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PART 1

ADOPTION, TITLE, PURPOSE, AUTHORITY, INTERPRETATION**§ 22-101. Adoption. [Ord. 6A-1998, 10/1/1998, § 101]**

An ordinance setting forth requirements, standards and procedures concerning the subdivision of land and land development within the Township of Earl, Lancaster County, pursuant to the authority granted by the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, and reenacted by Act 170 of 1988, and subsequent amendments.

§ 22-102. Short Title. [Ord. 6A-1998, 10/1/1998, § 102]

This Chapter shall be known and may be cited as "The Earl Township Subdivision and Land Development Ordinance of 1998."

§ 22-103. Purpose. [Ord. 6A-1998, 10/1/1998, § 103]

The purpose of this Chapter is to help protect and promote the health, safety, and general welfare of the citizens of Earl Township. The Chapter has been enacted in conjunction with an overall planning program in order to coordinate the development of the Township. In addition, this Chapter is intended to establish guidelines for development, the type and location of streets, public grounds and other facilities; and to anticipate future construction needs and development trends.

§ 22-104. Authority. [Ord. 6A-1998, 10/1/1998, § 104]

The authority of the Board of Supervisors to adopt this Chapter regulating subdivision and land development within Earl Township is granted by Article V of the Pennsylvania Municipalities Planning Code of July 31, 1968, General Assembly Act No. 247 as reenacted and amended, by Act 170 of 1988, and as subsequently amended, 53 P.S. 10101 et seq., hereinafter referred to as the Act, hereby enacts and ordains the following Chapter governing subdivisions and land developments within the limits of Earl Township.

§ 22-105. Jurisdiction. [Ord. 6A-1998, 10/1/1998, § 105]

1. This Chapter shall apply to all subdivision and land development plans submitted after the effective date of this Chapter.
2. From the time an application for approval, whether preliminary or final, is duly filed as provided in this Chapter, and while such application is pending approval or disapproval, no change or amendment of the zoning, other governing ordinance, or plan shall affect the decision on such application adversely to the applicant and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly filed. In addition, when a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved

preliminary application, as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations.

3. When an application for approval, whether preliminary or final, has been approved without conditions or approved by the applicant's acceptance of conditions, no subsequent change or amendment in the zoning, or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspects of the approved development in accordance with the terms of such approval within five years from such approval.
4. Where final plan approval is preceded by preliminary plan approval, the aforesaid five-year period shall be counted from the date of the preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of the governing ordinances or plans as they stood at the time when the application for such approval was duly filed.
5. Where the landowner has substantially completed the required improvements, as depicted upon the final plan within the aforesaid five-year limit, or any extension thereof as may be granted by the Board of Supervisors, no change of governing ordinance or plan enacted subsequent to the date of filing of the preliminary plan shall modify or revoke any aspect of the approved final plan pertaining to zoning classification or density, lot, building, street or utility location.
6. In the case of a preliminary plan calling for the installation of improvements beyond the five-year period, a schedule shall be filed with the preliminary plan delineating all proposed Sections, as well as deadlines within which applications for final plan approval of each section are intended to be filed. Such schedule shall be updated annually on or before the anniversary of the preliminary plan approval, until final plan approval of the last section has been granted. Any modification in the aforesaid schedule shall be subject to approval of the Board of Supervisors in its discretion.
7. Provided the landowner has not defaulted with regard to or violated any of the conditions of the preliminary plan approval, including compliance with the schedule for submission of final plans, then the aforesaid protections afforded by substantially completing the improvements depicted upon the final plan within five years shall apply and for any section or sections, beyond the initial section, in which the required improvements have not been substantially completed within said five-year period. This extended protection shall apply for an additional term or terms of three years from the date of final plan approval for each section.
8. Failure to adhere to the aforesaid schedule of submission of final plans for the various sections shall subject any such section to changes in zoning,

subdivision and other governing ordinance enacted by the Township, subsequent to the date of the initial preliminary plan submission.

9. This Chapter shall not affect any suit or prosecution pending or to be instituted, to enforce any provision of previous ordinances of Earl Township, on any act done, contract executed, or liability incurred prior to the effective date of this Chapter, nor shall any provisions of this Chapter 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 of 1991, or any applicable predecessor regulation.
10. No subdivision or land development of any lot, tract, or parcel of land in Earl Township shall be affected; no street, sanitary sewer, storm sewer, water main, or other facilities in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings thereon unless and until authorized by this Chapter.
11. No lot in a subdivision may be sold, no permit to erect or alter any building upon land in a subdivision or land development may be issued; and no building may be erected or altered in a subdivision or land development, unless and until a final subdivision or land development plan has been approved by the Board of Supervisors and recorded, and until the improvements required in connection therewith have been either constructed or guaranteed in a manner prescribed herein.
12. All subdivision and land development plans are subject to the prevailing Township Zoning Ordinance [Chapter 27], and all other applicable ordinances, regulations and requirements of the Township.

§ 22-106. Interpretation. [Ord. 6A-1998, 10/1/1998, § 106]

The provision of this Chapter shall be interpreted to be the minimum requirements to meet the purposes of this Chapter. Where the provisions of this Chapter conflict or are inconsistent with the provisions of any other ordinance, regulation or requirements, the more restrictive provisions in question shall apply.



PART 2

DEFINITIONS

§ 22-201. General Interpretation. [Ord. 6A-1998, 10/1/1998, § 201]

For all words and phrases used in this Chapter, the following rules of interpretation shall be used:

- A. The present tense includes the future.
- B. The singular includes the plural and the plural the singular.
- C. The masculine gender includes the feminine and neuter.
- D. The word "person" includes a partnership, corporation, association, trust estate or any other legally recognized entity as well as an individual.
- E. The word "shall" and "will" are construed to be mandatory and the word "may" and "should" are permissive.

§ 22-202. Definitions. [Ord. 6A-1998, 10/1/1998, § 202]

Unless expressly stated otherwise in this Chapter, the following words and phrases shall have the meanings given to them in this part.

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

ACT — The Pennsylvania Municipalities Planning Code Act 247 of 1968 as amended by Act 170 of 1988, and as subsequently amended, [53] P.S. 10101 et seq. (P.L. 805).

ADT — Average daily traffic volumes on a road.

AGENT — Any person other than the developer who, acting for the developer, submits to the Township Secretary subdivision and land development plans for the purpose of obtaining review of those plans.

AGRICULTURAL LAND — Land used exclusively for the cultivation of the soil, the production of crops or livestock, or the science of forestry; also, land diverted from agricultural use by an active Federal farm program, provided the diverted land has a conservation cover of grass, legume, trees, or wildlife shrubs. Agricultural land may include, to a minor degree, farmsteads inhabited by the cultivator of the land, housing for farm employees, and land, used for preparation of agricultural products by the cultivator of the land.

ALLEY — A public thoroughfare other than a minor street that affords only a secondary means of access to abutting property and not intended for general traffic circulation.

ALLUVIAL SOIL — Soils formed from material such as gravel, sand, or silt deposited by a stream of water and showing little or no modification of the original materials by soil forming processes. These soils may be identified by the Soil Survey of Lancaster County, Pennsylvania, or through an onsite analysis.

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

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

AXIS OF A LOT — A line joining the midpoints of the front and rear lot lines. A corner lot shall have two axis, each of which shall be defined as a line joining the midpoints of a front lot line and the opposite side lot line. In the event that a front or rear lot line is not a straight line, the midpoint of such lot line shall be determined as the midpoint of a straight line drawn between each terminus of the front or rear lot line.

BLOCK — An area not containing any streets in its interior and having its circumference completely bounded by streets.

BUILDING — Any structure constructed or used for a residence, business, industry or other public or private purposes, or accessory thereto, and including swimming pools, greenhouses, stables, garages, roadside stands, mobile homes, patios, deck, paved terraces, porches, carports and similar structures, whether stationary or movable, but excluding fences and walls which are part of the landscaping, signs and awnings.

ATTACHED — A building which has two or more party walls in common.

DETACHED — A building that has no party wall.

SEMIDETACHED — A building which has only one party wall.

BUILDING LINE — A line formed by the intersection of a horizontal plane and a vertical plane that coincides with the exterior surface of a building or structure on any side. In the case of a cantilevered or projected section of a building, except overhanging eaves, gutters and cornices, the vertical plane will coincide with the most projected surface.

BUILDING SET-BACK LINE — A line within a lot which is equidistant from a front lot line and which represents the minimum separation distance between the street right-of-way and the front building line as determined by the yard requirements of this Chapter. If any portion of the front lot line is not within a street right-of-way, such distance shall be measured between such portions of the front line and the front building line.

CAPACITY — The maximum number of vehicles that can be expected to pass over a given section of roadway or on a specific lane.

CARTWAY — The surface of a road or street available for vehicular traffic.

CENTRAL WATER SUPPLY — A water supply system which provides water for human consumption to more than one lot or dwelling unit which complies with all applicable regulations for public water systems.

CLEAR-SIGHT TRIANGLE — An area of unobstructed vision at a street intersection(s) defined by lines of sight between points at a given distance from the intersecting street right-of-way lines.

CROSSWALK — A publicly or privately owned right-of-way for pedestrian use extending from a street into a block or across a block to another street.

DEDICATION — The deliberate appropriation of land by its owner for general public use.

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

DEED RESTRICTION — A restriction upon the use of a property placed in a deed.

DESIGN YEAR — The anticipated opening year of a development, assuming full buildout and occupancy.

DETENTION BASIN — A reservoir that temporarily contains stormwater runoff and releases it gradually into a watercourse or stormwater facility.

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

DRIVEWAY — A private roadway providing access for vehicles to a parking space, garage, dwelling or other structure. A shared driveway is a private roadway servicing two residential units of occupancy and designed to the standards of this Chapter.

DWELLING — A building or portion thereof designed for and used primarily for residential occupancy, including those listed below but not including hospitals, hotels, boarding, rooming and lodging houses, institutional houses, tourist courts and the like, offering overnight accommodations for guests or patients. Dwellings may include prefabricate units which are capable of being transported to a site in whole or in part; provided, that the unit is permanently affixed to the ground by means of a hard surfaced foundation that will not heave, shift or settle unevenly because of frost action, inadequate drainage, vibration or other forces acting on the superstructure. In addition, in order to qualify as a dwelling, all of the following standards and conditions must be complied with:

- (1) The foundation for the dwelling shall be an entire perimeter wall, either of concrete or masonry construction, extending from below the frost line to the underside of the dwelling house.
- (2) The dwelling house must be attached to the foundation wall by anchor bolts or similar attachments approved by the Zoning Officer as contrasted with the mere setting of the dwelling unit on the foundation wall system.
- (3) In the event the dwelling house formerly was a mobile home as defined herein, the entire running gear, as contrasted with just the wheels, must be removed as well as the towing hitch.

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

ELEVATION — The horizontal alignment of a surface, as it exists or as it is made by cut and/or fill.

- (1) **FLOOR ELEVATION** — The elevation of the lowest level of a particular building, including the basement.
- (2) **ROAD GRADE** — The rate of rise and fall of a road's surface, measured along the profile of the centerline of the cartway.

ENGINEER — A licensed professional engineer registered by the Commonwealth of Pennsylvania.

ENGINEERING SPECIFICATIONS — The engineering specifications of Earl Township regulating the installation of any required improvement or for any facility installed by any owner, subject to public use.

EROSION — The removal of surface materials by the action of natural elements.

EXCAVATION — Any act, by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or moved. It shall include the conditions resulting therefrom.

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

FIRE LANE — A way cleared of obstacles and vegetation at all times so as to allow ingress and egress for vehicles during a fire emergency.

FLAG LOT — A parcel of land created by a subdivision that includes a narrow projection or "flagpole" to a public street or right-of-way.

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

FLOODPLAIN AREA — A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source. **[Amended by Ord. 2016-04, 3/17/2016]**

FUTURE ACCESS STRIP — A right-of-way reserved for the future improvements of a street.

GOVERNING BODY — The Earl Township Board of Supervisors, Lancaster County, Pennsylvania.

HOUSE CONNECTION — That length of sewer and/or water pipe extending from a sewage main of a public sewage system to the outer wall of the dwelling to be served.

IMPROVEMENTS — Physical changes to the land, including but not limited to, grading, paving, roads and streets, walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm drains, stormwater retention, detention basins and other related drainage facilities, recreational facilities, open space, and public facilities, etc., as may be required by this Chapter and the Earl Township Zoning Ordinance [Chapter 27].

INFLUENCE AREA — An area that contains 80% or more of the trips that will be attracted to a development site.

LAND DEVELOPMENT — Any of the following activities:

- (1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (a) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single

nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

- (b) The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
- (2) A subdivision of land. Land development shall not include such development involving the addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.

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

LANDSCAPE ARCHITECT — A licensed professional landscape architect registered by the Commonwealth of Pennsylvania.

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

LEVEL-OF-SERVICE — A qualitative measure describing the operational conditions within a traffic stream, and their perception by motorists and/or passengers.

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

LOT AREA — The area of horizontal plane bounded by the vertical planes within the front, side, and rear lot lines. For the purposes of calculating the minimum lot area necessary to comply with the requirements of the Earl Township Zoning Ordinance [Chapter 27], the following areas shall be excluded from such calculation:

- (1) Any area within a street or other transportation right-of-way.
- (2) Any area within a right-of-way used for gas, oil, natural gas, electric or communication transmission facilities, whether below or above ground, that do not serve the lot traversed.
- (3) Wetlands.
- (4) Any area comprising a stormwater management basin.

LOT CORNER — A lot abutting two street rights-of-way at their intersection in which the average centerlines of such roads along the frontage of the lot form an interior angle of less than 135°.

LOT LINE — A line dividing one lot from another lot or from a street or alley.

LOT LINE, FRONT — A lot line separating the front of the lot from the street. On a corner lot, all lot lines that abut a street shall be front lot lines. On a through lot, the front lot line shall be the lot line that abuts the street providing the primary access to the lot.

LOT LINE, REAR — A lot line which does not intersect a front lot line and is most distant from, and most parallel to, a front lot line. For the purposes of this Chapter, where the side lot lines of an interior lot meet in a point, the rear lot line shall be assumed to be a line not less than 10 feet long drawn within the lot between the two side lot lines, which is parallel to, or in the event of a curved front lot line, equidistant to, the front lot line.

LOT LINE, SIDE — Any lot line that is not a front or rear lot line.

LOT, THROUGH — A lot abutting two road rights-of-way which is not located at the intersection of such two roads.

LOT WIDTH — In the case of an interior lot, lot width shall be the horizontal distance measured at the minimum building set-back line between the side lot lines. In the case of a corner lot, lot width shall be the horizontal distance measured at the minimum building set-back line between each front lot line and its opposite side lot line. Such distance shall be measured along a straight line that is at right angles to the axis of a lot.

MARKER — An iron pin or pipe of a least 3/4 inch in diameter and 18 inches in length.

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

MOBILE HOME LOT — A parcel of land in a mobile (manufactured) home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile (manufactured) home.

MOBILE HOME PAD — That part of a mobile home lot which is being reserved for the placement of the mobile home.

MOBILE HOME PARK — A parcel or contiguous parcels of land that has been so designated and improved that it contains two or more mobile (manufactured) home lots for the placement thereon of mobile (manufactured) homes.

