

An ordinance providing for the control of the subdivision and development of land and the approval of plats and replats of land within Strasburg Township, Lancaster County, Pennsylvania.

Now, therefore, be it ordained by the Board of Supervisors of Strasburg Township, Lancaster County, Pennsylvania, under authority of Article V of the “Pennsylvania Municipalities Planning Code”, of the Act of the 1968 General Assembly No 247; as amended.

CHAPTER 1 PURPOSE AND AUTHORITY

SECTION 101 TITLE

These regulations, rules, and standards for planning, subdividing, and developing land within Strasburg Township, Lancaster County, Pennsylvania, including procedures for the application and administration, and penalties for the violation thereof, shall be known, cited and referred to as the SUBDIVISION AND LAND DEVELOPMENT ORDINANCE for Strasburg Township (Ordinance No. 97).

SECTION 102 PURPOSE

The general purpose of this Ordinance shall be to guide and regulate the planning, subdividing, and development of land in order to promote and protect the public health, safety, convenience, comfort, prosperity, and general welfare of the residents of Strasburg Township in Lancaster County.

SECTION 103 OBJECTIVES

It is intended that the provisions of these regulations shall be applied to achieve the following objectives:

- A. Orderly development of the land to obtain harmonious and stable neighborhoods;
- B. Safe and convenient vehicular and pedestrian circulation;
- C. Adequate and economical provision for utilities and public services to conserve the public funds;
- D. Ample public open spaces for schools, recreational and other public purposes;
- E. Accurate surveying of land, preparing and recording of plans;
- F. Discouraging of premature, uneconomical, or scattered subdivision;

- G. Maximize conservation of all forms of energy;
- H. Storm water management, by managing accelerated runoff and erosion and sedimentation problems at their source and by regulating activities that cause these problems;
- I. Utilize and preserve the existing natural drainage systems;
- J. Encourage recharge of groundwater where appropriate and prevent degradation of groundwater quality;
- K. Maintain existing flows and quality of streams and watercourses in the Township and the Commonwealth;
- L. Preserve and restore the flood-carrying capacity of streams;
- M. Provide proper maintenance of all permanent stormwater management facilities that are constructed in Strasburg Township;
- N. Provide performance standards and design criteria for watershed-wide storm water management and planning; and,
- O. Coordination of land development in accordance with the Zoning Ordinance, Storm Water Management Ordinance, Comprehensive Plan, and other plans of Strasburg Township and Lancaster County.

SECTION 104 APPLICATION OF REGULATIONS

No subdivision or land development of any lot, tract or parcel of land located within Strasburg Township shall be effected; no street, sanitary sewer, storm sewer, water main, storm water control facilities, or other facilities in connection therewith shall be laid out, constructed, opened, or dedicated for travel or public use, until a subdivision or land development plan has been approved in the manner prescribed herein, and recorded. Furthermore, no property shall be developed, no building shall be erected and no site improvements shall be completed except in strict accordance with the provisions of this Ordinance.

No lot in a subdivision may be sold or transferred; no permit to erect or alter any building upon land in a subdivision or land development may be issued; and no building may be erected in a subdivision or land development, unless and until a final subdivision or land development plan has been approved or recorded, and until construction of any required site improvements in connection therewith has been completed or guaranteed in the manner prescribed herein.

Approvals issued pursuant to this Ordinance do not relieve the Applicant of the responsibility to secure required permits or approvals for activities regulated by other agencies or levels of government.

SECTION 105 JURISDICTION

Applications for subdivision and land development located within Strasburg Township shall be forwarded, upon receipt by the Township, to the Lancaster County Planning Commission for review and report, together with a fee as established elsewhere herein. Furthermore, the Board of Supervisors shall not approve such applications until the County report is received or until the expiration of thirty (30) days from the date the application was forwarded to the County.

SECTION 106 NOTICE TO SCHOOL DISTRICT

Each month the Township shall notify in writing the Superintendent of the Lampeter-Strasburg School District if a plan for a residential development was finally approved by Strasburg Township during the preceding month. The notice shall include, but not be limited to, the location of the development, the number and types of units to be included in the development and the expected construction schedule of the development.

SECTION 107 PRIOR SUBDIVISION AND LAND DEVELOPMENT REGULATIONS

- A. The provisions of this Ordinance shall not affect an application for approval of a preliminary or final plan which is pending County Planning Commission action at the time of the effective date of this Ordinance, in which case the Applicant shall be entitled to a decision in accordance with the governing ordinances as they stood at the time the application for the plan was filed. Additionally, this Ordinance shall not affect any suit or prosecution pending or to be instituted, to enforce any provision of the Lancaster County Subdivision and Land Development Ordinance, or its applicable predecessor regulations, on an act done, contract executed, or liability incurred prior to the effective date of this Ordinance, nor shall any provisions of this Ordinance be construed to waive the obligations imposed upon an applicant to complete a previously approved preliminary or final plan including the installation of all improvements required hereunder, in strict compliance with the requirements of the Lancaster County Subdivision and Land Development Ordinance or any applicable predecessor regulations.

- B. If an applicant has received approval of a preliminary or final plan from the County Planning Commission prior to the effective date of this Ordinance, no provision of this Ordinance shall be applied to adversely affect the right of the Applicant to commence and complete any aspect of the approved preliminary or final plan in accordance with the terms of such approval within five (5) years of the date of such application. When approval of a final plan has been preceded

by approval of a preliminary plan, the five (5) years shall be counted from the date of preliminary plan approval. If there is any doubt as to the terms of approval, the terms shall be construed in light of the provisions of the governing ordinances or plans as they stood at the time when the application for such approval was duly filed.

CHAPTER 2 DEFINITIONS

SECTION 201 GENERAL TERMS

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

Words in the singular include the plural and those in the plural include the singular.

Words in the present tense include the future tense.

The word “shall” is always mandatory; the word “may” is permissive; and the word “should” means a suggested or preferred action.

The words "person" or "subdivider" or "developer" or "owner" include a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

The word “includes” or “including” shall not limit the term to the specific example, but is intended to extend its meaning to all other instances of like kind and character.

The words “used or occupied” include the words “intended, designed, maintained, or arranged to be used, occupied or maintained”.

When a term is defined in Act 247 and is not otherwise defined in this Ordinance, such term will be interpreted in accordance with the definition in Act 247.

References to officially adopted regulations, standards, or publications of PennDOT, DEP, or other governmental agencies shall include the regulation, publication, or standard in effect on the date when a plan is first filed. It is the intent of the Board of Supervisors in enacting this section to incorporate such changes to statutes, regulations, and publications to the extent authorized by 1 Pa.C.S.A. § 1937.

SECTION 202 SPECIFIC TERMS

Unless otherwise expressly stated, the following words shall, for the purpose of this Ordinance, have the meaning herein indicated. Undefined terms or words used herein shall have as their ordinarily accepted meanings or such meanings as the context of this Ordinance may imply.

ACT 537 PLAN – The official sewage facilities plan adopted by the Township pursuant to the Sewage Facilities Act.

ALTERATION – As applied to land, a change in topography as a result of the moving of soil and rock from one location or position to another; also the changing of surface conditions by causing the surface to be more or less impervious; land disturbance.

ACT 247 - See "Pennsylvania Municipalities Planning Code".

BOARD OF SUPERVISORS – The governing body of Strasburg Township, Lancaster County, Pennsylvania.

BUILDING - A structure which has a roof supported by columns, piers, or walls, which is intended for the shelter, housing, or enclosure of persons, animals, or chattel or which is to house a use of a commercial or manufacturing activity.

BUILDING (SETBACK) LINE - A line established by Township Zoning Ordinance, which defines the required minimum distance between any building and the adjacent public right-of-way or property line.

CARBONATE GEOLOGY – Limestone or dolomite bedrock.

CARTWAY - The portion of the street right-of-way, paved or unpaved, intended for vehicular use. The shoulder is not considered part of the cartway.

COE - The United States Army Corps of Engineers or any successor federal entity charged with regulation of wetlands.

COMMONWEALTH – The Commonwealth of Pennsylvania.

COMPREHENSIVE PLAN - The plan, or parts thereof, which the Board of Supervisors has adopted in accordance with Act 247 Article III showing its recommendations for such systems as parks and recreation facilities, water supply, sewerage and sewage disposal, transportation highways, civic centers and other public improvements which affect the development of the Township. Most recently the Strasburg Region Comprehensive Plan.

CONSERVATION DISTRICT - The Lancaster County Conservation District.

CONSTRUCTION – The term “construction” shall include the building, reconstruction, extension, expansion, alteration, substantial improvement, erection or relocation of a building or structure including manufactured homes, and gas or liquid storage tanks.

COUNTY - Lancaster County, Pennsylvania.

COUNTY PLANNING COMMISSION – The Lancaster County Planning Commission.

CUL-DE-SAC - A street which either (i) intersects at one end with another street and terminates at the other end in a vehicular turnaround; or (ii) intersects at one end with another street and loops back and intersects with itself roughly in a P shape.

CULVERT – A structure with appurtenant works, which carries a stream or other surface drainage under or through an embankment or fill.

DEP - The Department of Environmental Protection of the Commonwealth of Pennsylvania or any agency successor thereto.

DEVELOPMENT – Any man-made change to improved or unimproved real estate, including but not limited to buildings, manufactured homes, or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or the storage of equipment or materials.

DRIVEWAY ORDINANCE – The Strasburg Township Driveway Ordinance, Ordinance No. 80, as amended.

EASEMENT - A right-of-way granted for limited use of land for public or quasi-public purpose.

ENGINEER, REGISTERED - An individual licensed and registered as a Professional Engineer by the Commonwealth of Pennsylvania.

ENGINEER, TOWNSHIP – The Township Engineer or any consultant designated by the Board of Supervisors to review a subdivision plan and perform the duties of Engineer on behalf of the Township.

EROSION - The movement of soil particles by the action of water, wind, ice, or other natural forces.

EROSION AND SEDIMENT POLLUTION CONTROL PLAN – A plan that is designed to minimize accelerated erosion and sedimentation.

FLAG LOT – A lot whose frontage does not satisfy the minimum width requirements for the respective zoning district but that does have sufficient lot width away from the lot's frontage.

FLAGPOLE - A narrow extension of property on a lot or parcel from the buildable area of a lot to the public right-of-way, and which is not part of the lot area, but serves as access to the lot or parcel.

FLOOD – A general and temporary inundation of normally dry land areas by water from waterway overflows or the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD PLAIN - (1) A relatively flat or low land area adjoining a river, stream, or watercourse, which is subject to partial or complete inundation by water; (2) an area subject to the unusual and rapid accumulation or runoff of surface water from any source. For the purposes of this Ordinance, the flood plain shall be considered to be the One Hundred (100) Year Flood Plain which is a flood plain having a one percent (1%) chance of being subject to the above conditions during any given year.

GRADE – A slope, usually of a street, channel or natural ground specified in percent and shown on plans as specified herein. (To) Grade – to finish the surface of a roadbed, top of embankment or bottom of excavation.

GROUNDWATER RECHARGE – Replenishment of existing natural underground water supplies.

HISTORIC FEATURE - Any building, site, structure, object, district or area that:

- A. Is listed on the National Register of Historic Places; or
- B. Has received a Determination of Eligibility for the National Register from the National Park Service; or
- C. Which is listed on the Lancaster County Historic Sites Register or the Comprehensive Site Survey of Lancaster County, both of which are maintained by the Historic Preservation Trust of Lancaster County; or
- D. Which is listed on any officially adopted Township register or inventory of historic features.

This term shall include the site, principal structures, accessory structures, yards, vegetation, fences, road alignments, and signage associated with such features.

HOMEOWNERS' ASSOCIATION - An unincorporated association or not-for-profit corporation whose membership consists of the lot owners of a residential development. A homeowners' association shall also include a condominium unit owners' association. All such associations shall comply with the requirements for owners' associations contained in the Pennsylvania Uniform Condominium Act, 68 Pa. C.S. §3101 et seq., or the Pennsylvania Uniformed Planned Community Act, 68 Pa. C.S. §5101 et seq.

IMPROVEMENTS – Physical additions and changes to the land, necessary to produce usable and desirable lots.

INLET – A surface connection to a closed drain a structure at the diversion end of a conduit. The upstream end of any structure through which water may flow.

LOT AREA – The area contained within the property lines of individual parcels of land, excluding any area within a street right-of-way, but including the area of any easement. The lot area does not include the "flagpole" of a flag lot.

NWI - National Wetland Inventory.

ONE HUNDRED (100) YEAR FLOOD (BASE FLOOD) – A flood selected as the Base Flood, that has a one percent (1%) or greater chance of occurring in any given year.

PARENT TRACT - All contiguous land owned by the same landowner and all land within the Agricultural Zone owned by the same landowner on July 17, 1995, which is or was contiguous except for the presence of public or private roads and/or the presence of lots or parcels adversed from the original tract since July 17, 1995.

PENNDOT - The Department of Transportation of the Commonwealth of Pennsylvania or any agency successor thereto.

PENNSYLVANIA MUNICIPALITIES PLANNING CODE – Adopted as Act 247 of 1968, this act enables municipalities to plan for, and regulate, community development with subdivision and land development ordinances. The code also contains guidelines for subdivision and land development ordinance content. For the purpose of this Ordinance, the Code is referred to as "Act 247" and is intended to include the current code and any further amendments thereto.

PLAN, CENTERLINE SEPARATION – A complete and exact subdivision plan which creates two (2) lots by using a street centerline or stream centerline as the common boundary, and which meets the minimum dimensional and density requirements as included in the Zoning Ordinance for the Zoning District(s) in which the lot or tract is located.

PLAN, FINAL – A complete and exact subdivision or land development plan prepared for recording as required by statute, to define property rights, proposed streets and other improvements; a Final Plan.

PLAN, LOT ADD-ON – A complete and exact subdivision plan; the sole purpose of which is to increase the lot area of an existing lot or tract.

PLAN, LOT LINE CHANGE – A complete and exact subdivision plan; the sole purpose of which is to amend a lot line, shared in common by two or more previously subdivided and recorded lots or tracts, for purposes of minor adjustments or error corrections of previously subdivided lots or tracts.

PLAN, PRELIMINARY – A tentative subdivision or land development plan showing proposed street and lot layout as a basis for consideration prior to preparation of a Final Plan. A Preliminary Plan shall include engineering design for all required site improvements.

PLAN, SKETCH – An informal plan, indicating existing features of a tract and the surrounding area and outlining the general layout of a proposed subdivision or land development.

PLANNING COMMISSION – The Strasburg Township Planning Commission.

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

RIGHT-OF-WAY – The total width of any land reserved or dedicated for use as street, alley, or for any public purpose.

RUNOFF – Any part of precipitation that flows over the land surface.

SEDIMENT POLLUTION – The placement, discharge or any other introduction of sediment into the waters of the Commonwealth occurring from the failure to design, construct, implement or maintain control measures and control facilities in accordance with the requirements of this Ordinance.

SEDIMENTATION – The process by which mineral or organic matter is accumulated or deposited by the movement of water.

SEO - The duly appointed Township Sewage Enforcement Officer.

SEWAGE FACILITIES ACT - The Pennsylvania Sewage Facilities Act, Act of June 24, 1966, P. L. (1965) 1535, No. 537, as amended, 35 P.S. §750.1 et seq.

SITE IMPROVEMENTS – Physical additions or changes to the land that may be necessary to provide usable and desirable lots, including but not limited to, utilities, streets, curbing, sidewalks, street lights and storm water facilities.

SPILLWAY – A depression in the embankment of a pond or basin, which is used to convey excess water from the impoundment.

STORM SEWER – A system of pipes, and/or open channels that convey intercepted runoff and storm water from other sources, but excludes domestic sewage and industrial wastes.

STORM WATER – The total amount of precipitation reaching the ground surface.

STORM WATER MANAGEMENT – The control of runoff to allow water falling on a given site to be absorbed or retained on site to the extent that after development the peak rate of discharge leaving the site does not exceed the rate prior to development.

STORM WATER MANAGEMENT FACILITY – Any structure, natural or man-made, that, due to its condition, design, or construction, conveys, stores, or otherwise affects storm water runoff. Typical storm water management facilities include, but are not limited to, detention and retention basins, open channels, storm sewers, pipes, and infiltration structures.

STORM WATER MANAGEMENT ORDINANCE – The Strasburg Township Storm Water Management Ordinance, adopted in accordance with the guidelines of Act 167 of 1978, the Pennsylvania Storm Water Management Act.

STORM WATER MANAGEMENT PLAN – A plan for managing storm water runoff on a watershed-wide basis, in accordance with the guidelines of Act 167 of 1978, the Pennsylvania Storm Water Management Act.

STREET, PRIVATE – A strip of private land providing access to abutting properties and not offered for dedication or accepted for Township ownership and maintenance.

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

SURVEYOR, REGISTERED – An individual licensed and registered as a Professional Land Surveyor by the Commonwealth of Pennsylvania.

SWALE – A low lying stretch of land which gathers or carries surface water runoff.

TOWNSHIP – Strasburg Township, Lancaster County, Pennsylvania.

WATERCOURSE – A stream of water; river; brook; creek; or a channel or ditch for water, whether natural or manmade.

WATERS OF THE COMMONWEALTH – Any and all rivers, streams, creeks, rivulets, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs, and all other bodies or channels of conveyance of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of this Commonwealth.

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

ZONING HEARING BOARD – The Strasburg Township Zoning Hearing Board.

ZONING ORDINANCE - The Strasburg Township Zoning Ordinance, as amended and as may be amended.

