipality upon completion of each review phase.
- E. No building permits shall be issued nor shall subdivision or land development plans be approved for any land for which such fees/costs as outlined are outstanding.

**SECTION 805 PENALTIES**

Any person, partnership, or corporation who or which being the owner or agent of any lot or parcel of land shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes or for the common use of occupants of buildings abutting thereon, or who sells, transfers or agrees or enters into an agreement to sell any land in a subdivision or land development whether by reference to or by other use of a plat of such subdivision or land development or erect any building thereon, unless and until a Final Plat has been prepared in full compliance with the provisions of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Municipal Governing Body, pay a judgement of not more than \$500 plus all court costs. Additionally, the Municipal Governing Body shall be entitled to recover reasonable attorneys' fees. The person shall also pay any witness or

consultant fees arising during enforcement. Each day that a violation continues shall constitute a separate violation, unless the district justice determines otherwise in accordance with Section 515 of the Pennsylvania Municipalities Planning Code. All fines collected for such violations shall be paid over to the municipality.

The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

The Municipal Governing Body may initiate and maintain civil action to obtain a writ of injunction against the owner or agency who is in violation of any provision of this Ordinance, or who attempts the improper sale or conveyances of land; and in proper cases to set aside and invalidate any conveyances or agreements to convey land made prior to Final Plan approval of any subdivision or land development.

Nothing herein shall prevent the Municipal Governing Body from taking such other action necessary to prevent or remedy any violation.

#### **SECTION 806 APPEALS**

The decisions of the York County Planning Commission with respect to the approval or disapproval of Subdivision or Land Development Plans may be appealed directly to court in the same manner and within the same time limitations as is provided for zoning appeals in Article X of the Pennsylvania Municipalities Planning Code, Act 247, as amended.

#### **SECTION 807 DISCLAIMER**

The grant or permit or approval of a subdivision or land development plan shall not constitute a representation, guarantee, or warranty of any kind by the County or by any officials or employee thereof as to the practicability or safety of the proposed use; and, shall create no liability upon the County, its officials or employees.

#### **SECTION 808 REPEALER**

The York County Subdivision Regulations adopted September 29, 2004 are hereby repealed and the provisions of this Ordinance shall substitute for the former. All ordinances or parts of ordinances in conflict with this Subdivision and Land Development Ordinance or inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

#### **SECTION 809 COMPATIBILITY WITH OTHER LAWS AND ORDINANCES**

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

provisions of any statute, other ordinance or regulation impose greater restrictions than those of this Ordinance, the provisions of such statute, ordinance or regulation shall prevail. If any of the laws referenced herein are amended, replaced, or otherwise modified, then such amendment, replacement, or modification shall be incorporated by reference herein.

**SECTION 810 SEVERABILITY CLAUSE**

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

**SECTION 811 ERRONEOUS PERMIT**

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

**SECTION 812      EFFECTIVE DATE/ENACTMENT**

This ordinance shall take effect after publication and adoption according to law. This Ordinance shall revoke and repeal the prior Subdivision and Land Development Ordinance of York County adopted June 27, 2007 and any amendments thereto effective upon enactment of this Ordinance.

Adopted by the County Commissioners of York County, Pennsylvania into an Ordinance the \_\_\_\_\_ day of \_\_\_\_\_, 2012

York County Commissioners  
York County, Pennsylvania

\_\_\_\_\_  
Steve Chronister, President Commissioner

\_\_\_\_\_  
Doug Hoke, Vice President Commissioner

\_\_\_\_\_  
Christopher B. Reilly, Commissioner

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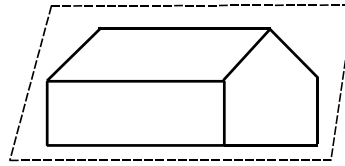
## **APPENDICES**

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# APPENDIX 1

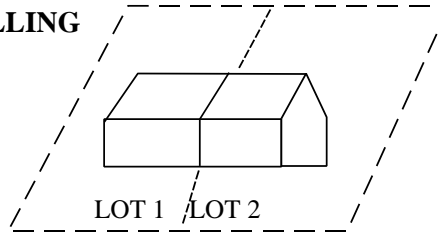
## SELECTED ILLUSTRATIONS OF RESIDENTIAL DWELLING TYPES

### SINGLE FAMILY DETACHED DWELLING



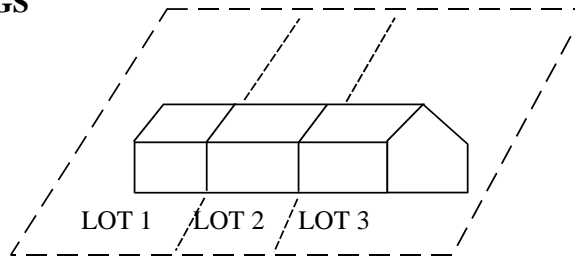
One dwelling unit located on a single lot.