MOBILE HOME PARK OPERATOR — The person or entity responsible for the operation of a mobile home park.

MONUMENT — A concrete or stone monument used to identify street line intersections.

NONSITE TRAFFIC — Vehicle trips passing within the study area as defined in the traffic impact study that do not enter or exit the site and are generally the result of through traffic and traffic generated by other developments.

ORDINANCE — The Earl Township Subdivision and Land Development Ordinance of 1998 and as subsequently amended [this Chapter].

PARCEL — See "lot."

PASS-BY-TRIPS — See "shared trips."

PEAK HOUR — The hour during which the heaviest volume of traffic occurs on a road.

PEDESTRIAN WAY — A right-of-way, publicly or privately owned, intended for human movement by walking, biking, wheelchair, etc.

PERMANENTLY PASSABLE CONDITION — Graded to plan specifications and improved to include curbing, drainage facilities and, at minimum, a base course as outlined in this Chapter.

PLAN — A map or diagram of a subdivision or land development. A plan can be sketch, preliminary, final, or lot add-on as further defined.

PLAN, FINAL — A complete and exact subdivision or land development plan prepared for official recording as required by the Act, in conjunction with the specifications of § 22-403 of this Chapter.

PLAN, LOT ADD-ON — A complete and exact subdivision plan including all supplementary data specified in § 22-404 of this Chapter, the sole purpose of a lot add-on is to increase the lot area of an existing lot or tract.

PLAN, PRELIMINARY — A subdivision or land development plan prepared in lesser detail than the final plan, and indicating the approximate proposed layout of a subdivision as a basis for consideration prior to preparation of the final plan, with specifications as outlined in § 22-402 of this Chapter.

PLAN, RECORD — A final plan which contains the original endorsement of the Earl Township, which is intended to be recorded with the Lancaster County Recorder of Deeds.

PLAN, SKETCH — An informal plan, not necessarily drawn to exact scale, indicating salient existing features of a tract and its surroundings, and the general layout of a proposed subdivision or land development prepared in accordance with § 22-401 of this Chapter.

PLANNING COMMISSION — The Planning Commission of Earl Township, Lancaster County, Pennsylvania.

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

PUBLIC GROUNDS — Public grounds include the following:

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

PUBLIC HEARING — A formal meeting held pursuant to public notice, intended to inform and obtain public comment, prior to taking action in contested cases or prior to amending this Chapter.

PUBLIC IMPROVEMENTS — Includes such improvements as streets, sewer and water facilities, curbs, sidewalks, street lighting, stormwater facilities, fire hydrants, manholes and any accompanying easements.

PUBLIC MEETING — A forum held pursuant to notice under the act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act."

PUBLIC NOTICE — A notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.

PUBLIC SEWER — A wastewater collection, conveyance, and treatment system, whether publicly or privately owned, serving two or more lots, or two or more equivalent dwelling units. Such systems require a permit from the Pennsylvania Department of Environmental Protection, and shall include "community onlot sewage systems" and "community sewerage systems" as defined by Title 25, Pennsylvania Code, § 71.1.

PUBLIC WATER (PUBLIC WATER SYSTEM) — A system which provides water to the public for human consumption which has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. Such system shall be approved by the Pennsylvania Department of Environmental Protection and licensed by the Pennsylvania Utilities Commission, as appropriate.

RECREATIONAL AREA — A specific area or areas designated and usable for play, open space, and recreational purposes by the residents of the mobile home park. This area shall not include mobile home lots, streets, parking areas or accessory buildings.

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

REVERSE FRONTAGE LOT — A lot extending between and having frontage on an arterial street and a minor street, and with vehicular access solely from the latter.

RIGHT-OF-WAY — The total width of any land granted, reserved or dedicated as a street, alley, crosswalk or for other public or semipublic purposes, such as utility installations, stormwater installations or sanitary sewer installations.

RIGHT-OF-WAY, STREET — A public thoroughfare for vehicular traffic and/or pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, alley or however designated.

RUNOFF — The surface water discharge or rate of discharge of a given watershed after a fall of rain or snow that does not enter the soil but runs off the surface of the land.

SEDIMENTATION — The process by which mineral or organic matter is accumulated or deposited by wind, water, or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "sediment."

SHARED TRIPS — Vehicle trips entering and exiting the site which were using the facility on the adjacent streets and therefore did not generate new trips on the road.

SIGHT DISTANCE — The length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic.

SLOPE — The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually

expressed in a percentage based upon vertical difference in feet per 100 feet of horizontal distance.

STATUTORY REVIEW PERIOD — The maximum number of days a municipality has to fulfill its obligations in reviewing and properly disposing of a subdivision or land development plan, as defined by Act 247, the Pennsylvania Municipalities Planning Code.

STORAGE, OUTDOOR — The keeping, in an unroofed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than 24 hours, excluding display areas as defined within the Earl Township Zoning Ordinance [Chapter 27]. Outdoor storage shall include that which is contained within trailers or similar vehicles.

STORMWATER MANAGEMENT DATA — The plan and narrative information, designed in accordance with the Earl Township Stormwater Management Ordinance, which identifies design and construction details for managing the quantity and quality of stormwater runoff.

STORMWATER MANAGEMENT FACILITIES — Those controls and measures (e.g., storm sewers, berms, terraces, bridges, dams, basins, infiltration systems, swales, watercourses and floodplains) used to implement a stormwater management program.

STREET — Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.

STREET, ARTERIAL — A major street or highway with fast or heavy traffic of considerable continuity and used primarily as a traffic artery for intercommunications among large areas.

STREET, COLLECTOR — A major street or highway which carries traffic from minor streets to arterial streets.

STREET, CUL-DE-SAC — A street intersecting another street at one end and terminating at the other in a vehicular turnaround.

STREET, LOCAL — A street used primarily for access to abutting properties.

STREET, MARGINAL ACCESS — A minor street which is parallel and adjacent to limited access highways or arterial streets and which provides access to abutting properties and protection from through traffic.

STREET, PRIVATE — A thoroughfare, including a street, road, lane, alley, court or space, which has not been offered for dedication or whose dedication was not accepted by the Township. Private streets shall not be permitted unless they meet the standards of this Chapter or Township Road Ordinance [Chapter 21, Part 1].

STREET, SERVICE (ALLEY) — A service road that provides secondary means of access to lots. Alleys are on the same level as a local access street, and are used in cases of narrow lot frontages. No parking shall be permitted, and alleys should be designed to discourage through traffic. ADT level corresponds to that of local access street. Number of units served should not exceed 76. Alleys may be designed as one-lane streets.

STREET CENTERLINE — The center of the surveyed street right-of-way, or where not surveyed, the center of the traveled cartway.

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

STREET LINE — The street line is the right-of-way line of a public street or the cartway line of a private street.

STREET WIDTH — The shortest distance between street lines measured at right angles to the centerline of the street.

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

SUBDIVISION — (See "land development.") The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels, or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development. Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or residential dwellings, shall be exempted.

SUPERVISORS (BOARD OF SUPERVISORS) — The Board of Supervisors of Earl Township, Lancaster County, Pennsylvania.

SURFACE DRAINAGE PLAN — A plan showing all present and proposed grades and facilities for stormwater drainage.

SURVEYOR — An individual registered with the Commonwealth of Pennsylvania as authorized to measure the boundaries of tracts of land, establish locations, and perform the requirements of a survey.

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

TOPSOIL — Surface soils and subsurface soils that presumably are fertile soils and soil material ordinarily rich in organic matter or humus debris. Topsoil is usually found in the uppermost soil layer called the A Horizon.

TOWNSHIP ENGINEER — A professional engineer registered in Pennsylvania and designated by Earl Township to perform the duties of Engineer as herein specified.

TRACT — See "lot."

TRIP — A single or one-directional vehicle movement.

UNDEVELOPED LAND — Any lot, tract or parcel of land that has not been graded or in any other manner prepared for the construction of a building.

UNIT OF OCCUPANCY — An allocation of space within a building or structure that is independent of other such space and that constitutes a separate use. This shall include both fee simple ownership and leaseholds.

UNBUILDABLE SITE — A portion of a tract of land which, due to physical or environmental conditions, cannot support or is inappropriate for construction of a road, structure, or any other manmade improvement. Examples include wetlands, sinkholes, landslides, endangered species habitats and hazardous waste dumps.

WAIVER — A process for alleviating specific requirements imposed by this Chapter and provided under § 22-905 of this Chapter.

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

WATERSHED — All land and water within the confines of a drainage basin.

WETLANDS — Areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas.

YARD — A required open space on a lot adjoining a lot line, containing only landscaping or other uses as provided by the Earl Township Zoning Ordinance [Chapter 27] Distances that represent minimum yards throughout this Chapter shall include all portions of a lot that are within such distances as measured at right angles from the respective lot line.

YARD, FRONT — A yard encompassing the entire width of the lot and situated between the front lot line and the building line nearest to the front lot line.

YARD, REAR — A yard encompassing the entire width of the lot and situated between the rear lot line and the building line nearest to the rear lot line.

YARD, SIDE — A yard lying between the side lot line and the building line nearest to the side lot line and extending from the front yard to the rear yard, or in the absence of either of such front or rear yards, to the front or rear lot lines. A side yard shall not be required for sides of structures on which the side lot line is congruent with a common party wall.

PART 3

**SUBDIVISION AND LAND DEVELOPMENT APPLICATION AND REVIEW
PROCEDURE****§ 22-301. General Authority. [Ord. 6A-1998, 10/1/1998, § 301]**

It is the intention of the Supervisors in enacting the regulations of this Chapter to provide the applicant with a timely and comprehensive review of the plans submitted for subdivision and/or land development. No street, alley, or other thoroughfare shall be affected or constructed, and no related facilities such as water mains, storm sewers, or sanitary sewers shall be constructed, opened, or dedicated for public or private use except in strict conformance with this Chapter. No lot may be altered or further subdivided without a final subdivision plan being duly approved in accordance with this Chapter, and recorded with the Lancaster County Recorder of Deeds. Furthermore, no land development can occur without a final land development plan being duly approved in accordance with this Chapter and recorded with the Lancaster County Recorder of Deeds.

§ 22-302. Classification of Plans. [Ord. 6A-1998, 10/1/1998, § 302]

For the purpose of this Chapter the following classifications of plans are established and hereinafter provided:

- A. Sketch plans.
- B. Preliminary plans.
- C. Final plans.
- D. Lot add-On plans.

§ 22-303. Classification and Procedure for Subdivision or Land Development. [Ord. 6A-1998, 10/1/1998, § 303]

Prior to the alteration of any lot and prior to any subdivision or land development, the applicant seeking said alteration, subdivision or land development, or an authorized agent of same shall apply for and secure approval of a final subdivision or land development plan. The procedure of such approval shall conform to the following steps:

- A. Any applicant may request a preapplication meeting and submit a sketch plan to the Township. Applicants proposing four or more lots are highly encouraged to submit a sketch plan and arrange a preapplication meeting.
- B. A preliminary plan shall be submitted to and approved by the Board of Supervisors for all subdivisions and/or land developments, except where noted in this Chapter.
- C. A final plan shall be submitted to and approved by the Board of Supervisors for all subdivision and/or land developments.

- D. A lot add-on plan shall be submitted to and approved by the Board of Supervisors.

Preliminary and final subdivision or land development plan submittals shall be made to the Township Secretary who shall make the appropriate distributions. All plans shall be submitted with necessary application forms and fees as determined by the Board of Supervisors of Earl Township.

§ 22-304. Official Filing Date. [Ord. 6A-1998, 10/1/1998, § 304]

For the purpose of these regulations, the date of the next regularly scheduled meeting of the Planning Commission following the submission of preliminary or final plans and appropriate application forms and fees to the Township Secretary shall constitute the official filing date of the plan, pending placement on the meeting agenda and acceptance of the plan by the Township Secretary. It is at this time that the statutory period for the disposition of the plan, as stated in § 508 of the Act, shall commence. In the event that the next regular meeting of the Supervisors occurs more than 30 days following submission of the plan and application forms and fees, the official filing date shall be noted as the thirtieth day following submission.

§ 22-305. Acceptance for Filing. [Ord. 6A-1998, 10/1/1998, § 305]

1. Initial Application. The Township Secretary shall have seven days from the date of receipt of an application to check the plans and documents to determine if, on their face, they are in proper form and contain all information required by this Chapter. If defective, the application may be returned to the applicant with a statement of rejection, within the seven-day period; otherwise, it shall be deemed accepted for filing as of the official filing date. Acceptance for filing shall not, however, constitute a waiver of any deficiencies or irregularities. The applicant may appeal a decision by the Township Secretary under this Section to the Board of Supervisors.
2. Amendments or Corrections to an Application. The Township Secretary shall have seven days from the date of receipt to examine amended or corrected applications filed to determine whether such amended or corrected application results in a substantial amendment to the plan or in the filing of a plan so changed as to be considered a new plan. If the Township Secretary determines that the amended or corrected application constitutes a substantial amendment, such as the relocation for any street or a change in the overall density of the site, the Township Secretary shall so inform the applicant and shall inform the applicant that the Township shall consider the ninety-day review procedure to have been restarted as of the date of the filing of the substantial amendment in accordance with § 22-304 of this Chapter. If the Township Secretary determines that the amended or corrected application constitutes a new plan, the Township Secretary shall so inform the applicant and shall inform the applicant that a new application and new fees are required. The applicant may appeal a decision by the Township Secretary under this Section to the Board of Supervisors.

§ 22-306. Extension of the Statutory Review Period. [Ord. 6A-1998, 10/1/1998, § 306]

The statutory review period for the disposition of any preliminary or final plan may be extended for any reason if an agreement in writing to such an extension is received from the applicant prior to the public meeting at which action is to be taken.

§ 22-307. Preapplication Review and Sketch Plan Submission. [Ord. 6A-1998, 10/1/1998, § 307]

The purpose of the preapplication review and sketch plan submission is to provide the Township and the applicant the opportunity to review and discuss a proposal for a subdivision and/or land development prior to a formal submission.

- A. Preapplication Meeting. Applicants are encouraged to meet with the Township Planning Commission to discuss their proposal. Any comments from the Commission shall be informal and shall not constitute approval or rejection of the plan.
- B. Sketch Plan Submission. If a preapplication meeting is arranged, the applicant shall submit to the Township Planning Commission a sketch plan of the proposed project 10 days prior to the meeting in accordance with § 22-401 of this Chapter, but shall not constitute an application for preliminary or final approval. Generally, an informal review will be scheduled for the next regular meeting of the Township Planning Commission. It is requested that the applicant be present at this meeting to discuss the plan with the Commission. Twelve copies of the sketch plan and two copies of the Township application form shall be supplied to the Township Secretary to permit adequate distribution to other Township agencies. The applicant will be responsible for making submittals to the Lancaster County Planning Commission when determined necessary for their review and comments. The Township Secretary may require additional copies if deemed necessary.

§ 22-308. Submission and Review for Preliminary Plans. [Ord. 6A-1998, 10/1/1998, § 308]

1. Procedure. A preliminary plan for subdivision or land development as further described in § 22-402 shall be submitted to the Township Secretary along with appropriate fees, and applications as specified below:
 - A. Twelve complete copies of the preliminary plan.
 - B. Two copies of all reports and plans required by the Township Stormwater Management Ordinance [Chapter 26, Part 2].
 - C. Two copies of all other reports, notifications, and certifications which are not provided on the preliminary plan.
 - D. Two Township application forms.