CHAPTER 3 PROCEDURES

SECTION 301 INTENT

The procedures established in this Chapter are intended to define the steps by which a Developer shall design, make an application, record plans, and construct improvements, and by which the Planning Commission and Board of Supervisors may review, make recommendations, approve plans and otherwise administer these regulations and this Ordinance.

For those subdivisions hereinafter classified as minor subdivisions, a sketch plan and abbreviated Final Plan procedure is established. For all others, which are classified as major subdivisions or land developments, a Preliminary Plan and Final Plan procedure is established.

SECTION 302 PRE-APPLICATION

The Township shall make available to Developers copies of this Subdivision and Land Development Ordinance, the Zoning Ordinance, the Storm Water Management Ordinance and other adopted plans, street maps, and other information, which may affect the development of the property under consideration. Applications for approval of a subdivision or land development shall be in accordance with these regulations, other codes and plans as adopted and information furnished.

Prior to the formal submission of a subdivision or land development plan for review and approval, the Subdivider or Land Developer is urged to submit a sketch plan to the Planning Commission for advice on the requirements necessary to achieve conformity to the standards of these regulations as well as to alert the Subdivider or Land Developer as early as possible to factors which must be considered in the design of a subdivision, such as pertinent elements of any Township land use, thoroughfare or other community plans. Review of a sketch plan is an informal, advisory process to guide the Subdivider or Land Developer in eventual preparation of a formal Preliminary or Final Plan.

Sketch plans and subsequent official minor and major subdivision and land development plans should be accompanied by any letters of transmittal or development details necessary to explain existing or proposed site conditions which are not self-explanatory on the actual sketch, minor or major subdivision or land development plan.

SECTION 303 MINOR SUBDIVISION

- A. Classification - A division of land to facilitate a lot addition or a land exchange or a division of land which adjoins an existing public street and does not involve the opening, widening, extension or improvement of any street or the installation of

any public utility outside the frontage street and does not involve more than five (5) lots or dwelling units (except that subdivision of lots from a property after five (5) or more lots have been previously subdivided is a major subdivision).

Dedication or establishment of an unimproved right-of-way or easement shall be a minor subdivision. Centerline separation or replatting, resubdivision or revision of five (5) lots or less shall also be considered a minor subdivision. Multi-family, commercial, industrial and mobile home park development, shall be a major, not minor subdivision, or land development, regardless of the number of lots or units created.

B. Application -

1. Plans may be filed with the Township on any Township business day; however, the Planning Commission may review a plan at a particular meeting only if the plan was filed at least twenty-one (21) calendar days prior to that meeting in order to be placed on the agenda for said meeting.
2. All plan applications shall include the following:
 - a. The Applicant shall consult with the Planning Commission to determine the number of copies required to be submitted. All plans shall be either black on white, blue on white, or color on white paper prints. Copies shall be distributed as follows:
 - i. One (1) copy to the Township Office.
 - ii. One (1) copy to the Township Engineer.
 - iii. One (1) copy to each member of the Planning Commission.
 - b. Three (3) copies of all notifications and certifications which are not provided on the plan. Copies shall be distributed as follows:
 - i. One (1) copy to the Township Office.
 - ii. One (1) copy to the Township Engineer.
 - iii. One (1) copy to the Township Commission.
 - c. Three (3) copies of the Application Form (available from the Township Office). Copies shall be distributed as follows:
 - i. One (1) copy to the Township Office.
 - ii. One (1) copy to the Township Engineer.

- iii. One (1) copy to the Planning Commission.
 - d. Two (2) copies of a completed fee schedule and the appropriate filing fee and deposit account. No application is complete without all required fees.
 - e. One (1) electronic copy of all documents must also be submitted with the Application.
- 3. The Applicant shall provide copies of the plan, supporting documents, required reports and all applicable fees to the public water provider where public water service is proposed, the public sewer provider where public sewer service is proposed, the County Planning Commission, the Conservation District, and, if the plan impacts any state highway, PennDOT. The Applicant shall provide the Township with evidence that the Applicant has provided all of these entities with copies of the plan.
- C. Review - Upon receipt of the Minor Subdivision Plan application and fees, and upon acceptance for review by the Planning Commission at a public meeting, the Planning Commission shall begin to review the plan for compliance with this Ordinance. Where applicable, the plan may be forwarded to the Township Engineer, the Conservation District, or other agencies for review and comment. The plan shall also be forwarded to the County Planning Commission to provide opportunity for review and comment. These comments shall be conveyed to the Township within thirty (30) days of the date that the plan was forwarded. Review comments, conditions, and findings of the County Planning Commission may be used as substantiation for plan approval or disapproval. After completion of the review process, the Planning Commission shall recommend that the Board of Supervisors grant or deny approval.
- D. Approval or Disapproval - The Board of Supervisors shall act on the plan application and shall render a decision in accordance with the time limitations and the requirements set forth in Article V of Act 247.

The Planning Commission shall have the authority to recommend specific conditions for approval upon a subdivision plan. If such specific conditions are accepted by the Applicant, the plan shall be recommended for approval. If the Applicant fails to accept, or rejects, such conditions, the Planning Commission shall recommend the plan be disapproved by the Board of Supervisors.

All such proposed conditions for approval shall be communicated by the Planning Commission Secretary, or such other person as designated by the Planning Commission or Board of Supervisors, within ten (10) calendar days of the imposition of such conditions by the Planning Commission. The Applicant shall respond in writing to the Planning Commission secretary, or such other person

as designated by the Planning Commission or Board of Supervisors, within fourteen (14) calendar days of the mailing of the written notice of the proposed conditions indicating an acceptance or rejection of the conditions imposed. Failure of the Applicant to respond to the notice of proposed conditions shall be deemed a rejection of the proposed conditions.

- E. Final Plan Certification - After the Board of Supervisors' approval of the Minor Subdivision Plan and the required changes, if any, are made, the Applicant shall proceed to prepare two (2) sets of Minor Subdivision Plans which shall be transparent reproductions of the original plan which shall be black line on stable plastic base film and two (2) sets of paper copies of the approved version of the Final Plan. One (1) paper copy of the Plan shall be kept in the Township's files and one (1) paper copy of the Plan shall be kept in the County Planning Commission's files. Both record copies of the Plan shall be certified in accordance with the provisions of Section 303 F.
- F. Signatures Required - Both record copies and one (1) paper copy of the approved version of the Minor Subdivision Plan shall be presented to the Township for the signature of the Board of Supervisors' Chairman and Vice-Chairman or their designees. The Township signatures shall be placed on the Minor Subdivision Plan after a period of not less than twenty-four (24) hours. Signatures shall be affixed as soon after the twenty-four hours as is reasonably possible (See Appendix No. 6). Minor Subdivision Plans will not be signed by the Township if submitted more than ninety (90) days from the Board of Supervisors' final approval action unless the Board of Supervisors grants a modification by extending the effective time period of the approval. After obtaining the required Township signatures, both record copies and one (1) paper copy of the approved version of the Minor Subdivision Plan shall be presented to the County Planning Commission for signature.
- G. Final Plan Recordation - Upon approval and certification of a Minor Subdivision Plan, the Applicant shall record the Plan in the office of the Lancaster County Recorder of Deeds within 90 days of such final approval or 90 days after the date of delivery of an approved plan signed by the Board of Supervisors, following completion of conditions imposed for such approval, whichever is later.

Should the Applicant fail to record the Minor Subdivision Plan within ninety (90) days of the Township's Minor Subdivision Plan approval, the Board of Supervisors' action on the plan shall be null and void unless the Board of Supervisors has granted a waiver by extending the effective time period of the approval.
- H. Approval Signature Required - No Minor Subdivision Plan may be recorded unless it bears the signature of an authorized representative of the Township denoting approval of the plan by the Township, and the signature of an individual authorized to sign for the County Planning Commission.

- I. Recording Number Required - A recording number and a complete set of Plans with all signatures, stamps and seals must be provided to the Township before any permits are issued.
- J. Reporting to GIS - A compact disc in CAD or GIS format of the approved Minor Subdivision Plan including parcel boundaries, streets, water, sewer, utility, and building locations shall be provided to Lancaster County at the time of Plan recording. Copies of the same information in both .pdf and .dwg formats shall also be provided to the Township.
- K. Prior Sale of Lots Prohibited - The Minor Subdivision Plan shall be filed with the Lancaster County Recorder of Deeds before proceeding with the sale of lots.

SECTION 304 MAJOR SUBDIVISION OR LAND DEVELOPMENT - PRELIMINARY PLAN

- A. Classification - Any subdivision or land development involving more than five (5) lots or dwelling units; or any subdivision or land development on a property after five (5) or more lots or dwelling units have previously been subdivided from that property; or any subdivision or land development proposing the opening, widening, extension or improvement of a street shall be deemed to be a major subdivision or land development. Multi-family, mobile home park, institutional, commercial and industrial development shall be considered major subdivision or land development, regardless of the number of lots or units created.
- B. Application -
 - 1. Plans may be filed with the Township on any Township business day; however, the Planning Commission may review a plan at a particular meeting only if the plan was filed at least twenty-one (21) calendar days prior to that meeting in order to be placed on the agenda for said meeting.
 - 2. All plan applications shall include the following:
 - a. The Applicant shall consult with the Planning Commission to determine the number of copies required to be submitted. All plans shall be either black on white, blue on white, or color on white paper prints. Copies shall be distributed as follows:
 - i. One (1) copy to the Township Office.
 - ii. One (1) copy to the Township Engineer.
 - iii. One (1) copy to each member of the Planning Commission.

- b. Three (3) copies of all notifications and certifications which are not provided on the Preliminary Plan. Copies shall be distributed as follows:
 - i. One (1) copy to the Township Office.
 - ii. One (1) copy to the Township Engineer.
 - iii. One (1) copy to the Planning Commission.
 - c. Three (3) copies of the Application Form (available from the Township Office). Copies shall be distributed as follows:
 - i. One (1) copy to the Township Office.
 - ii. One (1) copy to the Township Engineer.
 - iii. One (1) copy to the Planning Commission.
 - d. Two (2) copies of a completed fee schedule and the appropriate filing fee and deposit account. No application is complete without all required fees.
 - e. Three (3) copies of all reports required by Section 403 F. Copies shall be distributed as follows:
 - i. One (1) copy to the Township Office.
 - ii. One (1) copy to the Township Engineer.
 - iii. One (1) copy to the Planning Commission.
 - f. One (1) electronic copy of all documents must also be submitted with the Application.
 - 3. The Applicant shall provide copies of the plan, supporting documents, required reports and all applicable fees to the public water provider where public water service is proposed, the public sewer provider where public sewer service is proposed, the County Planning Commission, the Conservation District, and, if the plan impacts any state highway, PennDOT. The Applicant shall provide the Township with evidence that the Applicant has provided all of these entities with copies of the plan.
- C. Review - Upon receipt of the Preliminary Plan (and improvement plan, if separate) application, and fees, and upon acceptance for review by the Planning Commission at a public meeting, the Planning Commission shall begin to review

the plan for compliance with this Ordinance. The Preliminary Plan shall be examined for suitable relationship to adjoining subdivisions or undeveloped land, feasibility of the program for improvements, and provide an opportunity for advice, suggestions, and adjustments to meet Ordinance requirements before the plan becomes rigid. The submission of alternate plans is recommended.

Where applicable, the plan may be forwarded to the Township Engineer, Conservation District, or other appropriate agency for review and comment. The Preliminary Plan, plus any applicable improvement plan shall be forwarded to the County Planning Commission to provide opportunity for review and comment. These comments shall be conveyed to the Township within thirty (30) days of the date that the plan was forwarded. These comments may be used as substantiation for plan approval or disapproval. After completion of the review process, the Planning Commission shall recommend that the Board of Supervisors grant or deny approval.

- D. Approval or Disapproval - After an application for Preliminary approval of a plan of a major subdivision or land development has been filed with the Planning Commission, together with all improvement plans, maps, necessary data and fees, the Planning Commission shall complete the review, and recommend either approval or disapproval of the plan in accordance with the procedure outlined in Section 303 D.
- E. Recording - After approval of a Preliminary Plan for a major subdivision or land development plan, recording of the Preliminary Plan is not authorized. Approval of the Preliminary Plan shall assure the Subdivider for a period of five (5) years from the date of approval that:
1. The general layout of streets, lots, and other features are approved and shall be the basis for the preparation of the Final Plan; and
 2. The general terms and any special conditions under which the approval of the plan was granted will not be changed; and
 3. The Subdivider may install improvements as required in Chapter 5 of this Ordinance in accordance with the approved Preliminary Plan and other requirements contained in this Ordinance and the ordinances of Strasburg Township. Approval of a Preliminary Plan does not constitute approval of the Final Plan, and therefore, does not authorize the recording of the subdivision or land development plan or the sale or transfer of lots. After a period of five (5) years, approval of the Preliminary Plan shall expire, unless extended by the Board of Supervisors.

SECTION 305 MAJOR SUBDIVISION OR LAND DEVELOPMENT - FINAL PLAN

- A. Classification - Any subdivision or land development involving more than five (5) lots or dwelling units; or any subdivision or land development on a property after five (5) or more lots or dwelling units have previously been subdivided from that property; or any subdivision or land development proposing the opening, widening, extension or improvement of a street shall be deemed to be a major subdivision or land development. Multi-family, mobile home park, institutional, commercial and industrial development shall be considered major subdivision or land development, regardless of the number of lots or units created.
- B. Application -
1. Plans may be filed with the Township on any Township business day; however, the Planning Commission may review a plan at a particular meeting only if the plan was filed at least twenty-one (21) calendar days prior to that meeting in order to be placed on the agenda for said meeting.
 2. All plan applications shall include the following:
 - a. The Applicant shall consult with the Planning Commission to determine the number of copies required to be submitted. All plans shall be either black on white, blue on white, or color on white paper prints. Copies shall be distributed as follows:
 - i. One (1) copy to the Township Office.
 - ii. One (1) copy to the Township Engineer.
 - iii. One (1) copy to each member of the Planning Commission.
 - b. Three (3) copies of all notifications and certifications which are not provided on the Preliminary Plan. Copies shall be distributed as follows:
 - i. One (1) copy to the Township Office.
 - ii. One (1) copy to the Township Engineer.
 - iii. One (1) copy to the Planning Commission.
 - c. Three (3) copies of the Application Form (available from the Township Office). Copies shall be distributed as follows:
 - i. One (1) copy to the Township Office.

- ii. One (1) copy to the Township Engineer.
 - iii. One (1) copy to the Planning Commission.
 - d. Two (2) copies of a completed fee schedule and the appropriate filing fee and deposit account. No application is complete without all required fees.
 - e. Three (3) copies of all reports required by Section 403 F. Copies shall be distributed as follows:
 - i. One (1) copy to the Township Office.
 - ii. One (1) copy to the Township Engineer.
 - iii. One (1) copy to the Planning Commission.
 - f. One (1) electronic copy of all documents must also be submitted with the Application.
3. The Applicant shall provide copies of the plan, supporting documents, required reports and all applicable fees to the public water provider where public water service is proposed, the public sewer provider where public sewer service is proposed, the County Planning Commission, the Conservation District, and, if the plan impacts any state highway, PennDOT. The Applicant shall provide the Township with evidence that the Applicant has provided all of these entities with copies of the plan.
 4. The Final Plan may be submitted in sections, each section covering a reasonable portion of the entire proposed subdivision as shown on the approved Preliminary Plan; provided that each section, except for the last section, shall contain a minimum of twenty-five (25) percent of the total number of units of occupancy as depicted on the approved Preliminary Plan.
 5. The Township may accept a Final Plan modified to reflect a change to the site or its surroundings, which occurs after the Preliminary Plan review. The Township shall determine whether a modified Final Plan will be accepted or whether a new Preliminary Plan shall be submitted. The Planning Commission may make recommendations to the Board of Supervisors.
- C. Review – Upon receipt of the Final Plan application, fees and acceptance by the Planning Commission for review, the Planning Commission shall begin to review the plan for compliance with this Ordinance. The Final Plan shall be examined for conformity to the Preliminary Plan, for design and detail for required site improvements, and for adherence to other standards of this Ordinance. The plan shall also be examined to determine if the required site improvements have been

installed or, in lieu thereof, financial security has been submitted. Where applicable, the plan may be forwarded to the Township Engineer, the Conservation District, or other appropriate agencies for review and comment. The Final Plan shall be forwarded to the County Planning Commission to provide opportunity for review and comment. These comments shall be conveyed to the Township within thirty (30) days of the date that the plan was forwarded.

Review comments, conditions, and findings of the County Planning Commission may be used as substantiation for plan approval or disapproval. After completion of the review process, the Planning Commission shall recommend approval, with or without conditions, or disapproval by the Board of Supervisors.

- D. Approval or Disapproval – After an application for final approval of a plan of a major subdivision or land development has been filed with the Planning Commission, approval or disapproval with or without conditions shall be granted in accordance with Section 303 D. of this Ordinance.

However, no plan shall be finally approved unless the streets on such plan have been improved as required by this Ordinance, and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, landscaping, water mains, sanitary sewers, storm sewers, storm water managements facilities, and other site improvements as may be required by this Ordinance and any applicable Township requirements have been installed in accordance with such requirements. In lieu of the completion of any site improvements required as a condition for the final approval of a plan, financial security shall be deposited by the Subdivider/developer with the Township in an amount to cover the costs of any site improvements which may be required by ordinance. Such financial security shall provide for and secure to the public, the completion of any site improvements which may be required for the subdivision or land development. Financial improvement guarantees shall further be subject to the requirements of Chapter 6 of this Ordinance and Act 247.