### SINGLE FAMILY SEMI-DETACHED DWELLING



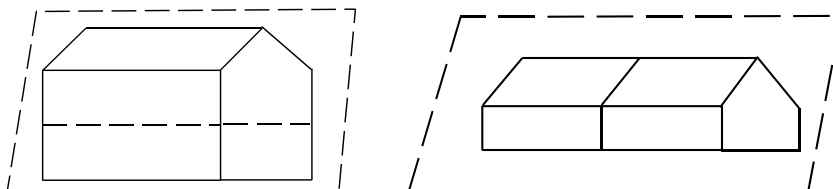
One party wall, each dwelling unit located on a separate lot.

### SINGLE FAMILY ATTACHED DWELLINGS



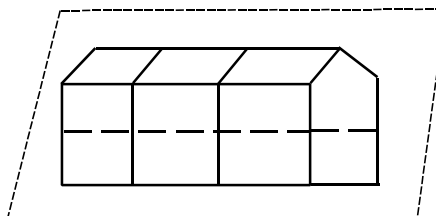
Two party walls, each dwelling unit located on a separate lot.

### TWO FAMILY DWELLINGS



Two dwelling units located on a single lot.

### MULTI-FAMILY DWELLINGS



Three or more dwelling units located on a single lot.

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## APPENDIX 2

### APPLICATION FOR CONSIDERATION OF A SUBDIVISION OR LAND DEVELOPMENT PLAN

YCPC File No. \_\_\_\_\_

Date of Receipt/Filing: \_\_\_\_\_

(For YCPC Use Only)

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

1. Plan Name: \_\_\_\_\_

2. Project Location: \_\_\_\_\_

Tax Map(s) and Parcel Number(s): \_\_\_\_\_

3. Name of Property Owner(s): \_\_\_\_\_

Address \_\_\_\_\_ Phone No. \_\_\_\_\_

\_\_\_\_\_

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

Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

\_\_\_\_\_

5. Application Classification:

Pre-Application Consultation       Preliminary Plan       Land Development

Sketch Plan       Final Plan

6. Proposed Use: \_\_\_\_\_

7. Total Acreage: \_\_\_\_\_

8. Number of Proposed Lots: \_\_\_\_\_

9. Number of Proposed Dwelling Units: \_\_\_\_\_

10. Firm Which Prepared Plan: \_\_\_\_\_

Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

\_\_\_\_\_

Person Responsible for Plan: \_\_\_\_\_

11. Date Plan was Prepared: \_\_\_\_\_ Plan No: \_\_\_\_\_

12. Is a Zoning Variance, Special Exception and/or Conditional Use Approval Necessary? \_\_\_\_\_  
If yes, please specify: \_\_\_\_\_  
\_\_\_\_\_

13. Type of Water Supply Proposed:    \_\_\_ Public                    \_\_\_ Individual On-Lot  
*Please indicate if a capped system is proposed* \_\_\_\_\_

14. Type of Sanitary Sewage Disposal Proposed:            \_\_\_ Public \_\_\_ Individual On-Lot  
*Please indicate if a capped system is proposed.* \_\_\_\_\_

15. Lineal Feet of New Street \_\_\_\_\_

Identify All Street(s) Proposed for Dedication \_\_\_\_\_  
\_\_\_\_\_

<b>16. Distribution of Plan to Review Bodies and Agencies</b>	<u>Date Sent</u>
Municipal Governing Body	_____
Municipal Planning Commission	_____
Municipal Engineer	_____
York County Conservation District	_____
Pa. Dept. of Environmental Protection	_____
Pa. Dept. of Transportation	_____
Other _____	

I am aware that I cannot commence development of the property and cannot commence excavation, earthmoving, grading, or construction until a plan has been recorded in the office of the Recorder of Deeds. By signing this application, I certify that all facts in the application and all accompanying documentation are true and correct.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Landowner or Applicant

**APPENDIX 3**

**MODIFICATION REQUEST**

I, the undersigned, hereby officially request a modification to Section \_\_\_\_\_ of the York County Subdivision and Land Development Ordinance for \_\_\_\_\_ Subdivision/Land Development Plan. The aforementioned section requires that \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

The proposed alternative to the requirement: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The reason for the modification request is: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Approved/Disapproved

\_\_\_\_\_  
(Date of action by YCPC)

Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_