E. Township filing fee.

In addition to submission with the Township, it is required that a full set of plans be concurrently submitted by the applicant to the appropriate officials of the Lancaster County planning Commission for their review and comment. It shall be the applicant's responsibility to submit any subsequent sets of plans to the Lancaster County Planning Commission if substantial revisions are made to the plans or any supportive information related to the plans.

2. Preliminary Plan Applications. A preliminary plan is required for applications, which propose new streets or access easements, all land development plans, and subdivision plans of four or more lots. This Section shall not apply if it is determined by Board of Supervisors that the remaining lands or any of the proposed lots are capable of being further subdivided. A preliminary plan shall not be required for additions to existing buildings where such addition will occupy less than 5,000 square feet and expansions to existing parking lots that will add 25 or fewer parking spaces. This shall apply to only one such addition or expansion per tract occurring after the effective date of this Chapter.
3. Review by the Lancaster County Planning Commission. The Board of Supervisors shall not take formal action with respect to the preliminary plan until it has received and considered the comments of the Lancaster County Planning Commission. In the event that these comments are not forthcoming within 30 days of the receipt of the plan by the Lancaster County Planning Commission, as required by the Act, the Board of Supervisors may take action without having considered the review.
4. Review by the Township Planning Commission. The Township Planning Commission shall review the preliminary plan at the first regularly scheduled public meeting of the Commission following submission of the written review and recommendations of the Township Engineer and Lancaster County Planning Commission within 45 days of the formal filing of the plan. Following completion of the review and formal action by the Township Planning Commission, the Commission shall submit a copy of its review and recommendations in writing to the Supervisors for its consideration.
5. Review by the Board of Supervisors. The Supervisors shall review the preliminary plan at its next regularly scheduled public meeting following the submission of the written review and recommendations of the Township Planning Commission, Township Engineer and Lancaster County Planning Commission, or at some other public meeting or meetings of the Supervisors prior to the end of the statutory review period. Upon completion of its review, the Supervisors shall take one of two courses of action:
 - A. It shall approve or conditionally approve the preliminary plan.

- B. It shall reject the preliminary plan.

The decision of the Supervisors and a listing of plan deficiencies shall be communicated to the applicant personally or mailed to him at his last known address not later than 15 days following the decision.

§ 22-309. Submission and Review of Final Plans. [Ord. 6A-1998, 10/1/1998, § 309]

1. Procedure. Within five years of the approval of a preliminary plan, a final plan shall be submitted to the Township Secretary unless an extension of time may be granted by the Supervisors upon request by the applicant in writing. Otherwise, the plan thereafter shall be considered as a new preliminary plan. Copies of the final plan, as further described in § 22-403, shall be submitted to the Township Secretary along with appropriate fees and applications as specified by the Supervisors. Each submission shall include the following:

- A. Twelve complete copies of the final plan.
- B. Two copies of all reports and plans required by the Township Stormwater Management Ordinance [Chapter 26, Part 2].
- C. Two copies of all other reports, notifications and certifications which are not provided on the final plan.
- D. Two Township application forms.
- E. Township filing fee.

In addition to submission with the Township, it is required that a full set of plans be concurrently submitted by the applicant to the appropriate officials of the Lancaster County Planning Commission for their review and comment. It shall be the applicant's responsibility to submit any subsequent sets of plans to the Lancaster County Planning Commission if substantial revisions are made to the plans or any supportive information related to the plans.

2. Review by the Lancaster County Planning Commission. The Board of Supervisors shall not take formal action with respect to the final plan until it has received and considered the comments of the Lancaster County Planning Commission. In the event that these comments are not forthcoming within 30 days of the receipt of the plan by the Lancaster County Planning Commission, as required by the Act, the Board of Supervisors may take action without having considered the review.
3. Review by the Township Planning Commission. Review of the final plans by the Township Planning Commission shall be in accordance with the procedures outlined for the review of preliminary plans in this Chapter.

4. Review and Action by the Board of Supervisors. Upon receipt of the recommendations of the Township Planning Commission, Township Engineer and Lancaster County Planning Commission, the Supervisors shall review the final plan at its next regularly scheduled public meeting, or at a special meeting called for that purpose and then shall approve or disapprove the plan. Formal action shall occur before the end of the statutory review period. The decision of the Supervisors and a listing of plan deficiencies shall be communicated to the applicant personally or mailed to him at his last known address not later than 15 days following the decision.
5. Final Plan Certification. After the Board's approval of the final plan and the required changes, if any, are made, the applicant shall proceed to prepare two sets of plans which shall be transparent reproductions of the original plan with black line on stable plastic base film and one set of final plans which shall be a paper copy for the Townships files. The two transparent copies of the final plan shall be certified in the following manner: Both final plans shall be presented to the Supervisors for the signature of the Chairman and the Vice Chairman or their designees (see Appendix 6). Final plan will not be signed by the Supervisors if submitted more than 90 days from the Supervisor's final approval action unless the Supervisors grant a waiver by extending the effective time period of the approval.
6. 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. No plan shall be recorded unless it has been signed by the Chairman of the Board of Supervisors and bears the stamp of the Lancaster County Planning Commission. Should the applicant fail to record the final plan within 90 days of the Supervisor's final plan approval, the Supervisor's action on the plan shall be null and void unless the Supervisors have granted a waiver by extending the effective time period of the approval.

§ 22-310. Phased Development. [Ord. 6A-1998, 10/1/1998, § 310]

In the event that a subdivision or land development is to be constructed in phases, the final plan requirements shall apply only to those phases for which final approval is being sought.

§ 22-311. Plans Exempted from Standard Procedures. [Ord. 6A-1998, 10/1/1998, § 311]

1. Procedure for Processing Revised Subdivision and/or Land Development Plans.
 - A. Any replatting or resubdivision of recorded or unrecorded plans, without a waiver, excluding lot grading plans in subdivisions, shall be considered as a new application and shall comply with all requirements of this Chapter, except that plans may be changed, provided that in making such changes:

- (1) No lot or tract of land shall be created that does not meet the minimum design standards required by this Chapter and existing Township regulations.
 - (2) No structure shall be relocated which does not meet the minimum design standards required by this Chapter and existing Township regulations.
 - (3) No increase is made in the overall density.
 - (4) The stormwater management facilities are not altered in a manner which significantly affects the discharge of stormwater to an adjacent property or significantly relocates a major stormwater management facility within the project.
 - (5) Street locations and block sizes shall not be changed.
 - (6) The character and land use of the original application shall be maintained.
- B. In every case where a plan alteration conforms to the above, the applicant shall:
- (1) Submit to the Township Secretary two black on white or blue on white paper copies of the revised final plan and one application form (Appendix 11). Upon review of the revision, Township Planning Commission will, in writing, advise the applicant whether or not the revision complies with the above.
 - (2) If the revision complies, the applicant shall prepare two plans for recording, and which shall specifically identify the alteration(s) to the previously recorded plan.
 - (3) The applicant shall then submit the plan to the Township Board of Supervisors for review and signatures, if found to be in conformance with the provisions of this Chapter.
 - (4) The plans shall then be recorded as specified in § 22-309(6) of this Chapter.
- C. In addition to submitting the required material in accordance with this Chapter, the applicant shall file with the Township Secretary required number of copies of plans, supporting information and all filing fees required by the Township. The applicant shall complete Appendix 15 of this Chapter, obtain the signature of the Township Secretary, and submit one copy of the plan and the fee, paid by the developer, to the Lancaster County Planning Commission. The Township shall not take formal action on the plan until comments have been received from the Lancaster County or the Lancaster County's thirty-day review period has expired.

2. Procedure for Processing a Lot Add-On. The lease, conveyance, sale or transfer of land for the sole purpose of increasing the lot size of an adjacent contiguous lot shall comply with the following lot add-on procedure, provided that the proposal does not alter a subdivision plan of record, create additional lots, or result in a nonconformity with the design standards found in Part 6 of this Chapter. In every case where a proposal conforms to the above, the application shall comply with the following procedures:
 - A. The applicant shall submit to the Township two black on white or blue on white paper copies of a lot add-on plan prepared to the standards specified in § 22-404 of this Chapter and one application form (see Appendix 11). Upon review of the revision, the Township Planning Commission will, in writing, advise the applicant whether or not the proposal qualifies as a lot add-on.
 - B. If the plan qualifies, the applicant shall prepare two plans for recording and one set of paper copies of the plan for the Board of Supervisor's files. The two mylar copies of the plan shall be certified by the Township (see Appendix 7). The applicant shall record the plans with the Lancaster County Recorder of Deeds. These plans shall be filed with the Lancaster County Recorder of Deeds prior to the execution of a deed for the land.
3. Procedure for Processing a Minor Residential Subdivision Plan.
 - A. An applicant may at his discretion concurrently submit preliminary and final plans to the Board of Supervisors for residential subdivision plans proposing fewer than four lots, which do not propose new streets or access easements. This Section shall not apply if it is determined by Board of Supervisors that the remaining lands or any of the proposed lots are capable of being further subdivided.
 - B. In addition to submitting the required material, in accordance with § 22-309(1) of this Chapter, the applicant shall file with the Township Secretary the required number of copies of plans, supporting information and all filing fees required by the Township. The applicant shall complete Appendix 15 of this Chapter, obtain the signature of the Township Secretary, and submit one copy of the plan and the fee, paid by the developer, to the Lancaster County Planning Commission. The Township shall not take any formal action until comments have been received from the Lancaster County or the Lancaster County's thirty-day review period has expired.
4. Auction Sale. In the case of the proposed subdivision of land by process of auction sale, the following procedure is recommended:
 - A. The applicant would prepare a sketch plan in accordance with § 22-401.

- B. The sketch plan should be designed in accordance with the standards of Part 6, Design Standards, of this Chapter and shall be submitted to the Township for review. Additionally, the following notation should be included on the plan: "The property is intended to be sold by auction on or about _____, 20____, in whole or in part according to this plan. Sale of lots at such auction shall be in the form of agreement to purchase, and no transfer of ownership or interest in such lots shall proceed until a final plan showing such division of property shall have been approved in accordance with the Earl Township Subdivision and Land Development Ordinance and recorded in the office of the Lancaster County Recorder of Deeds."
- C. The auction sale may then proceed in accordance with the above notation, after which the applicant shall prepare and submit plans in accordance with this Chapter.
5. Farm Housing.
- A. To be eligible for "farm housing" the applicant must:
- (1) Want to provide housing for one farm laborer and his family or immediate family member.
 - (2) Own property, which is actively, commercially farmed (on which the proposed dwelling is to be located).
 - (3) Demonstrate that additional help is required for the farm operation or that the dwelling will house an immediate member of the family that is engaged in the operation of the farm.
 - (4) Be in an agricultural zone.
 - (5) Have zoning approval for second residence.
 - (6) Have PADEP approval for planning module.
 - (7) Submit sketch showing location of unit, etc. (unit cannot be located in floodplain).
- B. Applicant would be subject to:
- (1) Site visit to determine acceptability of home location (at staff's discretion).
 - (2) A signed contract with the Township (reviewed yearly) and submission of a recording fee.
 - (3) Upon terms of contract lapsing, unit must be removed or subdivision/land development plans prepared in accordance with all regulations.

- C. Applicant's ability to request farm housing would be limited to the following:
- (1) One request approved, for up to 50 acres of farmland or,
 - (2) Limit of two additional residences per farm.
 - (3) No subdivision of farm property may occur while additional unit is being utilized in accordance with this agreement. If subdivision of property occurs, subdivision must include additional dwelling.

§ 22-312. Procedure for Requesting Consideration of Waiver Provisions of this Part. [Ord. 6A-1998, 10/1/1998, § 312]

1. Application Requirements. All requests for waivers shall be made in accordance with the following procedure:
 - A. All requests for a waiver shall be made in writing and shall be made prior to or shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the Section or Sections of this Chapter which are requested to be waived, and the minimum modification necessary. The request shall be accompanied by a plan prepared at least to the minimum standards of a sketch plan (see § 22-401).
 - B. Should a revision to a submitted plan require a waiver, which was not apparent at the time of initial plan submission, the request for a waiver shall be submitted in accordance with Subsection (1), above, at the time of submission of the revised plan.
 - C. All requests shall be submitted to the Township Secretary at least seven days prior to a Township Planning Commission Meeting. The Board of Supervisors shall consider requests for waivers at a public meeting, which is at least 14 days after the submission of the waiver request. The Board of Supervisors shall not take formal action on a waiver until it has received and considered the comments and recommendations of the Township Planning Commission.
2. Township Action. The Board of Supervisors shall review the request to determine if the literal compliance with any mandatory provision of this Chapter is demonstrated by the applicant to exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of this Chapter is observed. The applicant shall demonstrate that an alternative proposal will allow for equal or better results and represents the minimum modification necessary. If the Board of Supervisors determines

that the applicant has met his burden, it may grant a waiver from the literal compliance with the terms of this Chapter.

3. Notification of Township Action. After the meeting at which the Board of Supervisors reviewed the waiver, the Township shall send notice of the Township's action to the following individuals:
 - A. Land owner or his agent.
 - B. Applicant.
 - C. Firm that prepared the plan.
 - D. Township Planning Commission Secretary.
 - E. Authority.
 - F. Township Solicitor.
 - G. Township Engineer.
 - H. Lancaster County Planning Commission.

If the Township denies the request, the Township shall notify the applicant, in writing, of the reason for denial. If the Township grants the request, the final plan shall include a note, which identifies the specific waiver as granted, including any conditions attached thereto.



PART 4

**INFORMATION TO BE SHOWN ON OR SUBMITTED WITH SUBDIVISION
AND LAND DEVELOPMENT PLANS****§ 22-401. Sketch Plan (Optional). [Ord. 6A-1998, 10/1/1998, § 401]**

The scale and sheet size of sketch plans shall be as required for preliminary plans. The sketch plan shall show or be accompanied by the following data, legible in every detail and drawn to scale, but not necessarily containing precise dimensions:

- A. A brief narrative of the project.
- B. Tract boundaries and tax map number.
- C. Location of tract.
- D. North arrow.
- E. Streets on and adjacent to the tract, properly named and identified.
- F. Significant topographical and physical features. The sketch plan should depict tree masses, utility easements, hydric soils, known wetlands or geologic features (sink holes, etc.) that may affect development of the site. U.S. Geologic Survey and Soil Conservation Service information may be used but should be plotted to an appropriate scale.
- G. Proposed general street and lot layout.
- H. Location of all municipal boundaries within the vicinity of the tract.
- I. In the case of land development plans, proposed general layout including building locations, parking lots and open spaces.
- J. Name of current owner of record.
- K. Name of applicant, if different from owner.
- L. Name of the individual and/or the firm that prepared the plan.
- M. Written and graphic scales.
- N. Location of existing structures.

§ 22-402. Preliminary Plans. [Ord. 6A-1998, 10/1/1998, § 402]

Preliminary plans shall be prepared by an engineer, a surveyor, or a landscape architect. The preliminary plan shall be accompanied by or be prepared in accordance with the following:

- 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, 80 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 survey shall not have an error of closure greater than one foot in 10,000 feet.
- (4) The sheet size shall be no smaller than 18 inches x 22 inches and no larger than 34 inches x 44 inches. If the plan is prepared in two or more sections, a key map showing the location of the sections shall be placed on each sheet. If more than one 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).
- (5) Plans shall be legible in every detail.