- E. Compliance with Municipal Action - If the Board of Supervisors conditions its Final Plan approval upon receipt of additional information, changes, and/or notifications, such data shall be submitted and/or alterations noted on two (2) copies of the plan to be submitted to the Township for approval. Such data shall be submitted to the Board of Supervisors within ninety (90) days of their conditional approval, unless the Board of Supervisors grants a modification by extending the effective time period. The Board of Supervisors' approval of the plan shall be rescinded automatically should the Developer fail to accept or reject the conditions as permitted by Act 247.
- F. Final Plan Certification - After the Board of Supervisors' approval of the Final Plan and the required changes, if any, are made, the Applicant shall proceed to prepare two (2) sets of Final Plans which shall be transparent reproductions of the original plan which shall be black line on stable plastic base film and two (2)

sets of paper copies of the approved version of the Final Plan. One (1) paper copy of the Plan shall be kept in the Township's files and one (1) paper copy of the Plan shall be kept in the County Planning Commission's files. Both record copies of the Plan shall be certified in accordance with the provisions of Section 305 F.

- G. Signatures Required - Both record copies and one (1) paper copy of the approved version of the Final Plan shall be presented to the Township for the signature of the Board of Supervisors' Chairman and Vice-Chairman or their designees. The municipal signatures shall be placed on the Final Plan after a period of not less than twenty-four (24) hours. Signatures shall be affixed as soon after the twenty-four hours as is reasonably possible (See Appendix No. 6). Final Plans will not be signed by the Township if submitted more than ninety (90) days from the Board of Supervisors' final approval action unless the Board of Supervisors grants a modification by extending the effective time period of the approval. After obtaining the required Township signatures, both record copies and one (1) paper copy of the approved version of the Final Plan shall be presented to the County Planning Commission for signature.
- H. Final Plan Recordation - Upon approval and certification of a Final Plan, the Applicant shall record the Plan in the office of the Lancaster County Recorder of Deeds within 90 days of such final approval or 90 days after the date of delivery of an approved plan signed by the Board of Supervisors, following completion of conditions imposed for such approval, whichever is later.
- Should the Applicant fail to record the Final Plan within ninety (90) days of the municipality's Final Plan approval, the Board of Supervisors' action on the plan shall be null and void unless the Board of Supervisors has granted a waiver by extending the effective time period of the approval.
- Unless all site improvements have been constructed and completed in accordance with Section 305 D. above, the Final Plan shall not be released for recording until the Applicant has provided financial security in accordance with Chapter 6 hereof.
- I. Approval Signature Required - No Final Plan for any subdivision or land development may be recorded unless it bears the signature of an authorized representative of the Township denoting approval of the plan by the Township, and the signature of an individual authorized to sign for the County Planning Commission.
- J. Recording Number Required - A recording number and a complete set of Plans with all signatures, stamps and seals must be provided to the Township before any permits are issued.

- K. Reporting to GIS - A compact disc in CAD or GIS format of the approved Final Plan including parcel boundaries, streets, water, sewer, utility, and building locations shall be provided to Lancaster County at the time of Plan recording. Copies of the same information in both .pdf and .dwg formats shall also be provided to the Township.
- L. Prior Sale of Lots Prohibited - The Final Plan shall be recorded at the Lancaster County Recorder of Deeds before proceeding with the sale of lots.
- M. Dedication by Recording the Final Plan - After approval of the Final Plan by the Board of Supervisors, the act of recording the Final Plan shall have the effect of an irrevocable offer to dedicate all streets and other areas designated for public use, unless reserved by the landowner as provided below. However, the approval of the Board of Supervisors shall not impose any duty upon the Commonwealth, County, or Township concerning acceptance, maintenance, or improvement of any such dedicated areas or portion of same until proper authorities of the Commonwealth, County, or Township actually accept same by ordinance or resolution, or by entry, use, or improvement.
- N. Notice of Reservation from Public Dedication - The landowner shall place a notation on the Final Plan when there is no offer of dedication to the public of certain designated areas, in which event the title to such areas shall remain with the owner, and the Commonwealth, County, and Township shall assume no right to accept ownership or right-of-way.
- O. Ordinance Changes after Plan Approval - When a Final Plan has been approved, no subsequent change or amendment in zoning, subdivision or other governing ordinance shall be applied to affect adversely the right of the Subdivider or Land Developer to commence and complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from such approval. Where final approval is preceded by preliminary approval, the aforesaid five-year period shall be counted from the date of the preliminary approval.

When the Subdivider or Land Developer has failed to substantially complete development of the approved plan within five (5) years of the aforesaid approval date and when changes in a zoning, subdivision, or other governing ordinance have occurred which affect the design of the approved plan, the subdivision or land development shall be subject to the changes in the zoning, subdivision, or other governing ordinance. The Township may notify, in writing, the Subdivider or Land Developer that approval has expired and submission and approval of a revised Preliminary and/or Final Plan (as necessary to detail changes), illustrating compliance with the revised ordinance, is required prior to further development or lot transfer.

SECTION 306. LOT ADD-ON/LOT LINE CHANGE/CENTERLINE SEPARATION PLAN

- A. Plan Requirements - Lot Add-On/Lot Line Change/Centerline Separation Plans shall only be permitted when:
1. No resultant tract of land associated with the plan shall be smaller than the minimum or larger than the maximum lot size permitted by the Zoning Ordinance.
 2. Drainage easements and rights-of-way are not altered.
 3. Access to the affected tracts of land is not changed.
 4. Street alignments are not changed.
 5. Any on-lot facilities (well, septic systems, stormwater management controls) and their associated lot line setbacks and isolation distances shall not be impacted.
 6. Except for centerline separation plans, no new lots are created.
 7. In the case of lot line change plans, both impacted tracts of land shall be resultant from the same original recorded subdivision plan.
- B. Deed Required – A copy of the deed(s) to be recorded for the impacted tracts of land shall be submitted prior to recording of the plan. The deed shall provide descriptions of the impacted tracts which reflect the proposed changes to the tracts.
- C. Plan Submission and Recording Procedures – In every case where a proposal conforms to the requirements of this Section, the application and recording procedures shall comply with Section 303 of this Ordinance. Lot Add-On/Lot Line Change/Centerline Separation Plans shall include the information required under Section 402 G. of this Ordinance.

CHAPTER 4

PLANS AND PLATS: REQUIRED INFORMATION

SECTION 401 INTENT

Plans, maps, data and plats shall be prepared and furnished by the Developer as required herein to assure accurate surveying, to provide adequate information for designing and preparing plans, and to facilitate review, approval and recording of plans. Plans and maps shall be neat, legible, uncluttered and easily readable to provide clear documentation of all data.

SECTION 402 MINOR SUBDIVISION PLANS (Amended 7/3/17)

When the applicable criteria are satisfactorily proven to exist, a Plan shall be prepared and submitted in accordance with the following requirements:

A. Drafting Standards

1. The Plan shall be clearly and legibly drawn at a scale of 10 feet, 20 feet, 30 feet, 40 feet, 50 feet, 60 feet, or 100 feet to the inch.
2. Dimensions shall be in feet and decimals; bearings shall be in degrees, minutes and seconds. Lot line descriptions shall read in a clockwise direction.
3. The sheet size shall be no smaller than eighteen by twenty-two (18 x 22) inches and no larger than twenty-four by thirty-six (24 x 36) inches. If the Plan is prepared in two (2) or more sections, a key map showing the location of the sections shall be placed on each sheet. If more than one (1) sheet is necessary, each sheet shall be the same size and numbered to show the relationship to the total number of sheets in the Plan (e.g., Sheet 1 of 5).
4. Plans shall be legible in every detail.

B. Title Block

1. Identification of the plan as a Final Plan;
2. Name of the development, if any;
3. Name, address and phone number of the record owner(s), Subdivider(s), Developer(s), and authorized agent(s);
4. Name of the municipality in which the subdivision is located;

5. Written and graphic scale of plan;
6. Name, address and phone number of plan preparer;
7. Date of plan preparation and date of subsequent revisions; and,
8. Deed reference or source of title.

C. Signature Blocks

Space for date, signature and type of formal action by each of the following:

1. County Planning Commission (See Appendix No. 8).
2. Board of Supervisors (See Appendix No. 6).
3. Planning Commission (See Appendix No. 4).
4. Township Engineer, where applicable
5. Other officials, where required by this Ordinance or other Township ordinance.

D. Maps and Data

1. Location drawing or map section, at a scale of 1" = 800', showing the location of the proposed subdivision in relation to named streets, boundaries, previous subdivisions, etc.

The proposed subdivision area shall be identified by a tone or pattern differentiation and residual land of the Subdivider shall be outlined.

The location drawing shall also contain a reference to north and, where possible, be depicted in northerly alignment with the property drawing.

2. Property drawing of the parcel, which is to be subdivided. Residual land shall be shown to the extent necessary to assure compliance with all applicable standards. (If a landowner is to retain a single lot with a lot area in excess of ten (10) acres, the boundary of that lot may be identified as a deed plotting and may be drawn at any legible scale; if the remaining lot has a lot area of ten (10) or less acres, it must be described to the accuracy requirements of this Ordinance.) The lot, tract or parcel drawing shall include:
 - a. Bearings and dimensions for all property lines; corporation lines; center and right-of-way lines of streets; easements and other rights-

of-way; natural and artificial water courses, streams and flood plain boundaries; wetlands; and other boundary lines with distances, radii arcs, chords and tangents of all deflection angles, nearest second and error of closure of not more than one (1) foot in 10,000 feet.

- b. Proposed lot, tract, or parcel lines in prominent, solid lines. Lot, tract, or parcel lines proposed for removal shall be shown in dashed or broken lines.
 - c. Location and identification of all control points (iron pins, monuments, etc.) to which all dimensions, angles and bearings are to be referred.
 - d. Lot numbers or letters in progressive order to identify each lot or tract. Numbers shall be utilized only for lots, tracts or parcels which are eligible for independent or individual use, whereas letters shall be utilized for lot additions, land exchanges and transfer of lots or parcels which are not eligible for individual use or development. Lot numbers or letters from previous plans shall be encircled by a dashed or broken line circle while currently proposed lot numbers or letters shall be encircled by a solid line circle.
 - e. Square footage and acreage of all lots or parcels involved in the subdivision, exclusive of land dedicated for public right-of-way.
 - f. The location, size and use of all existing buildings.
 - g. The building setback line prescribed in the Zoning Ordinance.
3. Streets, utilities, topography and natural features on the proposed subdivision and within 100 feet of the boundaries, in accordance with the following:
- a. Layout, right-of-way, pavement width and name of all streets and streets.
 - b. Size and location of all existing and proposed utilities including easements.
 - c. Existing and proposed on-lot well and sewage disposal system locations, as well as soil probe and percolation test locations for sewage disposal systems.
 - d. The existing and proposed topography and drainage of all proposed development sites shall be depicted. Existing and

proposed contour intervals shall be a maximum of five (5) feet, except that development areas with a grade of less than 5% shall be depicted utilizing two (2) foot contour intervals.

- e. Streams, ponds, waterways, flood plains, quarries, sinkholes and other significant topographical, physical or natural features.
 - f. Identify and illustrate all soil series and soil boundaries.
 - g. The size, capacity and condition of the existing storm water management system and any other facility that may be used to convey storm flows.
 - h. The location of wetlands and subsequent data or information required by Section 407 of this Ordinance.
 - i. The location of threatened or endangered plant and animal species and communities and subsequent data or information required by Section 408 of this Ordinance.
 - j. Easements for the on-lot sewage replacement locations.
 - k. Easements around delineated wetlands.
 - l. Clear sight triangles and stopping sight distances for all intersections as described in Sections 509 C.1. of this Ordinance shall be shown on the plan.
 - m. Parks, playgrounds, and other areas proposed to be dedicated or reserved for public use with any condition governing such use.
 - n. Preliminary designs of any bridges or culverts that may be required. Such designs shall meet all applicable requirements of the DEP, PENNDOT, and other applicable agencies. Calculations for waterway opening shall be included. All designs shall be subject to approval by the Township.
- 4. Storm water management facilities, including ground water recharge and water quality design, where required by the Storm Water Management Ordinance.
 - 5. North arrow and graphic and written scale. The scale shall not exceed 50' to the inch. Deed reference and source of title to the land being subdivided shall be included, as shown by the County Recorder of Deeds.
 - 6. Names of all surrounding property owners.

E. Plan Notes and Conditions

All necessary or recommended supplementary subdivision plan notes or conditions shall be prominently lettered on the plan. This shall include, but not be limited to:

1. Total number of lots or dwelling units proposed by the plan.
2. Applicable zoning standards for front, rear and side yard setbacks, minimum lot area, minimum lot width and zoning district.
3. Statement of intended use for all lots except those intended for single-family detached dwellings.
4. Statement of deed restrictions or covenants, which may be a condition of sale of the property.
5. Other specifics or clarifications necessary to complete the plan.
6. The total acreage of the entire existing tract.
7. A statement on the plan indicating any special exception, conditional use or variance, if applicable, related to the property, along with a copy of any Zoning Hearing Board or Board of Supervisors decision, so that any conditions imposed will be readily evident.
8. A listing on the plan identifying all modifications of the requirements of this Ordinance requested by the Subdivider/Developer. The listing should be specific and refer to the particular section of this Ordinance for which waiver is being requested.
9. Where the tract described in the application includes any public utility, electric transmission line, gas pipeline, or petroleum product transmission line located within the tract, the Applicant or lessee of such right-of-way shall notify the owner of the right-of-way of his intentions. A note stating any conditions regarding the use of the land, minimum building setback or right-of-way lines shall be included on the plan. This requirement may also be satisfied by submitting a copy of the recorded agreement.
10. Where the land included in the subject application has an agricultural, woodland or other natural resource easement located within the tract, the application shall be accompanied by a letter from the party holding the easement stating any conditions on the use of the land. This requirement may also be satisfied by submitting a copy of the recorded easement.

11. For land within the Agricultural Zone, identification of the parent tract and all prior subdivisions from the parent tract, including recording reference of each prior plan for the parent tract.
12. Identification of all prior recorded plans for the subject tract, identifying all notes and/or restrictions on such prior recorded plans affecting the current development, together with a verification signed by the design professional that such list is complete and correct.
13. Where land will be transferred from one lot to another, either as part of a final plan, preliminary/final plan or lot line change/lot add-on plan, a copy of the deed with a perimeter legal description for the lot as enlarged. The Applicant shall present the Township with proof that the deed with the perimeter legal description has been recorded within 30 days after the release of the final, preliminary/final or lot line change/lot add-on plan for recording.
14. Notification from DEP that approval of the sewage facilities plan revision or supplement has been granted or notice from DEP that such approval is not required. A note to that effect shall also be placed on the plan.
15. Written notice from the Township Engineer that all proposed improvements have been designed to the standards of the Township and that financial guarantees in a form suitable to the Township Solicitor have been received.
16. Notification from the appropriate state and federal agencies the approvals have been received, permits have been issued, or are not required, for any proposed activities within streams, wetlands, or any other state of federally regulated body of water or earth moving activities regulated by state agencies. These permits or approvals include, but are not limited to erosion and sediment control, floodplain encroachment permits, dam safety permits, NPDES permits, stream encroachment permits and general permits.

F. Certifications and Dedications

1. A certification of ownership shall be signed by the property owner(s) verifying ownership and acceptance of the plan (See Appendix No. 9).
2. A statement shall be signed by the owner(s) offering land for dedication to public use for all appropriate streets, rights-of-way, easements, parks, etc. (See Appendix No. 9).

3. A certification statement by the plan preparer (registered surveyor, engineer, or landscape architect) verifying the plan accuracy (See Appendix No. 1).
4. Seal of the registered surveyor, engineer or landscape architect responsible for plan preparation. Any plan establishing property boundaries shall be prepared and sealed by a registered surveyor (See Appendix No. 2).
5. Certificate, signature and seal of a professional registered in the Commonwealth of Pennsylvania and qualified to perform such duties, indicating compliance with the provisions of Section 506 of this Ordinance (See Appendix No. 3).
6. A statement indicating that the site is/is not underlain by carbonate geology and prone to sinkhole development, in accordance with Section 410 A.

G. Lot Add-On/Lot Line Change/Centerline Separation Plan Information

1. Plans shall include the information identified in Sections 402 A., 402 B.; 402 C., 402 D.1.; 402 D.2.; 402 D.3.a. through c.; 402 D.3.j.; 402 D.5.; 402 D.6.; 402 E. and 402 F. of this Ordinance.
2. In the case of Centerline Separation Plans, the Applicant shall also supply evidence of approval of a Sewage Planning Module in accordance with the requirements of Section 507 A.1. of this Ordinance.

SECTION 403 MAJOR SUBDIVISION OR LAND DEVELOPMENT - PRELIMINARY PLAN

Preliminary Plans shall be prepared by an Engineer, a Surveyor, or a Landscape Architect. The Preliminary Plan shall show, be accompanied by, or be prepared in accordance with the following and shall provide sufficient design information to demonstrate conformance with the requirements of Chapter 5 of this Ordinance:

A. Drafting Standards

1. The Plan shall be clearly and legibly drawn at a scale of 10 feet, 20 feet, 30 feet, 40 feet, 50 feet, 60 feet, or 100 feet to the inch.
2. Dimensions shall be in feet and decimals; bearings shall be in degrees, minutes and seconds. Lot line descriptions shall read in a clockwise direction.