B. Location and Identification.

- (1) The proposed project name or identifying title.
- (2) The municipalities in which the project is to be located. (If the tract of land is located in the vicinity of a municipal boundary, the location of the boundary shall be shown.)
- (3) The name and address of the owner of the tract (or an authorized agent), the developer/subdivider, and the firm that prepared the plans.
- (4) Source of title to the land included within the subject application, as shown by the books of the Lancaster County Recorder of Deeds. If equitable owner, the name, address and reference to the equity agreement.
- (5) The map number(s) of the tract(s) being subdivided and all adjacent tracts of land.
- (6) The file or project number assigned by the firm that prepared the plan, the plan date, and the date(s) and description(s) of all plan revisions.
- (7) A north arrow, a graphic scale and a written scale.
- (8) The entire existing tract boundary with bearings and distances. If a landowner is to retain a single lot with a lot area in excess of 10 acres, the boundary of that lot may be drawn at any legible scale; if the retained lot has a lot area of 10 or less acres, it must be described to the accuracy requirements of this Chapter.

- (9) The total acreage of the entire existing tract.
- (10) The district and lot size and/or density requirements of the Township Zoning Ordinance, and the adjacent municipal zoning ordinance if the project is located in two or more municipalities.
- (11) The location of existing lot line markers along the perimeter of the entire existing tract.
- (12) A location map, drawn to a scale of a minimum of one inch equal to 2,000 feet relating the subdivision to at least two intersections of road center lines. The approximate distance to the intersection of the centerline of the nearest improved street intersection shall be identified.
- (13) A note indicating the types of sewer or water facilities to be provided.

C. Existing Features.

- (1) Existing contours at a minimum vertical interval of two feet for land with average natural slope of 4% or less and at a minimum vertical interval of five feet for more steeply sloping land. Contours shall be accompanied by the location of the benchmark and notation indicating the datum used. Contours plotted from the United States Geologic Survey (Quadrangle Maps) will not be accepted.
- (2) The names of all immediately adjacent landowners and the names and record numbers of all previously recorded plans for adjacent projects.
- (3) The following items when located within 200 feet of the subject tract:
 - (a) The location and name of existing rights-of-way and cartways for streets, access drives, driveways, and service streets.
 - (b) The location of the following features and any related rights-of-way: sanitary sewer mains, water supply mains, fire hydrants, buildings and stormwater management facilities.
 - (c) The location of existing rights-of-way for electric, gas, oil transmission lines and railroads.
 - (d) The size, capacity, and condition of the existing stormwater management system and any other facility that may be used to convey storm flows from the subject tract.
- (4) The following items when located within the subject tract:
 - (a) The location, name, and dimensions of existing rights-of-way and cartways for streets, access drives, driveways and service streets.

- (b) The location and size of the following features and related easements and rights-of-way: sanitary sewer mains, water supply mains, fire hydrants, buildings and stormwater management facilities.
 - (c) The location of existing rights-of-way for electric, gas, oil transmission lines and railroads.
 - (d) The size, capacity, and condition of the existing stormwater management system and any other facility that may be used to convey storm flows.
- (5) For all subdivisions and land developments for which a preliminary plan is required, the following items shall be shown when located within 200 feet of the subject tract or upon the site proposed for development: Significant environmental or topographic features including but not limited to floodplains, wetlands, quarry sites, solid waste disposal areas, known historic features, known cemetery or burial sites, known archaeological sites, highly erosive soils, wooded areas, prime agricultural soils, and designated wellhead protection areas. Additionally, the preliminary plan shall indicate any proposed disturbance, encroachment, or alteration to such features when located upon the site proposed for development.

D. Plan Information.

- (1) The layout of streets, alleys and sidewalks, including cartway and right-of-way widths.
- (2) The layout of lots, with approximate dimensions.
- (3) Block and lot numbers in consecutive order (e.g., Block "A," Lots 1 through 10; Block "B," Lots 11 through 22).
- (4) In the case of land developments, the location and configuration of proposed buildings, parking compounds, streets, access drives, driveways, and all other significant planned facilities.
- (5) Total number of lots, units of occupancy, density, and proposed land use; (if a multiple land use is proposed, an indication of the location of each land use).
- (6) Easements with dimensions.
- (7) Building set-back lines, with distances from the street right-of-way line.
- (8) Identification of buildings and historic features proposed to be demolished.

- (9) Typical street cross section for each proposed street and typical cross section for any existing street, which will be improved as part of the application. Each cross section shall include the entire right-of-way width.
- (10) Street centerline profile for each proposed street shown on the preliminary plan.
- (11) The preliminary design of the proposed sanitary sewer mains and water supply mains. The information shall include the approximate size, material, and vertical and horizontal location, when applicable.
- (12) The following stormwater management data for all plans designed in accordance with the Earl Township Stormwater Management Ordinance [Chapter 26, Part 2]. This information may be provided on a sheet with other data, if legible, or on separate sheets and need not necessarily be recorded with the final plan. In the case of any dispute in the methodology used in the design of any stormwater management plan and/or in the presentation of such information, the Board of Supervisors shall make the final determination on design criteria, methodology and form of presentation.
 - (a) All calculations, assumptions, criteria and references used in the design of the stormwater management facilities, the establishment of existing facilities capacities, and the predevelopment and postdevelopment discharges.
 - (b) All plans and profiles of the proposed stormwater management facilities, including the horizontal and vertical location, size and type of material.
 - (c) For all basins, a plotting or tabulation of the storage volumes and discharge curves with corresponding water surface elevations, inflow hydrographs, and outflow hydro-graphs.
 - (d) The guidelines for lot grading within the subdivisions. This information shall identify the direction of stormwater runoff flow within each lot and the areas where stormwater runoff flows will be concentrated. This information shall be shown by flow arrows or topographical data.
- (13) A statement on the plan indicating that all zoning approvals and all zoning variances have been obtained, if applicable.
- (14) A statement on the plan indicating any waivers granted by the Township.
- (15) Proposed street names.

- (16) Any other information deemed necessary or relevant by the Township or the Township Engineer for the purposes of protecting the public health, safety or welfare.

E. Certificates, Notifications, and Reports.

- (1) Where the preliminary plan covers only a part of the entire landholding, a sketch of the future street system of the unsubmitted part shall be furnished. The street system of the submitted part will be considered in light of adjustments and connections with future streets in the part not submitted.
- (2) Where the land included in the subject application has an electric transmission line, telecommunications line, a gas pipeline, or a petroleum or petroleum products transmission line located within the tract, the application shall be accompanied by a letter from the owner or lease of such right-of-way stating any conditions on the use of the land and the minimum building set-back and/or right-of-way lines. Submitting a copy of the recorded agreement may also satisfy this requirement.
- (3) Certificate, signature, and seal of the surveyor to the effect that the survey and/or subdivision plan is correct, and certificate, signature and seal of the surveyor, engineer, or landscape architect that prepared the land development plan that all other information shown accurate. (See Appendix 1 or 2.)
- (4) Certificate, signature and seal of the surveyor, engineer or landscape architect that prepared the storm drainage plan. That all other information shown on the storm drainage plan is in accordance with the Earl Township Stormwater Management Ordinance [Chapter 26, Part 2]. (See Appendix 3.)
- (5) Certificate for approval by the Board of Supervisors. (See Appendix 5.)
- (6) Certificate for review by the Earl Planning Commission. (See Appendix 8.)
- (7) Certificate for review by the Lancaster County Planning Commission. (See Appendix 9.)
- (8) In the case of a preliminary plan calling for the phased installation of improvements, a schedule shall be filed delineating all proposed sections as well as deadlines within which applications for final plan approval of each section are intended to be filed. Each section in any residential subdivision or land development, except for the last section, shall contain a minimum of 25% of the total number of dwelling units as depicted on the preliminary plan unless the Board of

Supervisors specifically approves a lesser percentage for one or more of the sections.

- (9) Where the subdivision or land development proposal will meet the requirements of Part 8 a traffic impact study shall be submitted with the preliminary plan.
 - (10) Copies of any decisions rendered by the Township Zoning Hearing Board or Board of Supervisors, as applicable, when the use proposed is a use that is permitted by special exception or conditional use. If any amendments to the Zoning Ordinance [Chapter 27] are proposed, or if any variances from the requirements of the Zoning Ordinance [Chapter 27] are required, a description of such amendments or variances and the suggested locations of buildings in connection therewith shall be provided.
 - (11) Where the plan indicates that water will be supplied through a means other than private wells owned and maintained by the individual owners of lots, a copy of a certificate of public convenience or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, from the entity which will provide the public water supply.
 - (12) Where the plan indicates that sanitary sewer service will be supplied through a means other than onlot systems owned and maintained by the individual owners of the lots, a copy of a certificate of public convenience or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, from the entity which will provide the public sanitary sewer disposal service.
- F. Filing Fee. The preliminary plan shall be accompanied by a filing fee in the form of a certified check or money order drawn to Earl Township. (See fee schedule available at the Township office). Note: A separate filing fee must be submitted for each application. If one check is issued for multiple plans, a detailed breakdown of the individual fee assessments must accompany the payment.

§ 22-403. Final Plans. [Ord. 6A-1998, 10/1/1998, § 403]

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:

- A. Drafting Standards. The same standards shall be required for a final plan as specified for a preliminary plan in § 22-402(A) of this Chapter.

B. Location and Identification. The same information shall be required for a final plan as specified for a preliminary plan in § 22-402(B) of this Chapter.

C. Existing Features.

- (1) Contour lines representing the topography of the site, if a preliminary plan was not required or the contours identified with the preliminary plan were altered. Such contours shall show elevations at a minimum vertical interval of two feet for land with average natural slope of 4% or less and at a minimum vertical interval of five feet for more steeply sloping land. Contour information shall be accompanied by the location of the benchmark and a notation indicating the datum used. Contours plotted from the United States Geologic Survey (Quadrangle Maps) will not be accepted. This information may be provided on separate sheets and is not subject to recording with the final plan.
- (2) The names of all immediately adjacent landowners and the names and record numbers of all previously recorded plans for adjacent projects.
- (3) The following items when located within 200 feet of the subject tract (If access to said items is denied, a waiver may be granted by the Supervisors):
 - (a) The location and name of existing rights-of-way and service streets.
 - (b) The location of the following features and any related rights-of-way: sanitary sewer mains, water supply mains, fire hydrants and stormwater management facilities which affect the stormwater runoff on the subject tract, onlot septic, wells, etc.
 - (c) The size, capacity and condition of the existing stormwater management system and any other facility that may be used to convey storm flows from the subject tract.
- (4) The following items when located within the subject tract:
 - (a) The location and size of the following features and related rights-of-way: onlot sewage disposal systems, onlot water supplies, sanitary sewer mains, water supply mains, fire hydrants, buildings and stormwater management facilities. This information may be provided on separate sheets and need not be recorded with the final plan.
 - (b) The location of existing rights-of-way for electric, telecommunications, gas and oil transmission lines and railroads.

- (c) The size, capacity and condition of the existing stormwater management system and any other facility that may be used to convey storm flows.
- (5) For all subdivisions and land developments for which a final plan is required, the following items shall be shown when located within 200 feet or upon the site proposed for development: significant environmental and topographic features including, but not limited to, floodplains, wetlands, quarry sites, solid waste disposal areas, known historic features, known cemetery or burial sites, known archeological sites, areas with highly erosive soils, woodlands, prime agricultural soils and designated wellhead protection areas. Additionally, the final plan shall indicate any proposed disturbance, encroachment or alteration to such features when located upon the site proposed for development. If access to said items is denied, a waiver of those items may be granted by the Supervisors.

D. Plan Information.

- (1) Complete description of the centerline and the right-of-way line for all new streets. This description shall include distances and bearings with curve segments comprised of radius, tangent, arc and chord.
- (2) Lot lines, with accurate bearings and distances, and lot areas for all parcels. Curve segments shall be comprised of arc, chord, bearing and distance. Along existing street rights-of-way, the description may utilize the existing deed lines or road centerline; along all proposed street rights-of-way, the description shall be prepared to the right-of-way lines.
- (3) Block and lot numbers in consecutive order (e.g., Block "A," lots 1 through 10; Block "B," Lots 11 through 22).
- (4) The location and configuration of proposed streets. All plans proposing uses other than single-family detached dwellings shall also identify the location and configuration of all buildings, parking compounds, streets, access drives, driveways, landscaping, and all other significant facilities.
- (5) Total number of lots, units of occupancy, density, and proposed land use (if a multiple land use is proposed, an indication of the location of each land use).
- (6) Easements.
- (7) Building set-back lines, with distances from the street centerline or street right-of-way line, whichever requirement is applicable under the Earl Township Zoning Ordinance [Chapter 27].

- (8) Identification of buildings and historic features proposed to be demolished or retained.
- (9) Typical street cross section for each proposed street and a typical cross section for any existing street which will be improved as part of the application. Each cross section shall include the entire right-of-way width.
- (10) Final vertical and horizontal alignment for each proposed street, sanitary sewer and water distribution system. All street profiles shall show at least the existing (natural) profile along the centerline, proposed grade at the centerline, and the length of all proposed vertical curves for streets. All water distribution and sanitary sewer systems shall provide manhole locations and size and type of material. This information may be provided on separate sheets and is not subject to recording with the final plan.
- (11) Source of title to the land included within the subject application, as shown by the books of the Lancaster County Recorder of Deeds.
- (12) Final street names.
- (13) Location and material of all permanent monuments and lot line markers, including a note that all monuments and lot line markers are set or indicating when they will be set.
- (14) A grading plan. The grading plan shall include finished land contours and grades, directions of water movement, type of soils, location of water bars or silt fences and ground floor elevations. This information may be provided on separate sheets and is not subject to recording with the final plan (see Appendix 22).
- (15) Identification of any waivers granted by the Township.
- (16) Identification of any lands to be dedicated or reserved for public, semipublic or community use.
- (17) The following stormwater management data for all plans designed in accordance with the Earl Township Stormwater Management Ordinance [Chapter 26, Part 2]. This information may be provided on a sheet with other data, if legible, or on separate sheets and need not necessarily be recorded with the final plan. In the case of any dispute in the methodology used in the design of any stormwater management plan and/or in the presentation of such information, the Board of Supervisors shall make the final determination on design criteria, methodology and form of presentation.
 - (a) All calculations, assumptions, criteria and references used in the design of the stormwater management facilities, the

establishment of existing facilities capacities and the predevelopment and postdevelopment peak discharges.

- (b) All plans and profiles of the proposed stormwater management facilities, including the horizontal and vertical location, size and type of material. This information shall be to a detail required for the construction of the facilities.
 - (c) For all basins, a plotting or tabulation of the storage volumes and discharge curves with corresponding water surface elevations, inflow hydrographs and outflow hydrographs.
 - (d) For all basins, which hold two acre-feet or more of water and have an embankment that is six feet or more in height, soil structure and characteristics shall be provided. Plans and data shall be prepared by a registered professional engineer. These submissions shall provide design solutions for frost heave potential, spring swell potential, soil bearing strength, water infiltration, soil settling characteristics, fill and backfilling procedures and soil treatment techniques as required to protect the improvements for adjacent structures.
 - (e) All erosion and sedimentation control measures, temporary as well as permanent, including the staging of the earth moving activities, in sufficient detail to clearly indicate their function.
 - (f) The guidelines for lot grading within subdivisions. This information shall identify the direction of stormwater runoff flow within each lot and the areas where stormwater runoff flows will be concentrated. This information shall be provided by flow arrows or topographic data (see Appendix 22 for examples). In areas where the Board of Supervisors feel additional lot grading information is needed to assure proper function of the stormwater management facilities, specific grading information will be required as part of the final plan submittal.
- (18) Any other information deemed necessary or relevant by the Township or the Township Engineer for the purposes of protecting the public health, safety or welfare.
- (19) Improvement guarantees in accordance with Part 5.
- E. Filing Fee. The final plan shall be accompanied by a filing fee in the form of a check or money order drawn to Earl Township. (See fee schedule available at the Township's office.) Note: A separate filing fee must be submitted for each application. If one check is issued for multiple plans, a detailed breakdown of the individual fee assessments must accompany the payment.

§ 22-404. Lot Add-On Plan Requirements. [Ord. 6A-1998, 10/1/1998, § 404]

Lot add-on plans shall be prepared by a registered surveyor and shall be subject to the following requirements:

- A. Drafting Standards. The same standards shall be required for a final plan as specified for a preliminary plan in § 22-402(A) of this Chapter.
- B. Plan Information. The following information shall be provided on the sheet to be recorded:
 - (1) Project name.
 - (2) Name of the municipality in which the project is located.
 - (3) Name and address of the owner of the tract and all adjacent landowners affected by the proposed conveyance.
 - (4) Name and address of the firm that prepared the plan and the file or project number assigned by the firm.
 - (5) A north arrow, graphic scale, written scale, plan date and the date(s) and descriptions of all plan revisions.
 - (6) A location map, at a scale not less than one inch equals 2,000 feet, with sufficient information to locate the specific property involved. All existing roads in the vicinity of the site shall be identified.
 - (7) The total number of lots, total acreage, density of development, present zoning classification and minimum lot area requirements.
 - (8) The location, size and dimensions of existing right-of-way easements and utilities on or adjacent to both the conveying and receiving tracts.
 - (9) The names of all immediately adjacent landowners and the names and record numbers of all previously recorded plans for projects adjacent to either the conveying or receiving tract.
 - (10) Source of title to the tract being subdivided.
 - (11) An accurate description of the parcel to be conveyed. If the remainder of the conveying tract has a lot area of 10 acres or less, it must also be described to the accuracy requirements of this Chapter. If the remaining acreage is in excess of 10 acres, its boundary of the receiving tract shall be described by deed plottings drawn at a legible scale.
 - (12) Location and material of all permanent monuments and lot line markers, including a note indicating when they will be set.
 - (13) Lot numbers.

- (14) Identification of any waivers granted by the Township.
- (15) Tax map number(s) of the tract(s) being subdivided and all adjacent tracts of land.

C. Certificates.

- (1) Certificate signature and seal of the surveyor to the effect that the survey is correct. (See Appendix 1A and 1B)
- (2) Certificate for approval by Board of Supervisors. (See Appendix 7.)
- (3) Certificate for review by the Earl Planning Commission. (See Appendix 8.)
- (4) A statement, duly acknowledged before an officer authorized to take acknowledgment of deeds and signed by the landowner to the effect that the subdivision as shown on the plan is the act and deed of the owner, that all those signing are all the owners of the property shown on the survey and plan and that they desire the same to be recorded as such. (See Appendix 3.)
- (5) A statement, duly acknowledged before an officer authorized to take acknowledgment of deeds and signed by the owner of the receiving tract, to the effect that the conveyance as shown on the plan is in accordance with the intent of the landowner, that all those signing are all of the owners of the property shown on the plan, and that they desire the same to be recorded as such. (See Appendix 3.)
- (6) A certificate for review for the Lancaster County Planning Commission. (See Appendix 9.)
- (7) A certificate to accommodate the Lancaster County Recorder of Deeds information. (See Appendix 10.)

- D. Filing Fee. The final lot add-on plan shall be accompanied by a filing fee in the form of a check or money order drawn to Earl Township. (See fee schedule available at the Township's office.) Note: A separate filing fee must be submitted for each application. If one check is issued for multiple plans, a detailed breakdown of the individual fee assessments must accompany the payment.



PART 5

IMPROVEMENT AND DEDICATION CONSTRUCTION GUARANTEES

§ 22-501. Completion of Improvements or Guarantee Thereof. [Ord. 6A-1998, 10/1/1998, § 501]

1. No final plan shall be approved unless the streets shown on such plan have been improved as may be required by this Chapter, and including, but not limited to, any walkways, curbs, gutters, street lights, fire hydrants, street trees, water mains, sanitary sewers, storm sewers, stormwater detention and retention basins, other drainage facilities, recreational facilities, open space improvements, buffer plantings, screen plantings and any other improvements required by this Chapter have been installed in accordance with this Chapter. Such improvements shall also include any improvements for future Sections of the subdivision or land development that the Board of Supervisors finds essential for the protection of any section of the final plan. In lieu of the completion of any such improvements required as a condition of final plan approval, the Board of Supervisors shall accept financial security in an amount sufficient to cover the costs of such improvements plus any additional amounts required by this Chapter.
2. When requested by the developer, in order to facilitate financing, the Board of Supervisors shall furnish the developer with a signed copy of a resolution indicating approval of the final plan contingent upon the developer obtaining a satisfactory financial security. The final plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within 90 days, unless a written extension is granted by the Board of Supervisors.
3. Without limitation as to other types of financial security which the Board of Supervisors may approve, Federal or Commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions shall be deemed acceptable financial security for the purposes of this Section.
4. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth.
5. Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements.
6. The amount of financial security to be posted for the completion of the improvements shall be equal to 110% of the cost of completion estimated as

of 90 days following the date scheduled for completion by the developer. Annually, the Township may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the ninety-day period after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Township may require the developer to post additional security in order to assure that the financial security equals said 110%. Any additional security shall be posted by the developer in accordance with this Section.

7. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements submitted by an applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The above costs shall be calculated based on the potential of public bidding and should attempt to cover the cost the Township would be required to pay to complete the improvements. The Township, upon the recommendation of the Township Engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Township and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township and the applicant or developer.
8. If the developer requires more than one year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional 10% for each one-year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 110% of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one-year period by using the above procedures.
9. In the case where development is projected over a period of years, the Board of Supervisors may authorize submission of final plans by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any section of the development granted final plan approval.
10. Prior to final approval of any plan, the applicant shall agree in writing in a form to be approved or prepared by the solicitor of the Township that the applicant will lay out the roads, streets, lanes, alleys and/or easements, and construct or cause to be constructed, all of the improvements in accordance with the approved final plans. The costs associated with the preparation of this form shall be borne entirely by the applicant.

§ 22-502. Release from Improvement/Construction Guarantees. [Ord. 6A-1998, 10/1/1998, § 502]

As the work of installing the required improvements proceeds, the party posting the financial security may request the Board of Supervisors to authorize the release of such portions of the financial security associated with the completed improvements.

- A. **Engineering Inspection.** When the applicant/developer has completed a portion of the necessary and appropriate improvements, the developer shall notify the Township in writing by certified or registered mail, of the completion of the improvements and shall send a copy to the Township Engineer. To permit municipal authorization of the Township Engineer by the Township Secretary, such notification shall be provided to the Township at least 21 days prior to a regularly scheduled public meeting of the Board of Supervisors. Within 20 days from such notification, the Township Engineer shall file a written report with the Supervisors and the Township shall promptly mail a copy of the same to the developer by certified or registered mail. The Township Engineer's report shall be detailed and shall recommend approval or reflection of the improvements, either in whole or in part. If said improvements on any portion thereof shall not be recommended for approval or shall be recommended for rejection by the Township Engineer; the report shall contain a statement of reasons for not approving the improvements.
- B. **Review by Supervisors.** At the next regularly scheduled meeting of the Supervisors following receipt by the Supervisors of the Engineer's report, the Supervisors shall act upon said report to either approve or reject the improvements. Such action may include any modifications to the report deemed appropriate by Supervisors and shall occur, no later than 45 days from the receipt of notification by the applicant or developer in accordance with this Part. Notification of the action of Supervisors shall be made in writing and sent to the developer by certified or registered mail within 15 days of the Supervisor's action.
- C. **Municipal Default.** If the Township fails to act within the time limitation provisions contained herein, the improvements included in the notification by the developer or applicant will be deemed to have been approved, and the Township shall be deemed to have approved the release of the financial security for such improvements.
- D. **Municipal Rejection of Improvements.** If any portion of the improvements shall be rejected by the Supervisors, the developer shall proceed to complete the same per the instructions of Supervisors and, upon completion, shall subject the said improvements to the same procedures for notification and review as outlined in this Chapter for initial notification and review.
- E. **Municipal Acceptance of Improvements.** At such time that the developer has completed and installed the required improvements to the satisfaction of the Board of Supervisors, the Supervisors shall authorize release by the bonding company or lending institution of an amount as estimated by the Engineer as fairly representing the value of the improvements completed, the Board of

Supervisors shall be deemed to have approved the release of funds as requested. The Board of Supervisors may, prior to final release at the time of completion and certification by its engineer, require retention of 10% of the estimated cost of the aforesaid improvements.

§ 22-503. Deed of Dedication. [Ord. 6A-1998, 10/1/1998, § 503]

All improvements including streets, any and all easements for sanitary sewers, water lines or storm sewers and improvements thereto including street paving, sidewalks, street trees, water mains, fire hydrants, sanitary and storm sewers, manholes, inlets, pumping stations and other appurtenances shall be deemed to be private improvements and only for the benefit of the specific subdivision or land development until such time as the same have been offered for dedication and formally accepted by the Township, or appropriate authority or entity, by ordinance, resolution, deed or other formal action or document. The developer shall submit as-built plans, in accordance with § 22-510, of all improvements that will be dedicated to the Township. The Township shall not have any responsibility of any kind with respect to improvements shown on the final plan until the improvements have been formally accepted by the Township.

§ 22-504. Timing of Completion of Wearing Course on Streets. [Ord. 6A-1998, 10/1/1998, § 504]

The wearing course of streets shall not be completed prior to such time that 50% of the lots in the subdivision or land development have been improved by the construction of a primary residential, commercial, industrial or institutional structure, if approved for such uses. At such time as 50% of the lots in the subdivision have been improved as set forth above, or at the expiration of three years from the date all of the improvements except the wearing course has been completed, 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 shall not be counted.

§ 22-505. Maintenance Guarantee. [Ord. 6A-1998, 10/1/1998, § 505]

The Township shall 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 financial security shall be of the same type as otherwise required in this Part and shall be in an amount not to exceed 15% of the actual cost of installation of said improvements.

§ 22-506. Remedies to Effect Completion of Improvements. [Ord. 6A-1998, 10/1/1998, § 506]

In the event that any improvements, which are required by this Chapter, have not been installed as provided in this Chapter or in accord with the approved final plan, the Supervisors may enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond or other security are insufficient to pay the cost of installing or making repairs or corrections to all the

improvements covered by said security, the Board of Supervisors may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements.

§ 22-507. Inspection During Construction. [Ord. 6A-1998, 10/1/1998, § 507]

The Township shall inspect the improvements during construction. The developer shall pay the cost of any such inspection in accordance with the provisions of Article V of the Municipalities Planning Code. The developer shall provide at least 48 hours notice prior to the start of construction of any improvements that are subject to inspection. All inspections of completed items shall be requested, in writing, at least 48 hours in advance of the inspection time and date. Inspections shall be required during the following phases of site construction. This general list of phases may be amended by mutual agreement of the Township and developer when the site requires special construction procedures. The inspection schedule must be recorded with the final plan or shown on the approved improvement construction plan.

A. General Site Construction.

- (1) Upon completion of preliminary site preparation including stripping of vegetation, stockpiling of topsoil and construction of temporary erosion and sedimentation control devices.
- (2) Upon completion of rough grading, but prior to placing topsoil, permanent drainage or other site development improvements and ground covers.
- (3) During the construction of permanent stormwater management facilities and underground facilities.
- (4) Upon the final completion of permanent stormwater management, including the establishment of ground covers and plantings.
- (5) After review of the as-built drawings, but prior to final release of the financial guarantee for completion of final grading, vegetative controls or other site restoration work.

B. Street Construction.

- (1) Preparation of Road Subgrade. At the time of this observation, the subgrade should be proof rolled and the proposed crown and grade should be checked. It is recommended that a representative of the developer or contractor accompany the observer when the crown and grade are checked. Proof rolling should be performed with a fully loaded, single-axle dump truck. This observation must occur prior to any stone subbase being placed.
- (2) Placement and Compaction of Road Subbase. At the time of this observation, the depth of subbase should be checked after compaction, the subbase should be proof rolled in the same manner as the

subgrade and the crown and grade should be checked again. This observation must occur prior to any binder or base course being placed.

- (3) Placement and Compaction of the Binder/Base Course. At the time of this observation, the depth of the binder/base course should be checked, ambient temperature should be monitored (this is important in early spring and late fall days when the temperature can go below acceptable limits), the temperature of the bituminous material should be checked (if possible), and it is recommended that copies of the weight slips for each truckload are obtained. The crown and grade should also be checked again. This observation must occur prior to the wearing course being placed.
 - (4) Placement and Compaction of the Wearing Course. At the time of this observation, the guidelines for the placement and compaction of the binder/base course should be followed (See (3) above).
- C. In addition to the above outlined observations, additional observations will be made at the request of the developer for reduction of financial securities. Random observations should be made at the frequency desired by the municipality. At the time of any of the above listed observations, all ongoing construction (i.e., storm drainage, sanitary sewer, water, erosion control, etc.) should also be checked for compliance with the approved plans and the findings reported. Since the above inspections are mandatory, it is recommended that requests for reduction of financial guarantee to be submitted to coincide with the above inspections.

§ 22-508. Maintenance of Streets. [Ord. 6A-1998, 10/1/1998, § 508]

The developer shall maintain all streets in the subdivision or development in travelable condition, including the prompt removal of snow, until such time as the streets are accepted by the Township as part of the Township highway system; or, if such streets are not be dedicated, until a homeowner's association or other entity responsible for the maintenance of the streets has been formed.

§ 22-509. Effect of Plan Recording on Dedication and Reservations. [Ord. 6A-1998, 10/1/1998, § 509]

Recording of the final plan after approval of the Board of Supervisors has the effect of an irrevocable offer to:

- A. Dedicate all streets and other public ways to public use, unless such streets are indicated on said plan as private streets.
- B. Dedicate all neighborhood parks and all areas shown on the plan as being local recreation sites to public use.