3. The sheet size shall be no smaller than eighteen by twenty-two (18 x 22) inches and no larger than twenty-four by thirty-six (24 x 36) inches. If the Plan is prepared in two (2) or more sections, a key map showing the location of the sections shall be placed on each sheet. If more than one (1) sheet is necessary, each sheet shall be the same size and numbered to show the relationship to the total number of sheets in the Plan (e.g., Sheet 1 of 5).

4. Plans shall be legible in every detail.

B. Title Block

All information required in Section 402 B. of this Ordinance.

C. Signature Blocks

All information required in Section 402 C. of this Ordinance.

D. Maps and Data

All information required in Section 402, Subsection D., Paragraphs 1, 4, 5, and 6 of this Ordinance. Information required in Paragraphs 2 and 3 shall also be supplied as specified, except that:

1. Lots shall be depicted, but individual bearings and dimensions are not required. Lot areas may be approximated.
2. Topographic information shall be completed at two (2) foot contour intervals. It shall show approximate direction and gradient of ground slope on immediately adjacent land; indicate subsurface condition of tract if not typical; show water courses, marshes, sinkholes, wetlands, wooded areas, isolated preservable trees and other significant features.
3. Street and utility information shall be detailed. Street profiles, cross sections and grades shall be specified, detailing cartway, curb, and shoulder design where applicable. Location, size, profiles, elevations and cross sections shall be submitted for all sanitary sewers, water lines, storm sewers, sidewalks, street lights, storm water management facilities and other proposed site improvements.

E. Plan Notes and Conditions

All information required in Section 402 E. of this Ordinance.

F. Certifications and Dedications

All information required in Section 402 F. of this Ordinance.

G. Reports - the following reports shall be submitted with the plan:

1. Storm water management information as required by Section 506 of this Ordinance.
2. A sewer and water feasibility report as described in Section 405 of this Ordinance.
3. A preliminary traffic impact study as described in Section 406 of this Ordinance.
4. A wetland report as described in Section 407 of this Ordinance.
5. Documentation regarding the location of threatened or endangered plant and animal species and communities and subsequent data or information required by Section 408 of this Ordinance.

6. Documentation regarding floodplain zone regulations as described in Section 409 of this Ordinance.
7. Documentation regarding hazards associated with carbonate rocks as described in Section 410 of this Ordinance.

SECTION 404 MAJOR SUBDIVISION OR LAND DEVELOPMENT - FINAL PLAN

Final Plans shall be prepared by an Engineer, a Surveyor, or a Landscape Architect. The Final Plan shall show, be accompanied by, or be prepared in accordance with the following and shall provide sufficient design information to demonstrate conformance with the requirements of Chapter 5 of this Ordinance:

A. Drafting Standards

The same standards shall be required for a Final Plan as specified for a Preliminary Plan in Section 402 A. of this Ordinance.

B. Title Block

All information required in Section 402 B. of this Ordinance.

C. Signature Blocks

All information required in Section 402 C. of this Ordinance.

D. Maps and Data

1. The plan shall include only the phase or section of the subdivision or land development proposed for immediate recording and development. All information required in Section 403 D. of this Ordinance shall be supplied.
2. In addition, final street names and where required to satisfy a requirement of the Zoning Ordinance or other governing regulation, a complete landscape plan, prepared by a landscape architect, showing the location, size and type of all plant material required by provisions of this Ordinance or any other applicable Township regulations, including but not limited to, screening, buffer planting, parking landscaping, replacement trees, and street trees. The landscape plan should be provided on separate sheets and must include the signature and seal of the registered landscape architect responsible for preparation of the plan.
3. Storm water management data shall be provided for all plans designed in accordance with the Stormwater Management Ordinance, which identifies design and construction details for managing the quantity and quality of

storm water runoff. The information may be provided on a sheet with other data or on separate sheets.

E. Plan Notes and Conditions

All information required in Section 403 E. of this Ordinance.

F. Certification and Dedications

All information required in Section 403 F. of this Ordinance. In addition, the following shall also be provided:

1. Notification from DEP that approval of the sewage facilities plan revision (plan revision module for land development) or supplement has been granted or notice from DEP that such approval is not required. A note to that effect shall also be placed on the plan.
2. Notice from the postmaster of the postal district in which the tract is located and the emergency service providers in the Township stating that the proposed private and/or public street names are acceptable.
3. Written notice from the Township Engineer that all proposed improvements have been designed to the standards of the Township and that financial guarantees in a form suitable to the Township and Township Solicitor have been received.
4. Notification from the appropriate state and federal agencies that approvals have been received, permits have been issued, or are not required, for any proposed activities within streams, wetlands or any other state or federally regulated body of water. These permits and/or approvals include, but are not limited to, Erosion and Sediment Control, Floodplain Encroachment Permits, Dam Safety Permits, Earth Disturbance Permits, Stream Encroachment Permits, and General Permits.

When the Final Plan is submitted in sections, the above notifications for all applicable activities on the entire site, shown on the approved Preliminary Plan shall be provided upon submittal of the first Final phase of the project.

G. Reports

Final versions of all information required in Section 403 G. of this Ordinance.

SECTION 405 FEASIBILITY REPORT ON SEWER AND WATER FACILITIES

The Applicant shall submit a feasibility report, in triplicate, on sewer and water facilities for all proposed subdivision and land development plans that meet the following criteria:

- A. Residential – five (5) or more lots or dwelling units.

- B. Commercial, Industrial or Institutional – all projects.

The feasibility report shall discuss the availability of a public sewer and public water system in or near the proposed subdivision or land development. Said report shall be prepared by a registered professional engineer. Said report(s) shall address the requirements of Sections 507 and 508 of this Ordinance.

SECTION 406 TRAFFIC IMPACT STUDY REQUIRED OF CERTAIN DEVELOPMENTS.

- A. Traffic Impact Study Required. A traffic impact study shall be prepared wherever required by the Zoning Ordinance. In addition, a traffic impact study will be required for developments or subdivisions that meet the following criteria:

1. During any one hour time period of any day of the week, the development is expected to generate 100 or more vehicle trips entering the site or 100 or more vehicle trips exiting the site.
2. For existing sites being redeveloped, the site is expected to generate 100 or more additional trips entering or exiting the development during any one hour time period of any day of the week.
3. In the opinion of the Township, the development or redevelopment is expected to have a significant impact on highway safety and/or traffic flow, even if none of the above warrants are met.

All developments that do not meet the above stated criteria shall submit the information required in Section 406 C.

- B. Traffic study and report required to be submitted with the Preliminary Plan. All subdivisions and/or land developments meeting the criteria set forth in Section 406 A. shall submit a traffic impact study and report with the Preliminary Plan application meeting all of the following:

1. The traffic impact study shall be prepared under the supervision of a qualified and experienced engineer with specific training in traffic and transportation engineering and at least two years of experience related to preparing traffic impact studies.
2. The ultimate scope of the Traffic Impact Area (TIA) will be subject to the approval of the Township Engineer and projected scopes shall be submitted for review prior to collection of traffic count data. At a minimum, the TIA shall include all streets and major intersections within a one-half mile radius of each access for the proposed development. If a street abutting the proposed development does not contain an intersection with another street within the one-half mile area, the first intersection with such

abutting street shall be included. Whenever a proposed project will generate one hundred (100) new vehicle trips in the peak direction (inbound or outbound) during the site peak or adjacent street peak hours, the traffic impact area shall include, at a minimum, all streets and major intersections within a one mile radius.

3. The traffic impact study shall include existing 24-hour and peak hour traffic volume data, including weekdays and, where deemed appropriate, Saturdays and Sundays, for all streets and intersections included in the TIA.
4. Traffic forecasts shall be prepared for the design and horizon years of the development, assuming both no-build and full build-out scenarios and including projected adjacent approved development traffic volumes. Forecasts will cover the same time periods as the existing traffic volume data noted in Section 406 B.3. above. The design year shall be considered the point in time when the development is completed and shall be determined in accordance with accepted engineering practices. In the event of a dispute as to the design year, the determination of the Township Engineer shall be final. The horizon year shall be considered the point in time 10 years beyond the design year of the development.
5. Background traffic growth used for traffic forecasts will be estimated based on growth rates from the current edition of PENNDOT Pennsylvania Traffic Data, County growth projections, or other accepted information sources, subject to the approval of the Township Engineer.
6. The traffic impact study shall include estimates of the total number of vehicle trips to be generated by the development for a typical 24-hour period and typical a.m. and p.m. peak periods, including weekdays, Saturdays and Sundays.
7. The traffic impact study report shall include a table showing the categories and quantities of land uses, with the corresponding trip generation rates or equations (with justification for selection of one or the other), and resulting number of trips. The trip generation rates used must be from the latest edition of the ITE Trip Generation Manual, from a local study of corresponding land uses and quantities, or from another source as approved by the Township Engineer. All sources must be referenced in the study.
8. Any significant difference between the sums of single-use rates and proposed mixed-use estimates shall be justified in the traffic impact study report.

9. The reasoning and data used in developing a trip generation rate for special/unusual generators must be justified and explained in the report, and such trip generation rates shall be subject to the approval of the Township Engineer.
10. Trip distribution must be estimated and analyzed for the design and horizon years. A multi-use development may require more than one distribution and coinciding assignment for each phase. Consideration shall also be given to whether inbound and outbound trips will have similar distributions.
11. Assignments shall be made considering logical routings, available roadway capacities, left turns at critical intersections, and projected minimum travel times. In addition, multiple paths shall be considered between origins and destinations to achieve realistic estimates rather than assigning all of the trips to the route with the shortest travel time. The assignments shall be carried through the external site access points. When the site has more than one access, logical routing and possibly multiple paths shall be used to obtain realistic driveway volumes. The assignment shall reflect conditions at the time of the analysis. Assignments can be accomplished either manually or with applicable computer models.
12. If pass-by or shared trips are a consideration for the land use in question, studies and interviews at similar land uses must be conducted or referenced.
13. If a thorough analysis is required to account for pass-by trips, the following procedure should be used:
 - a. Determine the percentage of pass-by trips in the total trips generated.
 - b. Estimate a trip distribution for the pass-by trips.
 - c. Perform two separate trip assignments based on the new and pass-by trip distributions.
 - d. Combine the pass-by and new trip assignment.
14. Traffic estimates for any site with current traffic activity must reflect not only new traffic associated with the site's redevelopment, but also the trips subtracted from the traffic stream because of the removal of a land use. The traffic impact report shall clearly depict the total traffic estimate and its components.

15. Capacity analysis shall be performed at each of the street and project site access intersection locations (signalized and unsignalized) within the TIA for each of the forecast scenarios. When deemed necessary by the Township Engineer, analyses shall also be completed for major roadway segments within the study area. These may include such segments as internal site roadways, parking facility access points, and reservoirs for vehicles queuing off site and on site. Other locations may be deemed appropriate depending on the situation.
16. The recommended level-of-service analysis shall follow the procedures detailed in the Highway Capacity Manual. Overall and approach level-of-service ratings A, B, C and D will be acceptable for existing signalized and unsignalized intersections, (Levels C or better are considered desirable); level-of-service E or F is considered to be unacceptable. For new or newly signalized intersections, level-of-service C will be considered as the minimum acceptable level-of-service.
17. The operational analyses in the Highway Capacity Manual shall be used for analyzing existing conditions, traffic impacts, access requirements, or other future conditions for which traffic, geometric, and control parameters can be established. Other methods of operational analysis, such as the Synchro Analysis package may be acceptable, subject to the approval of the Township Engineer.
18. The recommendations of the traffic impact study shall provide safe and efficient movement of traffic to and from the proposed development, while minimizing the impact to non-site trips. The current approach and overall levels of service shall be maintained if they are C or D, not allowed to deteriorate to worse than C if they are currently A or B, and improved to D if they are E or F. If an improvement to a resultant level of service E or F cannot be met, then there can be no increase in delay (overall, approach, and lane) from the future pre-developed condition to the post-developed condition.
19. A traffic impact study report shall be prepared to document the purpose, procedures, findings, conclusions, and recommendations of the study.
 - a. The documentation for a traffic impact study shall include, at a minimum:
 - i. Study purpose and objectives.
 - ii. Description of the site and study area.
 - iii. Existing conditions in the area of the development, including, but not limited to, detailed descriptions of the studied intersections, roadway conditions, and existing deficiencies.

- iv. Recorded or approved nearby development traffic.
 - v. Analysis of accident data for the previous five-year period for the intersections within the TIA.
 - vi. Trip generation, trip distribution, and modal split.
 - vii. Projected future traffic volumes.
 - viii. An assessment of the change in roadway operating conditions resulting from the proposed development traffic.
 - ix. Recommendations for site access and transportation improvements needed to maintain traffic flow to, from, within, and past the site at an acceptable level of service.
 - x. Approximate costs associated with the implementation of the necessary improvements.
- b. The analysis shall be presented in a straightforward and logical sequence. It shall lead the reader step-by-step through the various stages of the process and resulting conclusions and recommendations. All assumptions are to be noted and sufficient justification provided.
 - c. The recommendations shall specify the time period within which the improvements should be made (particularly if the improvements are associated with various phases of the development construction) and any monitoring of operating conditions and improvements that may be required.
 - d. Data shall be presented in tables, graphs, maps and diagrams wherever possible for clarity and ease of review.
 - e. To facilitate examination, an executive summary of one or two pages shall be provided, concisely summarizing the purpose, assessment of the change in roadway operating conditions resulting from the development traffic, conclusions and recommendations.
- C. All developments that do not meet the criteria in Section 406 A. shall, as a minimum, identify the amount of traffic generated by the site for daily and the three (3) peak hour conditions (AM, PM and site generated). The trip generation rates shall be justified and documented to the satisfaction of the Township.

SECTION 407 WETLANDS STUDY

- A. The Applicant shall submit a wetland study in duplicate with the submittal of all subdivision and land development plans. The purpose of the study shall be to determine the presence and extent of wetlands on the site.
- B. The study shall be performed by a qualified wetland scientist. Qualified individuals should possess a minimum of a bachelor's degree in biology, botany, zoology, ecology, or environmental sciences. In general, other professionals, such as engineers, landscape architects, surveyors, planners, and geologist are not considered fully qualified to perform wetland delineations, unless they possess special ecological training and experience beyond their discipline. The Township reserves the right, in as much as no recognized certification program exists for wetland scientists, to determine the qualification of those preparing wetland delineations. Should a state or federal wetland scientist certification program be established, the Township will consider only those certified individuals qualified to perform delineations.
- C. Requirements for Wetland Studies:
 - 1. Delineations should follow the procedures outlined in the Environmental Laboratory 1987 COE Wetland Delineation Manual and 1992 Regulatory Guidance Letters.
 - 2. Delineations shall be supported by reports - The report shall contain the following sections:
 - a. Introduction - Description of the physical features of the site, its location and the proposed plans for the site.
 - b. Methods - Description of the methods used for the survey, with particular emphasis on any deviation from the outlined federal method. Relevant information includes the date of the field studies, the number of transects and plots used, the size of vegetation quadrants employed, the size of soil pits used, taxonomic references used, and the disposition of any voucher specimens.
 - c. Results and Discussion - Description of the findings of the study. Soils, vegetation and hydrology for wetland and upland areas of the site should be discussed. Any problem areas should be thoroughly treated.
 - d. Conclusions - The extent of wetlands on the site should be discussed. The impact of the proposed project on these wetlands should also be considered.

3. Included in the report as appendices or tables should be:
 - a. Site location map (USGS 7.5' quadrangle will suffice).
 - b. NWI map.
 - c. Soil survey map with soil descriptions.
 - d. Data sheets for each plot.
 - e. Wetland boundary map - Wetland boundaries shall be surveyed by a registered professional surveyor and shown on a plan of appropriate scale. The limits of the wetland study shall be clearly shown. The plan shall also show the location of all plots and/or transects used in the study, the date of the delineation, a statement of the method used for the study, the name of the consulting firm which performed the delineation, the name of the surveyor, and a disclaimer statement indicating no wetland boundary is considered jurisdictional until approved by DEP and COE.
 - f. Color photos of wetland areas on the site, with locations and directions of view keyed to the wetland boundary map.
 - g. Resumes of the wetland scientist(s) who performed the delineation.
- D. For sites on which no wetlands occur, or are expected of occurring, an abbreviated report may be submitted. The abbreviated report should contain the introductory material, the methods section and a discussion of the result of the study. Site location, NWI and soil maps should also be provided.
- E. All subdivision plans shall contain notes for future lot owners. The wetland boundary on each lot will be clearly marked. Each lot which contains wetlands, or to which access may be restricted by wetlands, shall have a note which states state and federal laws require permits for all activities which result in a deposition of fill into delineated wetlands. The note shall also state that refusal of such a permit may restrict some uses of all or portions of the lot. Easements around delineated wetlands shall be provided and shown on the plans.
- F. Compensatory mitigation projects required as part of state or federal permits shall be shown on the subdivision plans. Future lot owners whose property encompasses all or part of a mitigation area shall be notified that the portion of their property that includes the mitigation area may not be altered, and is considered a jurisdictional wetland by the state and federal governments. Lot owners may be responsible for maintenance of mitigation areas. In order to help ensure the long-term viability of wetland mitigation efforts, the Township discourages multiple ownership of mitigation areas. Ownership by one individual or a homeowners'

association is encouraged. Owners of the wetland mitigation areas must be clearly identified to the Township.