§ 22-510. As-Built Plan. [Ord. 6A-1998, 10/1/1998, § 510]

Prior to the final release of the financial security by the Supervisors, the developer shall provide the Township with one mylar and two prints of the as-built plan, at the same size and scale of the approved plans, showing the following:

- A. Actual location of all concrete monuments and/or markers which were found or 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 road right-of-way, then the right-of-way of that roadway shall be monumented as 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 horizontal location of cartway centerline versus right-of-way centerline should be indicated by dimension.
- E. Actual horizontal location of floodplain by elevation and dimension from property line.
- F. Actual horizontal location and cross section of swales and accompanying easements.
- G. Actual horizontal and vertical location of stormwater management facilities including type and size drainage pipes.
 - (1) Detention basin.
 - (2) Actual contours of the detention basin.
 - (3) Actual outlet structure details including type, size and inverts of outlet pipes.
 - (4) Actual elevation of the embankment and emergency spillway.
 - (5) A table showing the stage/storage/discharge curve for the constructed conditions.



PART 6

DESIGN STANDARDS

§ 22-601. General. [Ord. 6A-1998, 10/1/1998, § 601]

1. Minimum Standards. The standards and requirements contained in this Part shall apply as minimum design standards for subdivisions and/or land developments in the Township.
2. Compliance with Zoning Ordinance and Zoning Hearing Board Decisions. Whenever the Zoning Ordinance [Chapter 27] provides that the use proposed by the applicant for subdivision or land development approval shall constitute a use by special exception or conditional use or when a variance from the terms of the Zoning Ordinance [Chapter 27] is required to develop in accordance with the plan, the applicant shall obtain such special exception, variance or conditional use approval from the Township Zoning Hearing Board or Board of Supervisors, as applicable, prior to the submission of the preliminary plan. The plan shall be designed and developed in accordance with any conditions which have been imposed upon the grant of such special exception, variance or conditional use by the Township Zoning Hearing Board or Board of Supervisors, as applicable.

§ 22-602. Streets, Private Streets, Driveways, and Access Drives. [Ord. 6A-1998, 10/1/1998, § 602; as amended by Ord. 2007-01, 1/2/2007]

1. Conformance with Adopted Plans. The proposed street pattern shall be properly related to existing streets, to official maps, comprehensive plans and to such Lancaster County and State road and highway plans as have been duly adopted.
2. Private Streets. Private streets shall meet all the design standards of public streets in accordance with the specifications of this Chapter. Applications that propose a private street shall be accompanied by a right-of-way agreement which shall be submitted with the preliminary plan for review by the Township and recorded with the Lancaster County Recorder of Deeds as part of the final plan. This agreement shall establish the conditions under which the street will be constructed and maintained, as well as conditions controlling the offer of dedication, and shall stipulate:
 - A. That the street shall be constructed and maintained to conform to the Township street specifications.
 - B. The method of assessing maintenance and repair costs.
 - C. That an offer for dedication of the street shall be made only for the street as a whole.

- D. That the owners of the abutting lots will include with any offer of dedication sufficient funds, as estimated by the Township, to restore the street to the prevailing standards.
- E. That an agreement by the owners of 51% of the front footage thereon shall be binding on the owners of the remaining lots.
3. Arterial Street Design. The design standards for arterial streets shall be as specified by the Pennsylvania Department of Transportation and based upon the projected average daily traffic and speed limit.
4. Arrangement. Streets shall be designed with consideration to both existing and planned streets. All streets shall be arranged to conform as closely as possible to the original topography. Streets, which serve as connector routes shall be connected with streets of similar function, to form continuations thereof. Local streets shall be laid out to discourage use by through traffic. Streets shall be laid out to provide convenient and safe access to the property. Where a development abuts an existing or proposed arterial street, the Board of Supervisors may require use of reverse frontage lots, or such other treatment that will provide protection for abutting properties, reduce the number of intersections with the arterial street, and separate the local and through traffic. Earl Township has designated the following streets:

Arterials

Route 322 (SR 0322)

Route 23 (SR 0023)

Collectors

Lancaster Avenue (SR 1010)

Martindale Road (SR 1010)

Farmersville Road (SR 1010)

Red Run Road (SR 1044)

Railroad Avenue (SR 1011)

New Holland Road (SR 1011)

Peters Road (SR 1013)

5. Street Provisions for Future Development. Where appropriate, areas shall be reserved for future street usage in conjunction with the development of adjacent tracts. Areas reserved for future rights-of-way may not be required to be improved; however, these future rights-of-way shall be reserved for street improvements to be provided by the developer of the adjacent tract. Wherever there exists a dedicated or platted area reserved for future street usage along the boundary of a tract being developed, the developer shall extend the adjacent street into the proposed development.
6. Future Rights-of-Way. Future rights-of-way shall be designed in conformance with the design requirements of a street, and the contiguous parcels must contain proper set-backs and sight distances.
- A. The area within the future right-of-way shall be included within the deeds to the abutting lots with an easement in favor of the Township

and landowners of the land into which the future right-of-way will extend to permit the use of the future right-of-way for public street purposes should the adjoining lands be developed.

- B. The landowners of the lots in which the future right-of-way is included shall have the duty to maintain the area included within the future right-of-way and this duty shall be indicated in a note on the final plan and in all deeds to such lots.
 - C. The landowners of the lots in which the future right-of-way is included shall have no obligation concerning the improvement of such future right-of-way for street purposes.
- 7. Half Streets. Half or partial streets (less than the required right-of-way or cartway width) will not be permitted. All plans shall be designed to provide for the entire required right-of-way and cartway.
 - 8. Street Names. Continuations of existing streets shall be known by the same name. Names for new streets shall not duplicate nor closely resemble names of existing streets within the Township or within the same postal area. All new street names are subject to the local postmaster granting approval with all final plan applications. All street names shall conform, where applicable, to the Township plan for street names.
 - 9. Vertical Alignments. Vertical street alignments shall be measured along the centerline. The minimum and maximum grade of all streets shall be as shown in Appendix 16.
 - A. Vertical curves shall be used in changes in grade exceeding an algebraic difference of 1%. The minimum length (in feet) of crest curves shall be 20 times the algebraic difference in grade and the minimum length (in feet) of sag curves shall be 30 times the algebraic difference in grade. For example, if a 3% upgrade is followed by a 4% downgrade, the algebraic difference in grade is seven $[+3-(-4)=7]$; the minimum length of the vertical curve would then be 140 feet $[20 \times 7 = 140]$.
 - B. Where the approaching grade exceeds 7% on any or all streets within 100 feet of a four-way street intersection or the terminating street at a three-way intersection, a leveling area shall be provided on the street(s) with such excessive grade. Such leveling area(s) shall have a maximum grade of 4% for a minimum length of 100 feet measured from the intersection of the centerlines.
 - C. The grade within the diameter of a turnaround at the terminus of a permanent cul-de-sac shall not exceed 5%.
 - D. All new streets shall be graded to the right-of-way line in accordance with Appendix 17A and 17B.

10. **Horizontal Alignments.** Horizontal street alignments shall be measured along the centerline. Horizontal curves shall be used at all angle changes in excess of 2°. Single long radius curves shall be used rather than a series of curves with varying radii and/or a series of short curves separated by short, tangent segments. The minimum horizontal curve centerline radius for streets shall be as shown in Appendix 16.
- A. **Perimeter Streets.** Plans with street locations along the perimeter of a property shall be required to show building set-back lines and clear sight triangles within the adjacent properties. Permission shall be obtained in writing from the adjacent landowner.
- B. **Cartway Alignment.** The centerline of the street cartway shall correspond with the centerline of the street right-of-way.
11. **New Street Right-of-Way and Cartway Widths.** The minimum street rights-of-way and cartway widths for new streets shall be as follows:

Street Classification	Minimum Cartway	Minimum Right-of-Way
ARTERIAL STREET	As determined by the Board of Supervisors after consideration with the Lancaster County Planning Commission and the Pennsylvania Department of Transportation.	
COLLECTOR STREET WITHOUT ON-STREET PARKING*	36 Feet	60 Feet
LOCAL STREET WITH ON-STREET PARKING	36 Feet	50 Feet
LOCAL STREET WITHOUT ON-STREET PARKING*	28 Feet	50 Feet
TURNAROUND of CUL-DE-SAC	80 Feet In Diameter	100 Feet
ALLEY OR SERVICE STREET	16 Feet	20 Feet

* "No Parking" signs must be provided along the cartway and acknowledged on the plan.

- A. **Extension of Existing Streets.** The extension of existing streets, which are presently constructed with a cartway different from the standards of this Chapter, shall be provided with a transition area, the design of which is subject to the Board of Supervisor's approval.
- B. **Street Improvements.** All construction shall be in conformance with the provisions and specifications of the Township as set forth herein.

- C. Reservation of Additional Right-of-Way. If a subdivision or land development abuts an existing Township and/or State street which has a right-of-way width of less than the required right-of-way width set forth in § 22-602(11), the developer shall reserve for future dedication to the Township or Commonwealth, as applicable, that amount of land necessary so that the distance from the centerline of the street to the edge of the right-of-way abutting the proposed development is 1/2 the right-of-way width set forth in § 22-602(11).
- D. Improvement of Existing Streets and Intersections. Where a subdivision or land development abuts an existing Township and/or State street, the developer shall be required to make the following improvements when the improvements are necessary to provide safe and convenient access to the development.
- (1) In cases where a subdivision or land development abuts both sides of Township or State street, the street shall be improved to the width in accordance with § 22-602(11).
 - (2) In cases where the development abuts only one side of an existing street, the Township may require that only that side of the street be improved.
- E. In lieu of providing improvements to the abutting street, the applicant, if approved by the Board of Supervisors, may provide a "fee in-lieu-of" improvements, as determined by the Board of Supervisors, to be used for roadway improvements whenever said road is upgraded.
12. Street Construction Specifications. Streets must be surfaced to the grades and dimensions drawn on plans, profiles, and cross sections submitted by the developer and approved by the Township. Before paving the street surface, the developer must install required utilities and provide subsurface drainage for the streets in accordance with the Earl Township Stormwater Management Ordinance. The construction of all streets shall comply with current Township standards and specifications as provided in Appendix 17A and 17B of this Chapter, based on the construction standards in Pennsylvania Department of Transportation, Form 408. The Township shall decide if a collector or arterial street is required as direct result of the construction of the development in which case the developer is responsible for paving the additional width required.
13. Curbs. Curbs shall be provided on all new streets in subdivisions which average two or more lots or dwelling units per gross acre, parking compounds and access drives in land developments, or within 1,000 feet of any existing or recorded subdivision or land development having curbs. Curbs shall be constructed in accordance with Appendix 18.
14. Sidewalks. The Township shall require the installation of sidewalks in all subdivisions and/or land developments where curbing is required. Sidewalks

are required to provide access to and/or within a commercial, industrial or community facility. Sidewalks, which are provided as part of such nonresidential facilities, shall be designed and constructed to service the projected pedestrian needs. All public areas shall be designed barrier free and constructed in accordance with applicable Federal and State regulations and standards.

- A. Sidewalks shall be of plain concrete four inches thick (six inches at driveways), containing steel mesh of six inches by six inches by 14 gauge. Upon a properly prepared subgrade, four inches of PennDOT #2B crushed stone shall be properly compacted using a mechanical tamper. Upon the crushed stone, the sidewalks shall be constructed by pouring concrete in separate slabs 30 feet in length. The slabs shall be completely separated by 1/4 inch expansion joint and scored every five feet. The minimum bearing strength shall be 3,000 pounds per square foot.
- B. Sidewalks shall be located, if possible, within the street right-of-way line, and shall be a minimum of four feet wide except adjacent to shopping centers, schools, parks, recreation areas, and other community facilities, they shall be a minimum of five feet wide. Handicap ramps shall be provided at all intersections and cross walks. A grass strip of two feet in width shall be provided between the back of curb and the edge of sidewalk.
- C. Maintenance and repair cost for sidewalks and curbs is the sole responsibility of the landowner.
- D. All sidewalks shall be designed to comply with the Americans with Disabilities Act.
- E. It shall be the duty of the developer/owner of the land abutting upon any curbs and/or sidewalks to keep them in such repair and condition that they may not become dangerous to the welfare and safety of the traveling public.
 - (1) The Township shall notify the property owners when sidewalks and/or curbs are in need of repair, and the repair shall be made within 90 days after written notice is given to the property owners. Vertical separation of one inch or greater within the sidewalk or between slabs of sidewalk and/or curb is hereby declared a hazard to public safety and shall be corrected in accordance with the specifications set forth herein.
 - (2) Where the condition of the sidewalk or curbing, in the judgment of the Township, constitutes a danger of injury to persons or property, the Township shall have the authority to issue a notice to the property owner directing the owner to repair the defective condition.

15. Street Signs. Street name signs and traffic control signs shall be installed by the developer at all new street intersections. The design and placement of such signs shall be in accordance with current PennDOT standards and approved by the Township. Street signs shall be installed prior to occupancy of any unit within the subdivision or land development.
16. Driveways. Driveways shall have the following characteristics:
 - A. Driveways shall be located as to provide sight distance at intersections with streets and shall not be located within any required clear sight triangle in accordance with § 22-602(19).
 - B. Driveways that intersect other than a minor street shall provide adequate turnaround within the lot so egress to the street is in a forward direction.
 - C. Only one driveway connection per 100 feet of lot frontage is permitted; no more than one driveway connections per lot shall be permitted.
 - D. The Board of Supervisors may limit the number of driveways providing access to collector or arterial streets. The Board may also require the use of shared driveways to provide ingress and egress to two residential units.
 - E. Joint driveways must be approved by the Board of Supervisors.
 - F. Driveways shall not connect with a public street within 40 feet of the right-of-way lines of any intersecting streets, nor within five feet of a fire hydrant.
 - G. Driveway access shall be provided to the street of lesser classification when there is more than one street classification involved.
 - H. All driveways shall be set-back at least five feet from any adjacent side or rear lot lines unless a common or joint driveway location is proposed.
 - I. Driveway location shall be delineated on all land development plans; however, subdivision plans may delineate location or provide a notice of conformity to the Earl Township Zoning Ordinance [Chapter 27].
 - J. A driveway shall not exceed a slope of 8% within 20 feet of the street right-of-way lines.
 - K. Driveways shall be paved with bituminous concrete or an equivalent stabilized material from the edge of the street cartway to the right-of-way line for the lot and be provided in a manner consistent with the design, construction and stormwater drainage of the street.

- L. Driveways shall have a minimum width of 10 feet for single family dwellings and 16 feet for shared driveways.
- M. Driveways shall be constructed in accordance with Appendix 18.
- 17. Access Drives. Access drives shall conform with the following standards:
 - A. The vertical alignments of access drives shall conform to the specifications for streets, as stated in § 22-602(9) of this Chapter.
 - B. No more than eight dwelling units/lots shall be accessed by one access drive or series of access drives.
 - C. The horizontal alignments of access drives shall be measured along the centerline. Horizontal curves shall be used at an angle changes in excess of 2°. All curves shall be tangential arcs. The minimum horizontal curve radius shall be 75 feet.
 - D. The number of access drives per lot may not exceed two except where approved by the Board of Supervisors in order to meet exceptional circumstances.
 - E. All access drive intersections shall be:
 - (1) Subject to approval of the Pennsylvania Department of Transportation when intersecting a State road.
 - (2) Set-back 100 feet from the intersection of any street right-of-way lines.
 - (3) Set-back 100 feet from the intersection of any other access drive located upon the same lot (measured from cartway edges).
 - (4) Set-back 15 feet from any side and/or rear property lines; however, this set-back shall not be required along one property line when a shared access drive or joint parking is shared by adjoining uses and satisfactory agreements are in place.
 - (5) Designed with right angle intersections whenever possible. No access drive intersection shall utilize an angle less than 75° unless turning movement restrictions are imposed.
 - (6) Rounded by a tangential arc with a minimum radius of 20 feet. The Township may require 55 foot radius where truck traffic is anticipated.
 - (7) Provided with a clear sight triangle and sight distance in accordance with § 22-602(19) of this Chapter.
 - F. Access drives shall not exceed 1,000 feet in length, measured from the centerline intersection of a street. The terminus of access drives shall

incorporate a paved turnaround with a minimum diameter of 80 feet or a paved parking compound with sufficient turning area.

- G. When vehicular parking is prohibited along access drives, the prohibition must be noted on the plan and properly signed along the cartway.
- H. The cartway of all access drives shall be constructed according to the local street standards as stated in § 22-602(12). Additionally, all work procedures shall conform to the latest edition of the Pennsylvania Department of Transportation Manual 408.
- I. The following table specifies various access drive width requirements:

Function	Required Cartway Width
Two lanes of traffic with on-street parking	36 feet
Two lanes of traffic without on-street parking*	24 feet ¹
One lane of traffic with one lane of on-street parking**	20 feet
One lane of traffic without on-street parking**	12 feet

* Off-street parking lots must be provided in accordance with the requirements of the applicable Earl Township Zoning Ordinance of 1996 and as may be further amended from time to time.

** The one-way direction of traffic must be identified along the cartway.

¹ Access drives that serve less than four residential units can have a cartway width of 18 feet.

18. Street Intersections.

- A. Multiple intersections involving the junction of more than two streets are prohibited.
- B. The distance between the centerline of streets intersecting at grade with a local street shall be no less than 150 feet measured along the centerline of the street being intersected based on the safe stopping distance of a road with a design speed of 25 mph.
- C. The distance between the centerline of streets intersecting at grade with a collector street shall be no less than 300 feet measured along the centerline of the street being intersected based on the safe stopping distance of a road with a design speed of 40 mph.

- D. The distance between the centerline of streets intersecting at grade with an arterial street shall be no less than 600 feet measured along the centerline of the street being intersected based on the safe stopping distance of a road with a design speed of 55 mph.
 - E. Right angle intersections shall be used whenever possible. No street shall intersect another at an angle of less than 75°.
 - F. The cartway edge at street intersections shall be rounded by a tangential arc with a minimum radius shown in Appendix 16. The right-of-way radii at intersections shall be substantially concentric with the edge of the cartway.
 - G. Where appropriate, the Board of Supervisors may require additional traffic lanes to facilitate vehicular turning movements at existing or proposed street intersections within or bordering the site.
 - H. Where curbs and sidewalks are required or provided, clearly marked crosswalks shall be provided at all intersections. Crosswalks may also be required by the Board of Supervisors at other locations to promote the convenience and safety of pedestrian traffic. The design of crosswalks and the materials used shall be consistent with PA DOT 408 specifications.
19. Sight Distance at Intersections.
- A. Proper safe stopping distance shall be provided with respect to both horizontal and vertical road alignments at all intersections. The sight distance shall be measured from a line 10 feet back from the edge of the cartway of the intersected street perpendicular to the centerline of the intersecting street. The sight distance shall be determined by the design speed of the road and the grade of the intersected street in accordance with Appendix 19 using the formula: $D = [1.47Vt + (V^2 / (30(F + G)))]$ where D = distance, V = speed of the oncoming vehicle in mph, t = the reaction time of the driver, F = the coefficient of friction on the vehicle, and G = grade of the intersected street.
 - B. At all intersections, sight triangle easements or dedicated right-of-way shall be required and shall include the area on each street corner that is bounded by the line which connects the sight or "connecting" points located on each of the right-of-way lines of the intersecting street. The planting of trees or other plantings or the location of structures exceeding 30 inches in height that would obstruct the clear sight across the area of the easements or right-of-way shall be prohibited. A public right-of-way shall be reserved for the purpose of removing any object, material or otherwise, that obstructs the clear sight. This requirement shall be noted on the final plan and shall be included in all deeds for lots that contain an easement. The distances shown in

Appendix 20 between the connecting points and the intersection of the right-of-way lines shall be required.

- C. All streets intersecting a State route shall be subject to the approval of the Pennsylvania Department of Transportation.

20. Lot Access.

- A. The Board of Supervisors may disapprove any point of ingress or egress to any lot, tract, parcel or development from any Township road when the proposed ingress or egress would create unsafe conditions, or result in substandard circulation and impaired vehicle movement.
- B. The Board of Supervisors may require the applicant to provide ingress and egress to a particular lot or tract through the remainder of the property or other properties over which the applicant has control.
- C. In recommending approval of ingress or egress from any State road or highway, the Board of Supervisors can only recommend those access points that are not in conflict with safety standards of the Pennsylvania Department of Transportation. A highway occupancy permit is required for each access point onto a State road or highway.
- D. The receipt of a highway occupancy permit does not assume direct approval of the Board of Supervisors. The Board of Supervisors may require the applicant to reapply for a permit if the location of the permit approved access is in conflict with any provision of this Chapter or if the Board of Supervisors feels the location of the access will hinder the safe and efficient movement on any State road or highway or the proper development of the site. In the event that, after such reapplication, PennDOT refuses to modify the highway occupancy permit to conform with the provisions of this Chapter, the PennDOT decision shall prevail.

21. Cul-de-sac Streets. Cul-de-sac streets shall conform with the following.

- A. Permanent cul-de-sac streets in residential developments shall not exceed a centerline distance of 800 feet in length nor be less than 250 feet in length, measured from the centerline intersection with a street which is not a cul-de-sac to the center of the cul-de-sac turnaround, and shall generate less than 250 vehicle trips per day. The latest edition of the ITE Trip Generation Manual shall be used to determine the number of vehicle trips per day projected to use such cul-de-sac street.
- B. Permanent cul-de-sac streets in nonresidential developments shall not exceed a centerline distance of 800 feet in length nor be less than 250 feet in length, measured from the centerline intersection with a street

which is not a cul-de-sac to the center of the cul-de-sac turnaround, and shall generate less than 500 vehicle trips per day. The latest edition of the ITE Trip Generation Manual shall be used to determine the number of vehicle trips per day projected to use such cul-de-sac street.

C. Temporary cul-de-sac streets shall comply with the following:

- (1) Temporary cul-de-sac streets shall not exceed 1000 feet in length, measured from the centerline intersection with a street that is not a cul-de-sac to the center of the cul-de-sac turnaround.
- (2) Any street that is terminated for access to an adjoining property or because of authorized stage development shall be provided with a temporary, fully paved turnaround in accordance with § 22-602(11) and § 22-602(12) of this Chapter. The use of such turnaround shall be guaranteed until such time as the street is extended.
- (3) All cul-de-sac streets, whether permanently or temporarily designed, shall be provided at the closed end with a fully paved turnaround to the specifications stated in § 22-602(11). The developer who extends a street that has been provided with a temporary turnaround shall remove the temporary turnaround and restore the area of the temporary turnaround.
- (4) All cul-de-sac streets shall be provided with a traffic control sign stating that no outlet exists. Such signs shall comply with all applicable regulations of Earl Township and the Pennsylvania Department of Transportation.
- (5) The Supervisors may require adequate guarantees and rights-of-way for the full length of the future street that is proposed to connect the temporary cul-de-sac to an existing Township road.

22. Vehicular Parking Facilities.

A. Parking Areas. Off-street parking facilities shall be provided in accordance with the regulations set forth in the Earl Township Zoning Ordinance [Chapter 27], which regulations are incorporated herein by reference. Vehicular parking facilities for land uses other than detached single-family residences shall be designed in accordance with the following provisions:

- (1) Parking facilities for residential uses shall be located behind the street right-of-way line not within five feet of any property line. For all other uses, off-street parking spaces shall not be located within the area of required landscaping, and all turning

areas shall be so constructed that a vehicle entering or leaving the property is not required to back onto the abutting street.

- (2) Parking spaces shall be guarded by curbs, or other protective devices, which are arranged so that parked cars cannot project into the streets, yards or walkways.
- (3) Interior drives between rows of parking spaces shall have the minimum widths indicated in the following table:

Angle of Parking	Minimum Width (Feet) One-Way Traffic	Minimum Width (Feet) Two-Way Traffic
90 Degrees	24	24
60 Degrees	20	24
45 Degrees	18	24
30 Degrees	12	24
Parallel	12	24

- (a) Interior drives in areas where there is no parking permitted shall be at least 12 feet wide for each lane of traffic.
 - (b) The following lists required minimum space sizes in feet:

Standard car spaces	Parallel — 23 by 8	Nonparallel - 18 by 10 or 180 SF.
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 - (c) Reference Appendix 21 for parking lot configuration guidelines.
- (4) All dead end parking lots shall be designed to provide sufficient backup area for all end stalls.
- (5) All parking lots shall be adequately marked and maintained for the purpose of defining parking spaces and interior drives. As a minimum, the lines of all parking spaces and interior drives (including directional arrows, etc.) shall be solid white and four inches in width. Painted lines, arrows and dividers shall be provided and maintained to control parking, when necessary to direct vehicular circulation.
- (6) Lighting shall be provided in accordance with § 22-612 of the Chapter.
- (7) All parking areas shall provide for sufficient handicapped accessibility in the design of sidewalks, ramps, curbs and related facilities including the number of specific handicapped

parking spaces in accordance with applicable Federal, State or local regulations.

- (8) All parking lots shall be constructed and maintained with a paved surface of concrete or bituminous materials, or another dust-free surface, approved by the Board of Supervisors.
- (9) Every parking lot shall be connected to a street by means of an access drive. This access drive shall be at least 12 feet wide for each travel lane.
- (10) Parking lots shall be provided with adequate facilities to collect and convey stormwater in accordance with the Earl Township Stormwater Management Ordinance.

23. Bicycle Paths.

- A. Separate bicycle paths shall be provided when such paths are specified as part of an adopted municipal plan or recommended by the Board of Supervisors.
- B. The preferred location of bicycle paths is outside the street right-of-way. Bicycle paths, where located along streets, shall be four-foot wide per traffic lane, and 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, fall pavement coloring, pavement markers (dots) or recessed reflectors.
- C. Bicycle paths that are located outside the street right-of-way shall be a minimum of eight feet wide. Surface materials shall be either bituminous mixes, concrete, limestone dust or an equivalent stabilized material.
- D. Gradients of bicycle paths shall not exceed 8%, except for short distances where the grade shall not exceed 15%.
- E. Horizontal alignments of bicycle paths shall be based upon the grade of the path entering the curve. Grades less than 5% shall maintain a minimum horizontal radius of 70 feet. All other grades shall maintain at least a one-hundred-twenty-five-foot horizontal radius.

24. Carriage Lanes.

- A. Separate carriage lanes shall be provided when such lanes are specified as part of an adopted municipal plan or recommended by the Board of Supervisors. When required, carriage lanes shall be located adjacent to the outside travel lane of the street 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.

- B. Carriage lanes shall be constructed according to the specifications set forth for streets. Carriage lanes shall be a minimum width of eight feet.

§ 22-603. Blocks and Lots. [Ord. 6A-1998, 10/1/1998, § 603]

1. General. The configuration of blocks and lots shall be based upon the lot area requirements, the salient natural features, the existing manmade features and the proposed type of structure. Lot configurations should provide for flexibility in building locations, while providing safe vehicular and pedestrian circulation. Lots with areas that are two or more times the minimum requirements shall, wherever feasible, be designed with configurations that allow for additional subdivision.
2. Residential Blocks. All blocks in a residential subdivision shall have a maximum length of 1,500 feet.
3. Nonresidential Blocks. Blocks in nonresidential areas shall have a maximum length of 1,500 feet; however, this may vary when required by the nature of the use. Adequate provisions shall be made for off-street parking, loading areas and traffic circulation.
4. Lot and Parcel Configuration.
 - A. Lot and parcel configuration shall conform to the Zoning Ordinance [Chapter 27].
 - B. Whenever practical, side lot lines shall be radial to street lines.
 - C. In order to avoid jurisdictional problems, lot lines shall, wherever feasible, follow municipal boundaries rather than cross them. Where a lot is divided by a municipal boundary, the most restrictive municipality standards shall apply.
 - D. All lots with a width of 60 feet or more shall contain an average depth not less than 1/2 of the average width and not more than four times their width provided that the minimum average depth shall not be less than 75 feet. All lots with a width less than 60 feet shall contain an average depth not less than 75 feet except for those lands located within the conservation open space or agricultural districts.
 - E. All lots shall front on an approved public or private street and maintain a minimum lot frontage at the building set-back line and street right-of-way.

- F. Double frontage lots are prohibited except where provided as reverse frontage lots. Reverse frontage lots are only permitted when a reduction of driveway intersections along a street with a high volume of vehicular movements is desired. All reverse frontage lots shall include an identification of the frontage for use as a road access. All single family reverse frontage lots shall have a rear yard with a minimum depth of 75 feet and a planted buffer basement of at least 10 feet in width located immediately contiguous to the street right-of-way. Vehicular access shall be prohibited from the rear of the reverse frontage lots.
 - G. All remnants of land (areas remaining after subdivision) shall conform to the lot area and configuration requirements.
5. Lot Size and/or Intensity. All lot sizes shall conform to the Zoning Ordinance [Chapter 27].
6. Flag Lots. Flag lots shall not be created when lots can be designed that directly access a public or private street. The Board of Supervisors at its sole discretion may approve the plotting of a limited number of flag lots when:
- A. The flag lots are being used for infill situations in which a "court" is being created by placement of two flagpoles side-by-side and up to four homes are oriented to a common street easement running over the flagpoles.
 - B. The flag lot is being created to serve one homesite in the back of an existing tract of land where there is no potential of street access to the proposed lot.
 - C. The flag lot is the result of the division of agricultural land to create an additional building site on the least suitable portion of the property for continued agricultural use.
 - D. The flag lot is the result of the division of conservation or open space land to create an additional building site, which will have minimal impact on the conservation or open space land.
 - E. No more than two continuous flag lots shall be permitted.
 - F. The "flagpole" or access portion of the flag lot shall maintain a minimum width of 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 the Township zoning standards for minimum lot size.
 - G. For the purposes of establishing minimum front yard set-backs, the end of the flagpole section shall be considered as the front lot line from which setbacks are measured.

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

§ 22-604. Building Set-Back Lines and Building Separation. [Ord. 6A-1998, 10/1/1998, § 604]

1. A building set-back line shall be provided along each street and private street. The area in front of the building set-back line shall be preserved from structural development.
2. The distance to the building set-back line shall be measured from the front lot line and shall conform to the Zoning Ordinance. Set-back lines on private streets shall conform to the required local street set-back requirements per the Zoning Ordinance [Chapter 27].
3. In the case of corner lots, the set-back from each adjacent street shall apply.
4. All building separations and height requirements shall conform to the Zoning Ordinance [Chapter 27].