- G. The Township reserves the right to reject any submitted wetland delineations. Should the Township feel the actual wetland area differs from that shown on the subdivision plan, the Township has the right to secure, at the Developer's expense, qualified personnel to check the delineation and redraw the boundary as necessary. Should the Developer subsequently disagree with the Township's delineation, a jurisdictional delineation by DEP and COE will be requested. Any charges for the jurisdictional delineation will be the responsibility of the Developer.
- H. Where the study shows the existence of wetland areas, the delineated wetland boundary shall be temporarily flagged at the time of plan submission to aid in plan evaluation. Upon plan approval, the delineated boundary shall be properly fenced off to prevent encroachment. Snow fence or other acceptable material shall be used (the use of silt fence is not acceptable). The fence shall be properly installed, at a minimum distance of five (5) feet outside the delineated boundary, prior to any construction or issuance of building permits. The fence must be properly maintained until all occupancy permits have been issued and/or for the extent of all construction.

SECTION 408 THREATENED OR ENDANGERED PLANT AND ANIMAL SPECIES AND COMMUNITIES

- A. The Applicant shall submit a request for review and comment to the Department of Conservation and Natural Resources' Bureau of Forestry, which correspondence shall include a description of the proposed subdivision and/or land development and a topographic map of the site that highlights the project site. Where applicable, this request may be included as part of the DEP Planning Module process. The purpose of this requirement shall be to determine the presence or absence of rare, threatened or endangered floral or faunal species or habitat on the proposed project site.
- B. A copy of the correspondence made by the reviewing agency in reply to the request for review and comment. Should the reviewing agency determine that the project site does not contain any existing rare, threatened or endangered floral or faunal species or habitat, the letter should reflect this finding. Should the reviewing agency fail to respond to the request for review and comment, evidence of submission shall be provided with the application, such as a return receipt card from a certified letter, demonstrating that the Applicant requested such a review at least sixty (60) days prior to the submission of the plan application.
- C. Should the reviewing agency determine that the project site does contain rare, threatened or endangered floral or faunal species or habitat, the Township will require that a revised plan be prepared which identifies the means which will be employed to prevent any adverse impact raised by the agency review, and describe

those measures employed and any additional design, construction or use restrictions that would further protect identified species and the required buffer area. Said revised plan shall be resubmitted to the reviewing agency according to the procedure provided in Paragraphs A. and B. above.

- D. Should the reviewing agency determine that the project site does contain rare, threatened or endangered floral or faunal species or habitat, and that such species cannot be adequately protected from the effects of the proposed use, the Township will require that a revised plan be prepared which notates a permanent conservation easement for the identified location of the rare, threatened or endangered floral or faunal species or habitat and its corresponding buffer area.

SECTION 409 FLOODPLAIN ZONE REGULATIONS

- A. General Provisions. The Floodplain Zone shall encompass all lands and land developments within the Township which are located within the boundary of a flood plain area as established in the Strasburg Township Floodplain Ordinance.
- B. Conformance with other Regulations. Uses permitted and procedures to follow for development in the Floodplain Zone are presented in the Strasburg Township Floodplain Ordinance. Said Ordinance supplements other articles of this Ordinance. To the extent that the Floodplain Ordinance imposes greater requirements or more complete disclosures in any respect, or to the extent that the provisions of the Floodplain Ordinance are more restrictive, it shall be deemed and interpreted to control other provisions of this Ordinance.

SECTION 410 HAZARDS ASSOCIATED WITH CARBONATE ROCKS

All subdivisions and land developments located in areas underlain by carbonate geologic formations shall be designed and constructed to minimize any impacts which may affect, increase, diminish, or change any natural drainage, natural springs, or water table. No development that in the opinion of the Township poses significant risks in stimulating the formation of sinkholes or in causing hydrologic connection of contaminated surface water with subsurface aquifers shall be approved.

- A. Hydrogeologic Report Required - When, in the opinion of the Township, there is a probable likelihood that a project will affect or be affected by carbonate geologic hazards the Township shall require submission of a hydrogeologic report. In reaching a determination of whether a project will affect or be affected by carbonate geologic hazards, the Township shall consider the presence or absence of carbonate features in the vicinity of the project, the testimony of qualified expert witnesses, the recommendation of the affected municipality, and such other reasonable information as may be available. Any hydrogeologic report shall be prepared at the Applicant's expense by a hydrogeologist or professional engineer qualified in such matters. Each hydrogeologic report shall contain:

1. A map showing all sinkholes, depressions, lineaments, faults, outcrops, springs, drainage entering the ground, water table, soil mottling and ghost lakes, and all features that may relate to the quality and availability of groundwater within a mile distance.
 2. A map outlining all permitted public use or quasi-public wells, or public or quasi-public drinking water supplies within a radius of three (3) miles of the proposed site.
 3. A listing of all referenced data, published and otherwise.
 4. A topographic site map with the site clearly outlined.
 5. A map indicating the location and design of all on-site wastewater disposal systems.
 6. A description of anticipated water quality impacts to areas located downgradient and areas located along the geologic strike.
 7. A description of any mitigation measures that could be applied to minimize impacts of the project or to correct existing problems.
- B. Specifications for Stormwater Management Basins - No stormwater management basin shall be placed in an area underlain by carbonate geologic formations unless it is in compliance with the requirements of the Storm Water Management Ordinance.

CHAPTER 5

REQUIRED IMPROVEMENTS AND DESIGN STANDARDS

SECTION 501 INTENT

The design standards established in this Chapter are intended to be fundamental requirements to be applied with professional skill in the subdividing and planning of land so as to produce attractive and harmonious neighborhoods, convenient and safe streets, and economical layouts of residential and other land development. The design standards are further intended to encourage and promote flexibility and ingenuity in the layout and design of subdivisions and land developments, in accordance with modern and evolving principles of site planning and development.

It is also the intent of this Chapter to require Subdividers and Developers to follow all applicable codes, regulations, and standards adopted by the Township relative to improvements to the subdivision or development site. In all cases, the codes, regulations, and standards of Strasburg Township shall be followed and the improvements shall be approved by the Board of Supervisors before the Final Plan is approved. In cases where there are no other development codes, regulations, and standards, the requirements of this Chapter shall be followed and approved by the Board of Supervisors. All improvements as specified in this Chapter or in applicable Township ordinances shall be installed before the Final Plan is approved or, in-lieu thereof, financial security shall be provided by the Subdivider or Developer prior to unconditional Final Plan approval in accordance with Chapter 6 of this Ordinance.

During the design and approval of subdivision and land development plans the Planning Commission, Board of Supervisors and the Developer shall give primary consideration to all thoroughfare plans, watershed plans, water plans, sewer plans, community facility plans, and official maps as may be in effect in the Township.

SECTION 502 GENERAL STANDARDS

In addition to the standards contained elsewhere in these regulations, the following general standards shall be observed.

- A. Existing utilities and improvements shall be utilized wherever possible. New streets and extended utility services shall be discouraged if existing services and facilities may be utilized. Scattered urban development shall be avoided.
- B. Development designs shall minimize street lengths necessary to serve developed properties.
- C. Side lot lines should be substantially at right angles or radial to street lines, unless the purpose of lot line orientation is to obtain greater solar access.

- D. Depth of residential lots shall be not less than one (1) not more than two and a half (2-1/2) times the lot width.
- E. Every lot shall abut a street. Lot frontage or access shall be physically accessible by standard vehicle in existing condition or the Township shall require illustration of the site improvements planned and necessary to alter steep banks, flood plains, visibility limitations, etc. to a condition that will facilitate safe and adequate access. The Township may also require that lots be arranged to reserve a right-of-way for street access to future lots.
- F. Double or reverse frontage lots may be preferred or required when lot access to an adjoining street is not permitted or separation from the street is desired because of topographic, orientation, aesthetic, congestion, safety or high noise level considerations. Landscaping and buffering should be provided along the adjoining street.
- G. Adequate easements or rights-of-way shall be required for drainage and utilities. Easements shall be a minimum of twenty (20) feet in width and, whenever possible, shall be centered on side or rear lot lines. No structure or buildings shall be erected within such easements.
- H. Additional lot areas beyond minimum size may be required:
 - 1. On slopes in excess of 15%.
 - 2. To control erosion or storm water runoff.
 - 3. To provide sufficient area for sewage disposal.
- I. Lots shall be suitably shaped to encourage and facilitate use and maintenance of all portions of the lot. Accordingly, lots shall be square or generally rectangular in shape. Lot configurations which result in flag lots and L-shaped, T-shaped, triangular or otherwise inappropriately shaped lots shall be avoided. Flag lots shall not be created when lots can be designed that directly access an existing or proposed public or private street. Whenever possible, lots shall be designed with adequate access by providing the required lot width at the street right of way line. Flag lots shall not be created when such design would limit or restrict the development potential of lands or would prevent a landowner from using the land at the maximum lawful densities.

Notwithstanding the above, flag lots may, in limited situations, represent a viable design alternative. In such cases the Township may, at its sole discretion, approve the platting of flag lots when:

- 1. Flag lots are designed for infill situations in which a court is to be created by the placement of not more than two flagpoles side-by-side and where

up to four (4) lots are oriented to a common private street easement. "Infill" shall mean the development of remnants of land created by previous development of a site. Such areas shall be served by public sewer and water and the flag lot design shall maximize the permitted density; or

2. Flag lots proposed to create lots for home sites which are to be located to the rear of an existing tract of land where there is no potential for the construction of a public or private street to provide access to the proposed lot. In such cases, the Applicant must demonstrate that there is no potential to construct a street due to (a) severe topographic or other environmental constraints which limit the design of a street, or (b) other factors inherent in the site which make the construction of a public or private street impractical. In such cases, evidence shall be submitted to the Township which documents the above circumstances and demonstrates that the platting of flag lots shall not restrict the development potential and pattern of development of the tract and adjacent lands, shall not result in unsafe driveway locations on public streets, and shall not restrict future development at the maximum lawful density, or
3. Flag lots proposed on agriculturally zoned land so as to create building lots on the least agriculturally suitable portion of the tract. Evidence shall be presented which demonstrates why the area of the proposed flag lot is less productive or inappropriate for agricultural uses. The proposal shall identify how the proposed flag lot will be coordinated with any further development of the farming operation permitted by the applicable zoning regulations.
4. No more than two contiguous flag lots shall be permitted.
5. The "flagpole" or access portion of the flag lot shall maintain a minimum width of twenty-five (25) feet. The area of the flagpole shall not be included with the area of the "flag" or the body of the lot in satisfying zoning standards for minimum lot size.
6. No portion of any "flagpole", shall be used for on-site sewage disposal or other improvements other than access improvements.

The Township may attach any reasonable conditions to the creation of flag lots as it finds necessary or desirable to provide for the orderly development of land and street systems.

- J. Site design and development shall include reasonable efforts to save existing trees and vegetation.

- K. The standards of this Ordinance shall apply to all lots being subdivided or developed and residual land, which is created by the subdivision or land development activity.
- L. Subdivision of property with existing dwellings or development shall be regulated by the following:
- a. Each dwelling or use shall be serviced by separate utility connections. Shared sewage systems are not permitted.
 - b. Each dwelling or use subdivided shall be on sufficient land area to satisfy minimum lot area, lot width and yard setback requirements in the Zoning Ordinance. Where adequate land area is not available to satisfy minimum standards, subdivision may be permitted when:
 - i. The Applicant has received all necessary variances from the Zoning Hearing Board.
 - ii. Each dwelling or principal building is in good structural condition.
 - iii. Mobile homes are not involved.
 - iv. An equitable distribution of land is proposed between the existing uses or buildings.
- M. Lot additions, land exchanges, agricultural use only lands, and any other specific or special purpose subdivision or land development shall include prominent plan notes to avoid misinterpretation of the intent of the subdivision or land development plan. Applicable deed restrictions may be required.
- N. Deeds filed subsequent to subdivision or land development approval shall accurately and correctly describe the property therein. Deeds and use of the property shall be in complete compliance with all plan notes and conditions.
- Recording a deed, which omits or contradicts the information on an approved subdivision or land development plan, shall be a violation of this Ordinance.
- O. Zoning Approvals Required Prior to Plan Submission. Whenever the Zoning Ordinance provides that the use proposed by the Applicant for subdivision or land development approval shall constitute a use by special exception or conditional use, the Applicant shall obtain such special exception or conditional use approval from the Board of Supervisors or Zoning Hearing Board, as applicable, prior to the submission of the Preliminary Plan. The plan shall be designed and developed in accordance with any conditions which have been imposed upon the grant of such special exception or conditional use by the Board of Supervisors or Zoning Hearing Board, as applicable.

- P. Variances Required Prior to Plan Submission. Whenever the plan indicates that a variance from the Zoning Ordinance shall be required, the Applicant shall obtain such variance from the Zoning Hearing Board prior to the submission of the Preliminary Plan. The plan shall be designed and developed in accordance with any conditions which have been imposed upon the grant of such variance by the Zoning Hearing Board.
- Q. Compliance with prior plans required. Whenever all or a portion of the land contained within an application for subdivision or land development approval constitutes all or a portion of land included in a prior subdivision or land development plan approved by the Township or the County Planning Commission and recorded in the Office of the Recorder of Deeds in and for Lancaster County, Pennsylvania, the plan shall comply with all conditions, restrictions and notes imposed on the prior approval and/or included upon the recorded subdivision or land development plan. The Applicant shall identify all prior recorded subdivision and/or land development plans of which all or a portion of the land contained in the plan was a part and all conditions, restrictions and notes which affect the current application. Failure to identify all applicable conditions, restrictions and notes of record on prior plans constitutes a violation of this chapter. The Applicant shall submit with the application for preliminary plan approval a statement identifying the prior plans reviewed; the conditions, restrictions and notes which would impact development in accordance with the plan for which approval has been requested; and an explanation of the manner in which the proposed plan has been designed to comply with such conditions, restrictions and notes. This information shall be signed by the Applicant or the Applicant's engineer or landscape architect.

SECTION 503 TOPOGRAPHY

Subdivisions shall be planned to take advantage of the topography of land in order to: utilize the natural contours, economize in the construction of drainage facilities, reduce the amount of grading, and minimize destruction of trees and topsoil. The natural features and other distinctive characteristics of the site shall be integrated into the plan to create functional variations in the neighborhoods.

Additionally, environmental safeguards may be mandated on slopes in excess of 15%. On steep slopes (in excess of 15%), site and lot design shall be adjusted, where necessary, to mitigate the detrimental effects of development on steeper slopes. The following topographic considerations shall be utilized in design of subdivisions and land developments:

- A. Streets - Land which is relatively flat or of very gentle slopes should be planned so that the streets follow the natural drainage courses and as many lots as possible shall be above the street grade. On more irregular topography, streets shall be designed to avoid extensive cuts and fills and follow the ridges or be

planned approximately parallel to contour lines, and adjusted, however, so that lots on one (1) side of the street will not be excessively below the street grade.

- B. Natural Drainage - Subdivisions shall be designed, particularly on land of very gentle slopes, to take every advantage of natural grades so that all the land can be drained without excessive grading. Unless watercourses or drainage ways are enclosed, the plan shall be adjusted so that rear lot lines shall be approximately parallel to an open drainage course. Easements for drainage ways and low-lying land which are subject to flooding may be included as part of a lot but shall not be used as building sites or included in calculating the required lot area or width.
- C. Natural Features - Natural features, irregularities, changes in level, brooks, lakes, hilltops, and other focal points within the site, and distant views outside the subdivision shall be integrated in the design to obtain variations and interest in each neighborhood and more attractive building sites. Trees, topsoil, and other natural resources shall be preserved and utilized in the development of the subdivision.

SECTION 504 GRADING

The Developer shall grade each subdivision or land development to establish street grades, floor elevations of buildings, and lot grades in proper relation to each other and to existing topography. However, grading shall be kept to a minimum to avoid loss of topsoil and erosion potential. Lots shall be graded to secure drainage away from buildings. The grading shall facilitate collection of storm water in designated areas to avoid concentration of water in the sewage system location.

The grading of the roadway shall extend the full width of the cartway, shoulder and swale area, if applicable. Where possible, grass strips or channels between the curb or shoulder and right-of-way line should be graded at 3:1 slope; however, when unusual topographic conditions exist, good engineering practice shall prevail.

SECTION 505 LOT SIZES AND STANDARDS

The minimum lot size and lot width requirements established by the Zoning Ordinance shall be utilized as minimum subdivision standards. All lots shall satisfy the zoning standard for lot width and lot size at the time of subdivision. Additionally, the building setback lines established by the Zoning Ordinance shall be applicable and shall be noted on each subdivision or land development plan. Additionally, each subdivision or land development plan shall satisfy all other applicable zoning standards, unless variance thereto has been granted.

SECTION 506 STORM WATER MANAGEMENT AND DESIGN CRITERIA

A Storm Water Management Plan shall be required for each subdivision or land development plan in accordance with the Storm Water Management Ordinance, unless an exemption has been granted in accordance with said Ordinance.

SECTION 507 SEWAGE DISPOSAL

Sewage disposal facilities shall be designed and constructed to meet the needs of the proposed subdivision or land development. Sewage disposal facilities shall also meet all requirements of the DEP and the Act 537 Plan. The following requirements specify the design and installation standards for subsurface sewage disposal and public and private sewerage systems.

- A. Subsurface Sewage Disposal - All subdivisions and land developments proposing subsurface sewage disposal shall be designed and submitted in compliance with the prevailing requirements of the Pennsylvania Sewage Facilities Act, DEP and, where applicable, the Delegated Local Agency. It is the intent of this section to co-ordinate a simultaneous review of subdivision and land development plans with sewage planning modules at the Township level, thereby avoiding the approval of lots that are not suitable for sewage disposal. Where required by Township sewage plans, on-site sewage testing shall be supplemented with a hydrogeologic study, which may dictate increased lot sizes or reservation of ground water easement areas, subject to approval of the SEO. In accordance with those standards, application for subdivision or land development approval shall satisfy the following procedural requirements:
1. Minor Subdivision – The Subdivider shall submit the sewage planning module and required associated information to the sewage enforcement officer at the time of Minor Subdivision Plan application. The subdivision plan shall not be processed until documentation is provided to verify that the sewage enforcement officer has received the sewage planning module. All newly created lots, whether for immediate or future use, shall be tested and approved for sewage suitability.
 2. Major Subdivision or Land Development - The Subdivider shall submit a Preliminary Plan depicting general lot layout and street design, as required elsewhere herein. The Subdivider shall submit the required sewage planning module and associated information to the sewage enforcement officer at the time of Preliminary Plan application. The subdivision or land development plan shall not be processed until documentation is provided to verify that the sewage enforcement officer has received the sewage planning module
 3. The Board of Supervisors will approve on-site sewage disposal systems only when the SEO or a sanitarian of DEP shall certify that both an initial location

and a replacement location for the on-site sewage disposal system are present on each lot (including residual lots).

- a. The replacement location shall be of a size and capacity to allow complete abandonment of the initial system in the event of failure.
- b. The replacement location shall be protected from traffic and no filling or excavation shall be allowed within its boundary.
- c. The standards for installation of the replacement system shall be as required by DEP at the time of its construction.

B. Existing Public Sewers - When a subdivision or land development has public sewers available on-site or within one thousand (1,000) feet of the site, sewer lines shall be included on the subdivision or land development plan and installation must be approved by the entity responsible for the sewer system. Written documentation is required from the responsible entity to verify adequate capacity, agreement to provide service, and specific design approval.

C. Planned Sewer Area - When a proposed subdivision or land development is located in an area not presently served by public sewers, but which has received design data preparatory to sewer system installation within eighteen (18) months, then the Township shall determine the necessity of installing house connections and/or capped mains, even though on-site facilities will be required in the interim. Installation of house connections and capped mains shall be in accordance with Township design data and approved by the Township engineer prior to approval of a Preliminary or Final Plan.

D. Private Sewerage System - When a subdivision or land development is to be provided with a private sewerage system, a statement shall be submitted to the Township from the DEP verifying that a permit has been issued approving the proposed facilities. Additionally, the Township must be satisfied that adequate provisions have been made to guarantee the construction and maintenance of the proposed private sewerage system.

E. Plan Notice

1. Subsurface Sewage Disposal – All subdivision and land development plans shall contain a plan note specifying that approval of the plan does not guarantee permit issuance for sewage disposal.
2. Public Sewers – All subdivision and land development plans shall contain a plan note specifying that connection to public sewer lines is required.

SECTION 508 WATER SUPPLY

A water supply system shall be designed and constructed by the Subdivider or Developer as required by the Township in relation to the specific site of the proposed subdivision or land development. The water supply system shall be capable of meeting the domestic and fire protection needs of the site. When possible, the subdivision or land development should be served by a public water supply system approved by Township water officials or a community water system approved by the DEP. If the subdivision or land development is to be supplied by a public or community water system, the Subdivider or Developer shall submit a written certification, commitment or evidence that the Township water company or authority or the association of lot owners or private company, as applicable, has adequate water capacity, has agreed to provide water service and has approved the specific water system design.

When a subdivision or land development has public water on-site or within one thousand (1,000) feet of the site, public water lines shall be extended as necessary to service the lots and uses on the subdivision and land development plan, subject to approval by the entity responsible for the water system. In those cases where a public or community water system is not available or practical, a well shall be provided for each lot. Wells shall be placed uphill from sewage disposal systems. Wells shall not be within one hundred feet (100') of any part of the absorption field of any onsite sewage disposal system and they shall not be placed within fifty feet (50') of lakes, streams, ponds, quarries, etc.

Subdivision or land development proposals which involve the daily use of 10,000 gallons or more of well or surface water shall be accompanied by a Hydrologic Study to document the adequacy of the water supply without endangering water availability for adjoining landowners. Review and, where applicable, approval may be required from DEP and the Susquehanna River Basin Commission as applicable.

Subdivision and land development plans shall contain a plan note specifying the source of water supply. Plans proposing the use of public or community water shall contain a note specifying that connection to the public or community water lines, as applicable, is required. Plans proposing the use of individual wells shall contain a note specifying that the lot(s) has not been tested for the availability of water of adequate quality or quantity and no guarantee of water availability is provided.

SECTION 509 STREETS

In addition to relating to topography, natural features and solar orientation, streets shall be designed according to the function served, the use of abutting land, and standards of width, intersections, maximum grades and curvatures. The Township shall require that all developments have adequate access. Where major subdivision is proposed or may occur because of the patterns started by minor subdivision activity, the Township should require reservation for, or installation of, two or more streets to insure safe and convenient access. Elimination or vacation of previously approved streets shall be

approved only when the Township determines that (1) alternate access has been provided in another, more suitable location; (2) further development is not possible utilizing the street; and (3) any landowners who purchased property with reliance upon the street agree in writing to its elimination.

A. Classification and General Design Goals

1. Arterial Streets - function primarily for the movement of fast traffic between points of heavy traffic generation. They shall be planned for continuation of existing streets in the system at the same or greater width in accordance with adopted Township standards. Arterial streets shall contain as few intersections as possible
2. Collector Streets - function to collect traffic from local streets and distribute it into arterial streets, and, as such, they will normally contain a relatively large number of intersections with local streets and few with main streets. A collector street system may be required wherever a residential neighborhood near an arterial street is over 150 acres in area or where the local street pattern is so designed as to converge and serve over 500 one-family dwellings, or 100 multi-family units. Collector streets shall be planned for continuity and to lead more or less directly to one or more focal points or centers of traffic generation, and may become bus routes.
3. Local Streets - provide direct access to each lot and function to allow traffic to circulate toward the principal directions of travel, bus routes, schools and playgrounds; however, the design shall discourage through and high speed traffic. The street pattern shall be indirect and yet continuous to prevent through traffic, formed of straight, moderately winding, curved, looped or angular streets. Tee-intersections shall predominate and cross-intersections shall be minimized. There shall be an underlying systematic neighborhood pattern; however, gridiron and other rigid geometrical patterns should be avoided where possible. The street pattern shall include extensions to the boundaries of the development to provide circulation between adjoining neighborhoods.
4. Cul-de-Sac Streets - provide direct access to properties from other streets. Ordinarily, a cul-de-sac is a short street with only one outlet and having an appropriate terminal for safe and convenient reversal traffic movement. Drainage should be towards the open end. If drainage is toward the closed end it shall be conducted away in an underground storm sewer. Other design alternatives such as through or looped streets shall be used where possible.

B. Minimum Street Standards - See Chart on next page.

B. Minimum Street Standards

Street Classification	Right-of-Way Width	Street Width with Curbs	Grade (Vertical Alignment)	Radius* Curvature (Horizontal Alignment)	Reverse* Curve Tangent	Sight Distance	Other Requirements
Arterial Streets	80'	36'*	6%	500'	200'	400'	State roads subject to PENNDOT requirements
Collector Streets	60'	34'*	8%	300'	100'	200'	
Local Streets	50'	32'	10%	150'	50'	125'	Pavement width shall be increased where on-street parking is planned or lots average 80' or less in width.
Cul-de-Sac Streets	50' (50' radius at turn-around)	32' (40' radius at turn-around)	10% (5% at turnaround)	150'	50'	100'	Maximum length of 600'. Serve a maximum 12 single family detached residential lots/units, 24 duplex lots/units or 30 townhouse/ multi-family lots or units

* Auxiliary/turn lanes shall be a minimum of 11' wide/maximum 12' wide. Additional through lanes shall be 12' wide.

+ Dimensions provided shall be minimum required. Actual dimensions shall be based on "AASHTO Policy on Geometric Design of Highways and Streets", latest edition.

- C. Supplementary Street Standards - In addition to the specific standards cited in Section B, the following street standards shall apply to design and construction of streets:

1. Intersections

- a. Streets shall be designed to intersect at right angles (90 degrees) and should be at right angles for at least 100 feet from the point of cartway intersection.
- b. No more than two (2) streets shall intersect at any one point.
- c. Proposed new intersections along one side of an existing street shall coincide with any existing intersections on the opposite side of the street. Where intersections cannot practically be connected, a minimum of 150 feet shall separate the center lines of offset local streets, and 400 feet minimum shall be provided for collector and arterial streets.
- d. Street curb intersections shall be rounded with a minimum radius of twenty (20) feet for local streets and thirty (30) feet for collector or arterial streets. The radius point shall be concentric with that for the property lines.
- e. Intersections shall be designed with a flat grade. In hilly or rolling topography, a leveling area shall be provided for seventy-five (75) feet preceding the intersection, measured from the edge of cartway of the intersecting street. The leveling area shall have a maximum grade of four percent (4%) for local and cul-de-sac streets and a maximum grade of two percent (2%) for collector and arterial streets.
- f. Clear sight triangles of seventy-five (75) feet measured along the centerline from the point of intersection shall be provided and maintained at all intersections.
- g. Safe Stopping Sight Distance (SSSD):
 - i. Street intersections shall be located at a point, which provides optimal sight distance in both directions.
 - ii. Calculation of Safe Stopping Sight Distance (SSSD).

Safe Stopping Sight Distances shall be computed in accordance with the requirements of the Driveway Ordinance.

- iii. Proper sight distance shall be provided with respect to both horizontal and vertical street alignments at all intersections.
 - iv. All street intersections with a state highway shall be subject to PENNDOT approval.
- 2. Street Names - shall not duplicate others nearby, and shall be subject to the approval of the Township. Street signs shall be erected to identify all streets (See Appendix No. 11).
- 3. Street Expansion - where a subdivision adjoins unsubdivided land or future development phases sufficient streets shall be planned to extend to the boundary lines so that all parcels may be subdivided and a coordinated street system obtained. Traffic circulation shall be assured by installation of a temporary, stoned cul-de-sac for short term use (less than 2 years) or paved cul-de-sac for longer use until a through street is completed.
- 4. Streets for Multi-family Development - shall be planned to connect with arterial or collector streets to avoid generating large volumes of traffic on local residential streets.
- 5. Reserve Strips - the creation of reserve strips shall not be permitted adjacent to a proposed street in such a manner as to deny access from adjacent property to such street.
- 6. Right-of-way Widths - land for the right-of-way for the opening or extension of any street within a subdivision shall be dedicated by the Developer. Where a property abuts a street which does not conform to the right-of-way width required by this Ordinance or other ordinances of the Township, the additional width necessary to meet current standards shall be dedicated when such land is subdivided.
- 7. Vertical Curves - The minimum length of crest and sag vertical curves shall be determined by multiplying the following "K" value by the percent change in grade for the curve (expressed as a whole number).

Design Speed (In Miles per hour)	"K" <u>Crest Vertical Curves</u>	"K" <u>Sag Vertical Curves</u>
20	10	20
25	20	30
30	30	40
35	45	50
40	70	70
45	100	90
50	150	110
55	220	130

Regardless of the vertical curve calculation, no street vertical curves shall be less than seventy-five (75) feet in length.

8. Auxiliary Street Improvements – In addition to the required pavement and shoulder widths, streets shall be designed and constructed with curbs, street lights, gutters, culverts, catch basins, sidewalks, traffic control signs and other improvements required by the Township or determined by the Township to be necessary for a proposed subdivision or land development. Specific improvements guidelines are:
 - a. Curbs – Vertical and slant curbs are permissible designs, functionally coordinated with the overall development design, and shall be constructed in accordance with the Township's specifications (See Appendix No. 15).
 - b. Sidewalks – See Section 509 D.
 - c. Traffic Control Signs - Signage within all subdivisions and land developments shall be designed and installed by the Developer in accordance with PENNDOT and Township regulations. Adequate vertical and horizontal area shall be reserved for sign placement at intersections.
 - d. Street Lights - Street lights shall be designed and installed to illuminate all major subdivisions and land developments, unless a modification is obtained for low density developments or similar subdivisions. Street lights shall be placed at all street intersections and accesses to land developments, within parking lots and along streets at intervals of 250 feet or less, in accordance with an illumination plan approved by the electric service provider.
- D. Sidewalks - Sidewalks shall be required in all Designated Growth Areas, or when determined by the Township to be necessary for the safety and convenience of the projected pedestrians. All sidewalks shall be constructed in accordance with the Township's specifications (See Appendix No. 15) and shall conform to Architectural Barriers Act (ABA) and Americans with Disabilities Act (ADA) standards.
- E. Private Streets - Private streets are to be discouraged. They will be approved only if they are designed and constructed to meet public street standards and maintenance is guaranteed in perpetuity via a bonafide homeowner's association (or similar organization) agreement and appropriate financial security for repair and maintenance.

Subdivision of new lots for immediate or future development is not permitted along private lanes, alleys or streets which have not been designed, constructed and approved in accordance with these standards and those of this Ordinance.

- F. Street Construction Standards – Streets and rights-of-way shall be improved to meet the following standards. It shall be the Developer's responsibility to satisfy all applicable Township construction requirements and design standards, or in lieu thereof, deposit financial security in compliance with Chapter 6 of this Ordinance and established Township policies. All public and private streets shall meet the following standards for design and construction: (See Appendix No. 15)

1. Excavation

- a. All topsoil shall be removed from the area from the area to be paved.
- b. During construction, excavation shall be graded to drain.

2. Embankment

- a. Placement of embankment shall be in layers not exceeding eight (8) inches, prior to compaction.
- b. Embankment material shall consist of all excavation on the project, except such materials as may be determined to be unsuitable under PENNDOT Publication 408, current edition, and when required will include borrow excavation.

3. Subgrade

- a. All required underground utilities and storm drainage shall be installed within the cartway area prior to preparation of the subgrade. Trench backfilling shall be completed in layers no greater than eight (8) inches.
- b. Adequate surface and subsurface drainage shall be provided, including underdrains for springs or spongy areas.
- c. All large rocks, boulders or ledges shall be broken off six (6) inches below the improved subgrade surface.
- d. Completed subgrade shall be maintained and protected in advance of the succeeding operation.
- e. Disturbed areas shall be moistened as necessary to minimize dust.

4. Subbase

- a. No subbase shall be placed on wet, frozen, or unsuitable material. Unsuitable material such as sod, stumps, tree roots, spongy soil and excess rock shall be removed and replaced. Disturbed areas shall be reshaped and recompact. Where deemed necessary by the Township Engineer, a geotextile material may be required before placement of the subbase.
- b. The subbase shall be constructed in accordance with the Township's specifications (See Appendix No. 15).
- c. The stone aggregate subbase shall be compacted to the required depth with a vibrating tamper or vibrating roller. The subbase shall be proof rolled and the proposed crown and grade shall be checked. Proof rolling should be performed with a fully loaded, tri-axle dump truck. This inspection must occur prior to any binder or base course being placed. All soft and yielding areas shall be repaired prior to construction of any binder or base course.

5. Base Course

- a. The base course shall be applied as soon as possible after subbase preparation to avoid damage to the subbase.
- b. The base course shall be constructed in accordance with the Township's specifications (See Appendix No. 15).

6. Wearing Course

- a. A bituminous tack coat is required between the base course and wearing course when the wearing course is applied more than fifteen (15) days after the base course is completed.
- b. Paving notches shall conform to PENNDOT RC-28 Standards.
- c. The wearing course shall be constructed in accordance with the Township's specifications (See Appendix No. 15).
- d. All paving seams, including at curbs, inlets and manholes, shall be sealed using AC-20 or equivalent.

7. Shoulders

Shoulders shall be provided where curbing is not utilized. Shoulders shall be a minimum of four (4) feet in width and conform to PENNDOT Type 6 shoulders, as per PENNDOT RC-25.

8. Inspections

Inspections shall be requested from the Township Engineer and applicable Township Officials after completion of each of the following phases of street construction:

- a. Preparation of the subgrade.
- b. Placement and compaction of the subbase.
- c. Installation of the base course.
- d. Completion of the wearing course.

9. State Approval of Streets and Access - to insure that street designs comply with all applicable standards, the Township may submit any Preliminary and Final subdivision or land development plans to the PENNDOT for review and comment.

Subdivision and land development plans which will require access to a state highway under the jurisdiction of the PENNDOT shall contain a plan note specifying that a highway occupancy permit is required from PENNDOT before driveway access to the state highway is permitted. The plan note shall also specify that plan approval does not guarantee that a PENNDOT permit will be issued.

G. Driveways and Access Drives – Driveways and access drives shall be located and constructed in accordance with the requirements of the Driveway Ordinance.

Steep slopes shall be traversed diagonally to minimize grades Driveway grades shall not exceed 15% slope at any point. All driveways shall be designed and improved with a rolled stone or paved surface, sufficient to avoid erosion. When driveway grades exceed 10% slope driveways shall be paved to minimize erosion.

The first twenty-five (25) feet of driveway (measured from the street cartway) shall be paved.

H. Non-motorized Vehicle Lanes - All non-motorized vehicle lanes shall be designed according to one of the following standards:

1. Separate bicycle paths shall be required if such paths have been specified as part of the Comprehensive Plan.
2. Bicycle lanes, where required, shall be placed in the outside lane of a roadway, adjacent to the curb or shoulder. When on-street parking is permitted, the bicycle lane shall be between the parking lane and the outer lane of moving vehicles. The lanes shall be delineated with markings, preferably striping. Raised reflectors or curbs shall not be used.
3. Separate carriage lanes shall be required if such lanes have been specified as part of the Comprehensive Plan or recommended in an adopted transportation study.
4. Carriage lanes, when required, shall be located adjacent to the outside travel lane of the cartway and may be contained within the shoulder. When on-street parking is permitted, the carriage lane shall be located between the outside travel lane and the parking lane.
5. Movement within the non-motorized lanes shall flow in the same direction as the adjacent travel lane.
6. Non-motorized vehicle lanes shall be constructed according to the specifications set forth in Appendix No. 12.

I. Signs

1. Design and placement of traffic signs shall be in accordance with the current edition of PENNDOT Publications 236M (Handbook of Approved Signs) and 408M (Specifications)
2. At least two (2) street name signs shall be placed at each four-way street intersection and one at each "T" intersection. Signs shall be installed under light standards and free of visual obstruction. The design of street name signs should be consistent, of a style appropriate to the municipality, of a uniform size and color, and erected in accordance with municipal standards.

Private streets shall be provided with street name signs in conformance with this section. The plan shall note that it is the responsibility of the Developer to install the street name signs for private streets.

3. Parking regulation signs shall be placed along roadways within the right-of-way in areas that restrict parking.

SECTION 510 MONUMENTS

Sufficient monuments shall be set to ensure that reliable survey points are available for all parts of the subdivision. At least one (1) monument shall be placed for every two (2) lots or every two hundred (200) feet of streets, whichever requirement is less. The monument shall consist of either a cast iron box inside of which shall be placed a 3/4 inch steel pin three (3) feet in length, with the top of the pin set to serve as the survey point, or 4" square x 30" in length concrete containing an iron bar for strength and drill hole for line, set level with finished grade. All lot corners and changes in direction shall be identified by steel pins.

The top of the monument box shall be set at the finished grade upon completion of the grading of the street.

SECTION 511 UTILITIES AND OTHER IMPROVEMENTS

All subdivisions shall be designed and serviced with adequate utilities, including electricity and telephone service. The Developer shall be responsible to cooperate with the utility companies to insure installation of the necessary utilities. All utilities shall be underground, except where developments of five (5) lots or less are exempted by the Pennsylvania Public Utility Commission. Where required, the Developer shall obtain a letter from the utility company confirming that service may be extended to the development.

When required by the Township, the Developer shall provide a street lighting duct system, in accordance with the specifications of the appropriate public utility.

In areas where public water lines are available, fire hydrants shall be installed by the Developer. Fire hydrants shall be located no more than 100 feet apart and within 500 feet of any dwelling or inhabited structure. The nearest fire protection unit may be contacted for input regarding the design and placement of a fire hydrant network.

SECTION 512 REQUIRED IMPROVEMENTS

The land improvements required to be completed by the Developer of a subdivision or land development, as set forth in this Chapter, shall be designed and installed in accordance with this Ordinance and other codes of the Township. The improvements shall be of such size and capacities as are required for the development of the proposed subdivision.

- A. Extensions to Boundaries - The Developer shall be required to extend the improvements to the boundary of the proposed subdivision to serve adjoining unsubdivided land; however; where the Township determines that a connecting street is necessary for the future subdividing of adjoining land, but the present construction pavement and/or utilities therein are not warranted, the Township may require the dedication of land, the pavement intersections constructed,

utilities extended at least three (3') feet beyond the pavement, and connections provided and made available for future extensions by other Developers.

SECTION 513 LIGHTING

- A. Lighting for highway safety shall be provided at street intersections, entryways to commercial land developments, and in parking lots adjacent to public streets.
- B. The design of street lights shall conform to the requirements of Section 509 C.8.d. of this Ordinance.
- C. Lighting other than street lighting shall be provided in accordance with the following requirements:
 - 1. Height of lights. No luminaire, spotlight or other light source that is within 200 feet of a lot line of an existing dwelling or approved residential lot shall be placed at a height exceeding 25 feet above the average surrounding ground level. This limitation shall not apply to lights needed for air safety or lights intended solely to illuminate an architectural feature of a building, nor lighting of outdoor public recreation facilities or a ski resort.
 - 2. Diffused. All light sources, including signs, shall be properly diffused as needed with a translucent or similar cover to prevent exposed bulbs from being directly visible from streets, public sidewalks, dwellings or adjacent lots.
 - 3. Shielding. All light sources, including signs, shall be shielded around the light source and carefully directed and placed to prevent the lighting from creating a nuisance to reasonable persons in adjacent dwellings, and to prevent the lighting from shining into the eyes of passing motorists.
 - 4. Spillover. Exterior lighting on an institutional, commercial or industrial property shall not cause spillover of light onto a residential lot that exceeds 0.0 horizontal foot-candle at a residential lot line.
 - 5. Gasoline sales canopies. All light fixtures under the canopy shall be recessed into the canopy or screened by an extension around the bottom of the canopy so that lighting elements are not visible from another lot or street.
 - 6. Horizontal surface lighting. For the lighting of predominantly horizontal surfaces, such as but not limited to parking areas, streets, driveways, pedestrian walkways, outdoor sales and storage areas, vehicle-fueling facilities, vehicle sales areas, loading docks, recreational areas and building entrances, fixtures shall be aimed downward and shall meet the standards for a full-cutoff light fixture. A full-cutoff light fixture shall be a

fixture in which no light is emitted at or above a horizontal plane drawn through the bottom of the fixture and no more than 10% of the lamp's intensity is emitted at or above an angle 10° below that horizontal plane at all lateral angles around the fixture. Fixtures with an aggregate-rated lamp lumen output per fixture that does not exceed the rated output of a standard one-hundred-watt incandescent lamp are exempt from the requirements of this subsection.

7. Nonhorizontal lighting. For lighting of predominantly nonhorizontal surfaces, such as but not limited to facades, signs and displays, fixtures shall be fully shielded and shall be installed and aimed so as to not project their output into the windows of neighboring residences, adjacent uses, past the object being illuminated, skyward or onto a public roadway. Fixtures with an aggregate-rated lamp lumen output per fixture that does not exceed the rated output of a standard one-hundred-watt incandescent lamp are exempt from the requirements of this subsection.

SECTION 514 VEHICULAR PARKING FACILITIES

All vehicular parking facilities and internal drives within parking areas shall be designed to allow for the safe and efficient movement of vehicles within a development and on the adjacent street.

- A. General Standards - Off-street vehicular parking facilities shall be provided in accordance with the requirements of the Zoning Ordinance.
- B. Bicycle Parking Facilities - Bicycle parking facilities for non-residential land uses shall be provided in accordance with the following regulations:
 1. Five (5%) percent of the first fifty (50) vehicular spaces shall be for bicycle use. If more than fifty (50) spaces are to be provided, at least three (3%) percent of the number of spaces over fifty (50) shall be for bicycle use.
 2. Each bicycle space shall be equipped with a device to which a bicycle frame and one (1) wheel can be attached using a chain or cable. There shall be adequate separation between adjacent devices to allow bicycles to be attached or removed without moving other bicycles. The devices shall also be suitable for use by bicycles not equipped with kickstands, and the appearance of the device shall be generally consistent with nearby urban design features.
 3. Bicycle parking spaces shall be convenient to the structure for which they are provided. They shall be visible from at least one (1) entrance to the structure and shall be provided with lighting.

4. Bicycle parking devices shall permit at least two (2) feet of free space between any bicycle attached to the device and the edge of the curb or sidewalk. For areas where motor vehicles are permitted to park overhanging the curb or sidewalk, the distance shall be increased to four (4) feet. For streets having no curb or sidewalk, the minimum clearance shall be three (3) feet between any bicycle attached to a parking device and the outside edge of the roadway shoulder.

SECTION 515 PARKS AND OPEN SPACE USES

- A. Dedication - All plans for residential subdivision of land or residential land developments shall provide for the dedication of land for park and open space uses, and/or, upon agreement by the Applicant, the construction of recreation facilities, the payment of fees in lieu thereof, the private reservation of land, or any combination thereof. All dedications of land for park and open space purposes shall be consistent with standards contained within the Comprehensive Plan.

Any such dedications shall be determined to be acceptable by the Township.

- B. General Requirements - Applicants shall designate areas of residential subdivisions or residential land developments for parks, playgrounds, or other public open space and recreational uses in accordance with the provisions of this Section 515. All plans shall identify the location of the land to be dedicated. The Applicant shall make an irrevocable offer of dedication of such land to the Township. Title to such land shall be good and marketable, free of liens or other defects, and acceptable to the solicitor of Strasburg Township or other entity which will accept dedication of the land. The Township may, upon agreement of the Applicant, authorize the transfer of the land to a homeowners' association or to a non-profit corporation whose purpose is the conservation or preservation of land.
- C. Amount of Land to be Dedicated - The amount of park and open space land to be dedicated shall be equal to, and in conformance with, standards adopted by the Township. Consistent with the National Recreation and Park Association, the amount of park and open space land to be dedicated shall equal twenty-five hundredths (0.25) of an acre per each one hundred (100) projected residents or fraction thereof. The Developer shall provide the Township with information concerning the density based upon the number and type of dwelling units proposed. In the event of a dispute as to the estimated population of the proposed residential subdivision or land development, the determination of the Township shall control.
- D. Fee in lieu of Dedication - Notwithstanding anything contained in the above Sections, the Applicant may, with the consent and approval of the Township, elect to pay a fee, to be used only for the purpose of providing, acquiring,

operating or maintaining park or recreational facilities reasonably accessible to the development, to the municipality in lieu of the park and open space dedication.

1. The amount of any fee to be paid in lieu of dedication of land shall be equal to the average fair market value of the land otherwise required by this Section. The formula to be used in computing the fee based upon fair market value shall be:

$$N \times (\text{average FMV of one acre}) = \text{fee}.$$

Where: N = the number of acres required to be dedicated for park and open space purposed, calculated in accordance with Section 515 C. and FMV = fair market value.

The Applicant shall provide the Township with all information necessary to determine the fair market value of the land, including but not limited to the following:

- a. If the Applicant is the equitable owner, or purchased the land in fee simple less than two (2) years prior to the Preliminary or Final Plan submission, a copy of the agreement of sale or real estate transfer tax affidavit of value or,
 - b. If the Applicant is the equitable owner, or purchased the land in fee simple more than two (2) years prior to the Preliminary or Final Plan submission, an opinion of value of the property by a state certified appraiser acceptable to the Township.
2. Any Applicant aggrieved by the fee established shall have the right to secure a second opinion of value of the property by a state certified appraiser acceptable to the Township. The two (2) estimated values shall be averaged, with the result being the amount upon which the fee will be based.
 3. In lieu of paying the fair market value of such land, the Applicant may elect to pay the per lot or per dwelling unit fee established by Township resolution.
 4. Such fee of shall be payable to the Township prior to the recording of each final phase of the plan and shall be in an amount equal to the percentage of the total number of dwelling units in the phase.
- E. Parkland Acquisition Fund - All fees paid by the Developer in lieu of dedication of park and open space land shall be paid to the Township and upon its receipt

shall be deposited in a separate interest-bearing account. Fees deposited to this account shall be administered as required by Act 247.

- F. General Design Criteria - Except as provided in Sections 515 H. and 515 I. below, the type of areas to be dedicated for park and open space land within a subdivision or land development plan shall principally involve neighborhood parks which are defined as “those parks providing primarily active outdoor recreational opportunities located within one half (1/2) mile radius from a majority of the residences to be served thereby”. Exceptions to this will be when dedications are made to a community park which serves the subdivision and is located within a two (2) mile radius of the majority of the residences to be served, or a County park which serves residences located within a ten (10) mile radius.

The land set aside for park and open space uses shall meet the following design criteria:

1. The park and open space land shall be reasonably located so as to serve all of the residents of the subdivision or land development.
2. The park and open space land shall be accessible from a public street or shall adjoin and become a part of an already existing public park or open space area which is accessible from a public street. Where access to the park is by public street, the width of the frontage shall be a minimum length deemed necessary by the municipality for access, visibility of the site, and public safety.
3. No more than twenty-five (25%) percent of the park and open space land shall contain detention basins or other storm water management facilities, or be located within a floodplain or wetland unless such area is part of a linear trail or green way along an existing watercourse.
4. The park and open space land shall be compact and contiguous and shall meet lot configuration requirements for lots within a residential subdivision unless the land shall be used as a continuation of an existing trail as set forth in Section 515 G., as a trail or linear park as set forth in Section 515 H. herein, or the land is located adjacent to and combined with existing park and open space land, or specific topographic features require a different configuration. An example of such topographic features would be the provision of public open space along a scenic creek.
5. When the park and open space land required to be dedicated is less than five (5) acres in size, the park and open space land shall be located at a suitable place on the periphery of the subdivision or land development so a more usable tract will result when additional park and open space land is obtained upon development of the adjacent land.

6. When public park and open space land exists adjacent to the tract to be subdivided or developed, the park and open space land shall be located to adjoin and enlarge the presently existing park and open space land.
 7. At least fifty (50%) percent of the finished grade of the site shall have a slope of three (3%) percent or less unless the land shall be used as a continuation of an existing trail as set forth in Section 515 G., as a trail or linear park as set forth in Section 515 H. herein, or the preservation of specific, valuable topographic features results in a greater slope (e.g. provision of public space along a scenic watercourse).
 8. The park and open space land shall be accessible to utilities such as sewer, water, and power that are provided within the subdivision, and if so requested by the Township, the Developer shall extend such utilities to the park and open space land.
 9. If the Developer is planning to construct facilities for recreation on the dedicated property as an amenity for the development, such facilities shall be constructed in accordance with current standards established by the National Recreation and Park Association. Where applicable, facilities constructed shall also comply with the accessibility guidelines of the Americans with Disabilities Act of 1990, as amended. Playground equipment constructed or placed on parkland shall be in compliance with guidelines from the Consumer Products Safety Commission.
- G. Existing Trails - When a subdivision or land development is traversed by or abuts an existing public trail, customarily used by pedestrians and/or equestrians, the Applicant shall make provision for the continued recreational use of the trail subject to alterations of the course of the trail within the boundaries of the development under the following conditions:
1. The points at which the trail enters and exits the tract shall remain unchanged.
 2. The proposed alteration exhibits quality trail design according to the generally accepted principles of landscape architecture.
 3. The proposed alteration does not run coincidentally with the paved street intended for use by motorized vehicles.
- The land set aside for the continuation of such existing trail shall be included within the amount of park and open space land required by Section 515 C. herein.
- H. Trails and Linear Parks - The Township may require, as a condition of Final Plan approval the dedication and improvement of trails and linear parks, which may be

credited toward the park and open space land requirement described in Section 515 C. Trails and linear parks developed and dedicated for public use may be credited toward the park and open space land requirement provided that such trails and linear parks meet the following standards:

1. Actual dedications of land shall be a minimum width of seventy-five (75) feet, and, if to be dedicated to the Township, must be approved by the Board of Supervisors.
 2. The trail or linear park shall conform to any applicable Township Plan or Official Map, any county-wide trail and recreation master plan, and appropriate Township and County Comprehensive Plans.
 3. The minimum right-of-way width of an easement containing a trail which crosses private land shall be ten (10) feet. Easements may be dedicated to the Township, the County, or other organization which, in the judgment of the Township, is appropriate. In all cases, however, such easements must provide for public use at reasonable times.
 4. Trails shall have a vertical clearance of no less than ten (10) feet.
 5. Width of the trail surface may vary depending upon type of use to be accommodated, but in no case shall such width be less than five (5) feet.
- I. Municipal Fund Reimbursement -The Township may from time-to-time decide to purchase land for parks in or near the area of actual or potential development. If the Township does purchase park and open space land within a distance of one-half (1/2) mile, subsequent park and open space land dedications within that area may, upon agreement with the Applicant, be in cash only and shall be calculated on a percentage basis to reimburse the Township's actual cost of acquisition and/or cost of development of such land for park and open space purposes. The cash amount shall be equal to the sum of the average price per acre of such land plus the actual costs of adjacent streets and on-site utilities (or an estimate of such actual costs provided by the municipal engineer) divided by the number of lots or dwelling units in the development. Once the Township has been reimbursed entirely for all such park and open space land, this subsection shall cease to apply and the other subsections of this section shall again be applicable.
- J. Additional Recreation Reservations - The provisions of this section are minimum standards and shall not be construed as prohibiting a Developer, with the approval of the Township, from dedicating or reserving other land for recreation purposes in addition to the requirements of this Ordinance.
- K. Private Reservation of Land - Notwithstanding anything contained in the above sections, the Applicant may, with the consent and approval of the Township,

elect to fulfill the open space requirements through the private reservation of a recreation area.

1. Any project which proposes the private reservation of land shall be accompanied by an agreement, which is acceptable to the solicitor of the Township, and which shall be recorded prior to or concurrent with the Preliminary Plan approval. Such agreement shall stipulate:
 - a. That maintenance of the designated open space is the responsibility of either the Applicant, a homeowners' association, a condominium unit owners' association, or a recognized conservation organization,
 - b. The availability of such private open space to non-residents of the development and,
 - c. The method by which the private reservation may be offered for public dedication,
 - d. That the land cannot be developed for other than open space purposes, and
 - e. That the land cannot be sold or disposed of by the association except to another organization formed to own and maintain said open space and without first offering to dedicate the land and improvements to the Township.
2. If such lands are to become common elements of a homeowners' or unit owners' association of any type, then such association's organizational by-laws must conform to the requirements of applicable state law.

L. Construction of Recreation Facilities - Notwithstanding anything contained in the above sections, the Applicant may, with the consent and approval of the Township, elect to fulfill the open space requirements through the construction of recreational facilities.

1. All approved recreation facilities constructed in lieu of land dedication shall be completed and dedicated to the Township before fifty (50%) percent occupancy has been reached in any applicable subdivision or land development.

SECTION 516 HISTORIC AND CULTURAL RESOURCES

- A. Archaeologic Investigations - No project shall be developed on a site identified by the Pennsylvania Historical and Museum Commission as containing features of archaeological significance until:
1. A complete Level 1 and Level 2 archeological survey of the site is completed; or
 2. The State Historic Preservation Officer determines that the project will not disturb the cultural significance or artifacts on the site.
- B. Method of Survey - If a complete archaeological survey is required, it shall be conducted under the supervision of a professional archeologist in compliance with standards prescribed by the Pennsylvania Historical and Museum Commission. Even if a complete survey is not required, the Township may, upon advice of the State Historic Preservation Officer, require the Developer to retain the services of, and have present at the site during any excavations or trenching, an archeologist with authority to investigate and document any cultural material that might be unearthed.
- C. Report Required - A complete copy of the report of the archeologist, including a copy of the field notes shall be submitted to the Township and the State Historic Preservation Officer. Arrangements shall be made by the Developer for transfer of any significant artifacts to a depository where such items can be conserved and made available for future study.
- D. Preservation of Historic Features - Subdivisions and land developments should be designed to preserve, adaptively reuse, or otherwise provide for the historic features of Lancaster County and Strasburg Township. Subdivisions and land developments should also be designed so that new structures do not block historic views, or obstruct the view of historic properties, and new construction should be visually complementary to historic structures. If because of size, scale, construction material, or type of use a proposed land development or subdivision would jeopardize the historic value of a site or structure, such new construction should be screened or otherwise visually buffered.
- E. Retention of Local Names - Applicants are encouraged to perpetuate historic names or geographic references that are traditionally associated with the area in which a project is located, rather than proposing project names that are not consistent with Lancaster County and the Township traditions or culture.

CHAPTER 6

IMPROVEMENT CONSTRUCTION ASSURANCES

SECTION 601 COMPLETION OF IMPROVEMENTS; GUARANTEE

- A. No plan shall be finally approved unless the streets shown on such plan have been improved as may be required by this Ordinance and any walkways, curbs, gutters, streetlights, fire hydrants, shade trees, water mains, sanitary sewers, storm drains, stormwater management facilities or other improvements, as may be required by this Ordinance have been installed in accordance with this Ordinance, except that the surface course of streets shall not be completed until such time as 90% of the lots in the subdivision or land development have been improved by the construction of a dwelling if approved for residential development or by the construction of the proposed commercial or industrial structures if the lots are approved for such uses. In lieu of completion of the surface course of streets, as well as in lieu of completion of other improvements required as a condition for final plan approval of a plan, at the discretion of the Developer, such Developer may provide the Township financial security in accordance with Section 605.
- B. Where public sewer service and/or public water service is proposed by a plan, the Developer shall post financial security with the public sewer and/or public water provider, as applicable. No plan shall be released for recording until the public sewer and/or public water provider has confirmed receipt of the financial security required under applicable statutes and regulations.
- C. The Township shall process requests for reduction of financial security in accordance with the requirements of Act 247.
- D. The value of the work completed shall be determined by subtracting 110% of the estimated cost of the completion of the remaining uncompleted work from the total amount of security deposited.
- E. At such time as 90% of the lots in the subdivision have been improved as set forth above or, if at the expiration of three (3) years from the date all of the improvements excepting the surface course have been completed, less than 90% of the lots have been so improved, the Township may notify the Developer to complete the surface course within 60 days from the date of such notice. In computing the 60-day requirement, the period from October 1 to April 1 may not be counted.
- F. If at the time the surface course is completed, 90% of the lots are not improved as set forth above, the Developer must:

1. Post with the Township financial security in an amount equal to 15% of the reasonable cost of the surface course as security to guarantee that damages to the road or street would not occur during the completion of the improvements on the unimproved lots in such developer's subdivision or land development. The Township shall hold such financial security and utilize it to pay for the repair of any damage occurring to the road during the period between the commencement of improvements on any particular unimproved lot and the completion of such improvements irrespective of whether or not it can be established that the damage to the road was caused by contractors or other persons working in and about the construction of such improvements; or
 2. Present to the Township agreements signed by the owners of all of such unimproved lots pursuant to which they will agree to pay to the Township the cost of repairing any damage occurring to roads in such subdivision during the period between the commencement of work on the improvements to their lot and the completion of such improvements irrespective of whether or not it can be established that such damage was caused by contractors or other persons involved in the improvement of their respective lot.
- G. The Township shall process requests for release of financial security in accordance with Act 247. Improvements shall not be considered completed unless the Developer can demonstrate compliance with the requirements of this Ordinance, the Stormwater Management Ordinance, and all other applicable ordinances, statutes and regulations. Improvements shall also not be considered complete until as-built plans of all improvements to be dedicated to the Township and of all streets and storm water management facilities, whether or not such streets and storm water management facilities shall be dedicated, have been submitted to the Township, as applicable.
- H. 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 Board of Supervisors may enforce any letter of credit or other financial security by appropriate legal and equitable remedies. If proceeds of such financial security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said financial security, the Board of Supervisors may, at its option, install such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action or recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, after deducting the costs of collection, whether resulting from the financial security or from any legal or equitable action brought against the Developer, or both, shall be used solely for the installation of the improvements covered by such security and not for any other Township purpose.

- I. The Township may require that the Developer submit a maintenance guarantee to secure the structural integrity and functioning in accordance with the designs and specifications as depicted on the final plan for any improvement to be dedicated to the Township for a period of 18 months from the date of acceptance of dedication. Such maintenance guarantees shall be in a form acceptable to the Township Solicitor and shall be in the amount of 15% of the actual cost of installation of said improvements.

SECTION 602 INSURANCE

The Developer agrees to indemnify and save harmless the Township against and from any and all loss, cost, damage, liability, and expense, including reasonable legal fees, on account of damage to property of, or injury to or death of, the parties thereto or third person, caused by, growing out of, or in any way whatsoever attributable to the construction of said improvements and the use of the street delineated on the subdivision plan during construction. The Developer further agrees, but without limiting its liability to indemnify the Township, to carry liability insurance contracts with a reliable insurance company for injury to or death of person(s) and for damage to or destruction of property, which insurance contracts shall include the Township as named insured. The amounts of insurance coverage shall be determined as part of the preparation of the Developer's Agreement, but shall in no case be less than \$1,000,000.00 for bodily injury or death and in no case be less than \$500,000.00 for property damage.

SECTION 603 BUILDING CONSTRUCTION AND OCCUPANCY

A building or zoning permit may be issued and building construction started only after the approval of the Final Plan. Occupancy shall not be permitted prior to the completion of streets, storm water management facilities and other improvements necessary for the reasonable use of the building, unless written authorization is granted by the Township where improvements have been guaranteed by valid bond or other security.

SECTION 604 AS-BUILT PLAN

At such time as the construction of the required improvements are found to meet all requirements of this Ordinance and the approved plans, as modified, the Developer, prior to release of financial security, shall submit to the Township a mylar as-built plan of the street and any stormwater drainage facilities which shall form a part of the permanent records of the Township. One (1) electronic copy of the as-built plan shall also be submitted to the Township. The plan shall be prepared by using the approved Final Plan as a base plan and shall be made available to the Township prior to the final inspection of the project. As-built plans shall show the following:

- A. Actual location of all concrete monuments that were set at all angle breaks, points of curvature and tangents around the perimeter of the total tract. When the outside perimeter of a tract falls within or along an existing street right-of-way, then the right-of-way of that roadway shall be monumented at the above referenced points.

- B. Actual location of all iron pins or drill holes in curbs for all individual lot lines.
- C. Actual cul-de-sac radius.
- D. Actual location of cartway centerline versus right-of-way centerline.
- E. Actual location of floodplain by elevation and dimension from property line.
- F. Actual location and cross section of swales and accompanying easements.
- G. Actual horizontal and vertical location of storm water management, sanitary sewer and waterline facilities including type and size of storm drainage, sanitary and waterline pipes.
- H. Detention basin:
 - 1. Actual contours of the detention basin.
 - 2. Actual outlet structure details including type, size and inverts of outlet pipes.
 - 2. Actual elevation of the embankment and emergency spillway.
 - 3. A table showing the stage/storage/discharge curve for the constructed conditions.

SECTION 605 FINANCIAL SECURITY

- A. The following forms of financial security shall be considered acceptable:
 - 1. Irrevocable letter of credit in an amount calculated in accordance with Section 605.B. An irrevocable letter of credit in the form set forth in Appendix No. 14 is required.
 - 2. Cash escrow in an amount calculated in accordance with Section 605.B. An escrow agreement in the form set forth in Appendix No. 14 is required.
 - 3. Surety bond in an amount calculated in accordance with Section 605.B. A surety bond in the form set forth in Appendix No. 14 is required.
 - 4. For required improvements on individual residential lots which would be constructed at the time the dwelling is constructed, including, but not limited to, rain gardens, infiltration beds, and similar storm water management facilities, a recorded agreement in the form set forth in Appendix No. 14.

- B. Financial security shall be in an amount equal to 110% of the estimated cost of improvements, as defined in Article 2 and as required by this Ordinance or the Storm Water Management Ordinance, for all improvements required by the final plan or preliminary/final plan, as applicable. The cost of improvements is to be calculated at a time 90 days following the date scheduled for completion of the improvements by the developer. The estimated cost of the surface course shall be computed separately from the estimated cost of the other improvements and shall be based upon the Developer's projected time table for completion of the development. The Developer shall provide the estimated cost of the improvements prepared and certified by an engineer in accordance with the requirements of Article V of Act 247.
- C. The amount of the financial security shall be determined and annually adjusted in accordance with all applicable requirements of Article V of Act 247.

CHAPTER 7 ADMINISTRATION, FEES AND PENALTIES

SECTION 701 INTENT

This Ordinance shall be considered to set forth the minimum requirements for the protection of the public health, safety, comfort, property or general welfare, pursuant to the authority of Act 247, or such statutes hereinafter in effect, and shall be construed most favorably to the Township as encouraging standards of planning and development exceeding these basic and minimum regulations.

SECTION 702 ADMINISTRATION, ENFORCEMENT AND PENALTIES

- A. It shall be the duty of the Zoning Officer, Township Engineer, and/or other such duly authorized representative of the Township, and such officer is hereby given the power and authority, to enforce the provisions of this Ordinance.
- B. The Zoning Officer shall require that the application for a zoning 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 zoning permit shall be issued until the Zoning Officer has determined that the site for the proposed building, alteration or use complies with all the provisions of this Ordinance and conforms to the site description as indicated on the approved and recorded final plan.
- C. Any person, partnership or corporation, or the members of such partnership or the officers of such corporation, who or which being the owner or agent of the owner of any lot, tract or parcel of land, shall: 1) lay out, construct, open and/or dedicate any street, sanitary sewer, storm sewer, water main or other improvement for public use, travel or other purposes or for the common use of occupants of buildings abutting thereon; 2) sell, transfer or agree to enter into an agreement to sell or transfer any land in a subdivision or land development, whether by reference to or by use of a plan of such subdivision or land development or otherwise; 3) erect any building or buildings which constitute a land development thereon; 4) commence site grading or construction of improvements prior to approval of an improvement construction plan or recording of a final plan; 5) fail to comply with any condition imposed upon approval of a preliminary plan or a final plan or any condition imposed upon the granting of any waiver; 6) fail to comply with any agreement with the Township relating to development in accordance with a preliminary plan or a final plan; 7) fail to comply with any note included on an approved preliminary plan or final plan; 8) construct or permit the construction of any improvement or develop or permit the development of any property in a manner which does not fully comply with the approved improvement construction plan or final plan, as applicable; 9) knowingly provide false information on any plan, report, certification or other

document required to be submitted by this Ordinance; or 10) in any other way takes action or permits another to take action not authorized by this Ordinance or contrary to the provisions of this Ordinance commits a violation of this Ordinance. Such person shall be subject to all of the penalties and remedies set forth in Article V of Act 247.

- D. In addition to other remedies, the Township may institute and maintain appropriate actions at law or in equity to restrain, correct or abate violations of this Ordinance, to prevent unlawful construction, to recover damages and/or to prevent illegal occupancy of a building, structure or premises.
- E. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.
- F. The Township may further refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Ordinance. The authority to deny such permit or approval shall apply to any of the following applicants:
 - 1. The owner of record at the time of such violation.
 - 2. The vendee or lessee of the owner of record at the time of such violation without regard to whether such vendee or lessee had actual or constructive knowledge of the violation.
 - 3. The current owner of record who acquired the property subsequent to the time of the violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
 - 4. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual constructive knowledge of the violation.
- G. As an additional condition for the issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Township may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real estate.

SECTION 703 MODIFICATION OF REQUIREMENTS

The provisions of this Ordinance are intended as minimum standards for the protection of the public health, safety and welfare of the residents and inhabitants of the Township. The Board of Supervisors may grant a modification of the requirements of one or more

provisions of this Ordinance if the Board of Supervisors concludes that the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modifications will not be contrary to the public interest and that the purpose and intent of this Ordinance is observed.

All requests for modifications shall be in writing to the Township and shall accompany and be part of the application for development (See Appendix No. 10). The request 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.

All such modification requests shall be approved or disapproved by the Township. A written record of the action shall be kept for all modification requests.

SECTION 704 APPEALS TO COURT

A Subdivider or Developer aggrieved by any action of the Board of Supervisors regarding refusal to approve a subdivision or land development plan may, within thirty (30) days of such refusal, appeal to the Common Pleas Court of Lancaster County. Any other appeals by aggrieved parties or other landowners shall be subject to the appeal procedures outlined in Article X-A of Act 247.

SECTION 705 SCHEDULE OF FEES

A. Fee Resolution

1. The Board of Supervisors shall establish by resolution a collection procedure and schedule of fees to be paid by the Applicant at the time of submission of all plans.
2. Fees for all other permits required for and by the Township shall be established by the resolution.
3. Said schedule of fees shall be posted in the Township Office.

B. Professional Consultant Review Fees.

The Township's Professional Consultants' review fees with respect to an Applicant's plan shall be paid by the Applicant to the Township. Review fees shall include all reasonable and necessary charges by the Township's Professional Consultants for review and report thereon to the Township. Such review fees shall be based upon a schedule established by resolution. Such review fees shall be reasonable and in accordance with the ordinary and customary charges for similar service in the community, but in no event shall the fees exceed the rate or cost charged by the Professional Consultant for comparable services to the

Township for services that are not reimbursed or otherwise imposed on applicants.

The Township shall submit to the Applicant an itemized bill showing work performed, identifying the person performing the services and the time and date spent for each task. Nothing in this subparagraph shall prohibit interim itemized billing or Township escrow or other security requirements. In the event the Applicant disputes the amount of any such review fees, the Applicant shall follow the procedure as prescribed in Act 247.

C. Professional Consultant Inspection Fees.

An Applicant shall reimburse the Township for the reasonable and necessary expense incurred in connection with the inspection of improvements. The Applicant shall not be required to reimburse the Township for any inspection that is duplicative of inspections conducted by other governmental agencies or public utilities. The burden of proving that any inspection is duplicative shall be upon the objecting Applicant. Such reimbursement shall be based upon a schedule established by resolution. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Township's Professional Consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the Professional Consultant to the Township for comparable services when fees are not reimbursed or otherwise imposed on applicants.

The Township shall submit to the Applicant an itemized bill showing the work performed in connection with the inspection of improvements performed, identifying the person performing the services and the time and date spent for each task. In the event the Applicant disputes the amount of any such review fees, the Applicant shall follow the procedure as prescribed in Act 247.

D. Engineering Fees

Engineering fees required to be paid in accordance with this Ordinance shall be paid to the Township by the Applicant for the below listed services:

1. Reviewing all information submitted in conformance with provisions of this Ordinance. This includes all originally submitted and revised plans, reports and specification.
2. Inspecting the layout of the site for conformance to the submitted survey, plan and specifications.
3. Reviewing planning modules for land development.

4. Reviewing cost estimates of required improvements as submitted by the Developer.
5. Inspecting required improvements during construction.
6. Final inspections of completion of installation of the required improvements.
7. Verifying completed quantities and processing requests for reductions of the value of improvements guarantee(s) throughout the term of construction.
8. Such other technical services as deemed necessary or required by the Township.

E. Legal Fees

Legal fees incurred by the Township for the review of all information submitted for conformance with provisions of this Ordinance, the preparation of improvements agreements pursuant to Section 601 B. of this Ordinance, and other similar services, shall be paid to the Township by the Applicant.

SECTION 706 AMENDMENTS

Amendments to this Ordinance may be initiated by the Planning Commission or the Board of Supervisors. If the amendments are initiated by the Board of Supervisors, the proposed amendment or amendments shall be submitted to the Planning Commission for review and comment at least thirty (30) days prior to a public hearing. Before enactment of a proposed amendment or amendments the Board of Supervisors shall hold a public hearing thereon pursuant to public notice.

SECTION 707 VALIDITY

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

Any ordinance or ordinance provision of Strasburg Township that is inconsistent with any of the provisions of this Ordinance is hereby repealed to the extent of the inconsistency only.

SECTION 708 EFFECTIVE DATE

This Subdivision and Land Development Ordinance shall become effective on April 1, 2016.

Adopted this _____ day of _____, 20__.

ATTEST:

SIGNED: Board of Supervisors, Strasburg Township

Township Secretary

Supervisor

Supervisor

Supervisor