§ 22-605. Easements. [Ord. 6A-1998, 10/1/1998, § 605]

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

- A. To the fullest extent possible, easements shall be adjacent to property lines.
- B. Nothing shall be placed, planted, set or put within the area of an easement that would adversely affect the function of the easement or conflict with the easement agreement. This requirement shall be noted on the final plan and shall be included in all deeds for lots that contain an easement.
- C. Pedestrian easements shall have a minimum width of 10 feet.
- D. Utility easements shall have a minimum width of 20 feet, and all utility companies are encouraged to use common easements.
- E. The applicant shall reserve easements where stormwater or surface water drainage facilities are existing or proposed. Easements shall have a minimum width of 20 feet and shall be adequately designed to provide area for:
 - (1) The collection and discharge of water.
 - (2) The maintenance, repair and reconstruction of the drainage facilities.
 - (3) Clearly identify who has the right-of-access and responsibility of maintenance.

This requirement shall be noted on the final plan and shall be included in all deeds for lots which contain an easement.

- F. In cases where permanent stormwater management facilities are to be owned by a private entity (such as a homeowner or homeowner's association), such entity shall be responsible for maintenance of the facilities. In this case, a legally binding agreement between the entity and the Township shall be made for providing for maintenance of all permanent stormwater management facilities, and allowing inspection by the Township of all such facilities deemed critical to the public welfare at any reasonable time.
- G. Where any petroleum, petroleum product, electric or natural gas transmission line traverses a subdivision or land development, the applicant shall confer with the applicable transmission or distribution company to determine the minimum distance which shall be required between each structure and the centerline of such petroleum or petroleum product transmission line. Additionally, the Board of Supervisors will require, with the final plan application, a letter from the owner of the transmission line stating any conditions on the use of the tract which shall contain the above. In no instance shall any buildings or dwellings be placed within 75 feet of any portion of such right-of-way.

§ 22-606. Survey Monuments and Markers. [Ord. 6A-1998, 10/1/1998, § 606]

1. Permanent stone or concrete monuments shall be accurately placed along at least one side of each street at the beginning and end of all curves and at all angles.
2. Markers shall be set at the points where lot lines intersect curves and/or other property lines.
3. Monuments shall be concrete, with a flat top having a minimum length of 30 inches. Cast-in-place or precast concrete monuments shall be marked with center punch mark in a 3/4 inch copper or brass dowel. Metallic markers shall consist of Copperweld bars at least 30 inches long and not less than 3/4 of an inch in diameter. Alternative monumentation methods will be at the discretion of the Township Engineer. All monuments shall be inscribed with a proper inscription indicating the name of the surveyor responsible for the survey.
4. All monuments and markers shall be placed by a registered engineer or surveyor so that the scored or marked point shall coincide exactly with the point of intersection of the lines being monumented or marked.
5. All existing and proposed monuments and lot line markers shall be delineated on the final plan.

§ 22-607. Stormwater Management and Floodplain Controls. [Ord. 6A-1998, 10/1/1998, § 607]

All stormwater management, collection, conveyance, erosion control and floodplain considerations shall be accomplished in accordance with the provisions of the Township Stormwater Management Ordinance [Chapter 26, Part 2] as well as the following:

- A. Erosion and Sedimentation. All development applications that involve grading or excavation shall conform to the requirements of Chapter 102 of the regulations of the Department of Environmental Resources, as amended from time to time. It shall be the responsibility of the applicant to secure all approvals required by the Department of Environmental Resources, and approval of plans by the Board of Supervisors shall not be construed as approval under any regulation of the Department of Environmental Resources or other regulatory body.
- B. Floodplains. Floodplain areas shall be established and preserved as provided by the more restrictive requirements of Part 9 (§ 27-901 et seq.) and by the official Earl Township Floodplain Management Ordinance,¹ or as provided below. **[Amended by Ord. 2016-04, 3/17/2016]**
 - (1) A one-hundred-year floodplain shall be established for all watercourses and shall be delineated by one of the following methods:
 - (a) A hydrologic report prepared by an individual registered in the commonwealth to perform such duties.
 - (b) A hydrologic report prepared by an agency of the Lancaster County, state or federal government.
 - (2) Whenever a floodplain is located within or along a lot, the plan shall include: a) the boundary of the floodplain and the elevation or locational dimensions from the center line of the watercourse; b) a plan note that the floodplain shall be kept free of structures, fill and other encroachments; and c) a plan note that floor elevations for all structures adjacent to the floodplain shall be two feet above the one-hundred-year flood elevation. The foregoing shall not be construed as a prohibition of the following uses and structures, provided such uses and structures are in compliance with Subsection B(3) below and all other requirements of this chapter and the Earl Township Zoning Ordinance [Chapter 27]:
 - (a) Stormwater management facilities.
 - (b) Stream improvements whose sole purpose is to improve aquatic life habitat and which are approved by the Pennsylvania Fish Commission.

¹Editor's Note: See Ch. 8, Floodplain Management.

- (c) Farm ponds.
 - (d) Floodproofing and flood hazard reduction structures to protect existing buildings.
 - (e) Public and private utility facilities, except buildings.
 - (f) Water-oriented uses (except buildings) such as docks, piers, boat launching ramps and hatcheries.
 - (g) Water-monitoring devices.
 - (h) Culverts, bridges and their approaches for floodplain crossings by streets, alleys and driveways.
- (3) Plans for any of the uses and structures listed in Subsection B(2) above shall be incorporated into the design plans and shall be subject to approval by the Board of Supervisors. The plans shall demonstrate that the proposed uses or structures do not increase the height or the frequency of floodplain water; allow the unrestricted passage of floodplain water; are installed so as to withstand the maximum volume, velocity and force of the floodplain water; are flood- and flotation-proof, do not create unhealthy or unsanitary conditions; do not degrade the quality of surface water or groundwater; and do not violate the provisions of the Zoning Ordinance [Chapter 27].
- (4) The inclusion of a floodplain within lots in order to meet the minimum lot area and/or yard requirements shall be permitted, provided each such lot contains sufficient area exclusive of the floodplain for buildings and, when applicable, an on-lot sewage system.
- (5) It is recommended that the five-hundred-year floodplain corridor be identified on plans and that any structures located between the one-hundred- and five-hundred-year floodplain be floodproofed to the limits of the five-hundred-year floodplain corridor.

§ 22-608. Street Trees. [Ord. 6A-1998, 10/1/1998, § 608]

1. Street Trees. Street trees shall be required to be provided by the applicant when any new street construction is proposed and shall conform to the following standards:
 - A. The trees shall be nursery grown in a climate similar to that of the locality of the project. Varieties of trees shall be subject to the approval of the authority that accepts ownership of the street.
 - B. All trees shall have a normal habit of growth and shall be sound, healthy and vigorous; they shall be free from disease, insects, insect eggs and larvae.

- C. The trunk diameter, measured at a height of six feet above finished grade shall be a minimum of 2 1/2 inches.
- D. Trees shall be planted between the street right-of-way line and the building set-back line except where the Township has authorized placement of trees within the street right-of-way. The tree growth shall not interfere with the street cartway, sidewalk, utility line or clear sight triangle.
- E. All planting shall be performed in conformance with good nursery and landscape practice.
- F. Requirements for the measurements, branching, grading, quality, balling, and burlapping of trees shall follow the code of standards recommended by the American Association of Nurserymen, Inc., in the American Standard for Nursery Stock, ANSIZ60, 1-1973, as amended.
- G. One street tree shall be provided for each building containing two or fewer dwelling units and two trees for buildings containing three or more dwelling units.
- H. A minimum of one street tree shall be provided for each residential lot, and spaced not fewer than 40 feet nor more than 60 feet apart along the entire length of each existing or proposed street. In commercial and industrial zoning districts street trees shall be provided and spaced not fewer than 40 feet nor more than 60 feet apart along each street frontage.
- I. Proposed street tree locations shall be identified on a plan to be provided to the Township and approved by the Board of Supervisors.
- J. Street trees may be one of the following species:

Acer rubrum cultivars	Red Maple
Acer saccharum	Sugar Maple
Aesculus x cornea	Red Horsechestnut
Cladrastus lutea	American Yellowwood
Fraxinus pennsylvanica	Green Ash
Gleditsia triacanthos inermis	Thornless Honey Locust
Ginkgo biloba	Maidenhair Tree (male only)
Liquidambar styraciflua	Sweet Gum
Nyssa sylvatica	Black Tupelo
Ostrya virginiana	Hop Hornbeam
Quercus acutissima	Sawtooth Oak
Quercus coccinea	Scarlet Oak
Quercus palustris	Pin Oak

Quercus phellos	Willow Oak
Quercus rubra	Red Oak
Tilia cordata	Littleleaf Linden
Tilia x euchlora	Crimean Linden
Tilia tomentosa	Silver Linden
Ulmus parvifolia	Lacebark Elm
Zelkova serrata	Japanese Zelkova

Other tree species may be used provided acceptable information is submitted to indicate that the species are hardy street trees.

§ 22-609. Ground Cover. [Ord. 6A-1998, 10/1/1998, § 609]

Ground cover shall be provided on all areas of the project to prevent soil erosion. All areas, which are not covered by paving, stone or other solid material, shall be protected with a maintained vegetative growth.

§ 22-610. Sanitary Sewage Disposal and Water Supply. [Ord. 6A-1998, 10/1/1998, § 610]

1. Pennsylvania Department of Environmental Protection (PADEP) Planning Requirements. As required by PADEP, sewage facilities planning approval is required for all subdivisions and all projects on existing lots that propose sewage flows of 800 gallons per day or more. Such approval shall be in the form of a current PADEP Planning Module for Land Development or planning process forms. The Township shall require evidence of such PADEP planning approval prior to the final plan approval or the Board of Supervisors may, at its discretion, condition the approval of the final plan that such PADEP approval be obtained.
2. Sanitary Sewage Disposal. The applicant shall be required to connect to the public sewer system in accordance with the Earl Township Sewer Authority "Specifications for Construction of Sanitary Sewers."
 - A. The applicant shall provide the type of sanitary sewage disposal facility consistent with the planning module for land development or planning process forms.
 - B. The final plan application shall include a statement from the Earl Township Sewer Authority indicating the approval of the plans for design, installation and required financial security.
 - C. The sewerage installation shall be in accordance with the Earl Township Sewer Authority "Specifications for Construction of Sanitary Sewers." The Earl Township Sewer Authority shall establish requirements for the ownership and maintenance of such system.

3. Onlot Sewage Disposal. Where onsite sanitary sewage disposal facilities are to be utilized, each lot so served shall be of a size and shape to accommodate the necessary subsurface sewage disposal system and a replacement system at a safe distance from building and water supply in accordance with Title 25, Chapter 73, Rules and Regulations, of the Pennsylvania Department of Environmental Protection, as amended. Approval shall be received from the Township Sewage Enforcement Officer of the proposed system prior to final plan approval.
4. Public Water Supply. The applicant shall connect to the existing public water system if the proposed subdivision or land development is located within the service area boundaries as delineated in the Earl Township existing water service area. All public water supply systems shall comply with the following:
 - A. The locations and kind of fire hydrants shall be in accordance with the authority requirements in concert with the local fire department thread requirements. Fire hydrants shall be located at street intersections no more than 10 feet from the curb. All fittings shall be National Standard threads. The large fitting shall face the street and be a minimum of 16 inches above the ground level. A copy of the approval of such system by the authority shall be submitted.
 - B. The final plan application shall include a statement from the authority indicating the approval of the plans for design, installation and required financial security.
 - C. The installation and construction shall be in accordance with the requirements of the authority. The authority shall establish requirements for the ownership and maintenance of such system.
 - D. All components of the water supply system shall comply with the horizontal isolation distances established by Pennsylvania Code, Title 25, Chapter 73, § 73.13.
5. Individual Water Supply. Where an individual onsite water supply system is to be utilized, each lot so served shall be of a size and shape to allow safe location of such a system, in accordance with all applicable standards. Individual water supplies shall comply with the minimum horizontal isolation distances established by Pennsylvania Code, Title 25, Chapter 73, § 73.13.

§ 22-611. Emergency Access Requirements. [Ord. 6A-1998, 10/1/1998, § 611]

All subdivisions or land developments containing 25 or more dwelling units, or nonresidential buildings containing 20,000 or greater square feet of gross floor area

shall be provided with at least two separate and distinct means of access to the subdivision or land development.

- A. Access may be provided through the location of two or more public or private streets, each of which intersects with an existing public street. Such public or private streets shall meet all the requirements of this Chapter concerning design and construction.
- B. Access for a land development may be provided through two or more driveways into the land development. Such driveways shall be separated by a distance of at least 150 feet and shall comply with all requirements of this Chapter.
- C. If the applicant is unable to provide access to the subdivision or land development through two or more public or private streets each of which intersect with an existing public street, an emergency access shall be provided.
 - (1) The emergency access shall be improved so that emergency vehicles may safely transverse it and shall be indicated on the plans.
 - (2) The emergency access shall be acceptable to the providers of emergency services within the Township. Applicants proposing to provide emergency access shall submit evidence of such approval.
 - (3) The emergency access may be located so that access to the subdivision or land development is gained from a public street at a location unsuitable for regular access with an existing public street.
 - (4) The emergency access may be located so that access is gained from an adjacent tract. For example, a subdivision or land development adjoining a parking lot of another use may provide emergency access through a point with a break chain. Applicants with plans indicating emergency access through an adjoining private tract shall provide evidence that the adjoining property owner has consented to such emergency access location.

§ 22-612. Lighting. [Ord. 6A-1998, 10/1/1998, § 612]

- 1. Lighting for highway safety shall be provided at entryways to commercial and industrial land developments, and in parking lots adjacent to public streets.
- 2. Lighting shall be provided in accordance with an illumination plan designed by Pennsylvania Power & Light or in conformance with the EIS Lighting Standards contained in Appendix 23.
- 3. Spacing of standards shall be equal to approximately four times the height of the standard.

4. The maximum height of standards shall not exceed the maximum building height permitted, or 25 feet, whichever is less.
5. The height and shielding of lighting standards shall provide proper lighting without hazard to drivers or nuisance to residents, and the design of lighting standards shall be of a type appropriate to the development and the municipality.
6. Spotlights, if used, shall be placed on standards pointing toward the buildings and positioned so as not to blind the residents, rather than on the buildings and directed outward which creates dark shadows adjacent to the buildings.



PART 7

TRAFFIC IMPACT STUDY

§ 22-701. Purpose. [Ord. 6A-1998, 10/1/1998, § 701]

These guidelines detail the procedures to be utilized when conducting a traffic impact study for a proposed subdivision or site development which is expected to impact traffic operations on the adjacent road network. Such studies are necessary to define the possible magnitude of the impact(s) of the proposed subdivision or development on the traffic operations of affected roadways and intersections and determine improvements necessary to provide for accommodation of the traffic due to the proposed subdivision or development.

§ 22-702. Need. [Ord. 6A-1998, 10/1/1998, § 702]

Traffic impact studies are conducted to enable the Township to identify the potential impacts of a proposed subdivision or development and determine any roadway improvements necessary to provide an acceptable level of service. These studies are to be conducted during the initial stages of the review and approval process in order to adequately consider the impacts the additional traffic will have on the local transportation network. Not all subdivision or development projects will have a significant enough impact to require a traffic impact study. The use of engineering judgment is necessary in making this determination and consideration should be given not only to changes in projected traffic volume but also safety or capacity deficiencies which could impact the roadway system. At a minimum, a traffic impact study should be performed when either of the following conditions is satisfied:

- A. The proposed subdivision or development is expected to generate 1,500 or more vehicle trips per day (total inbound and outbound development traffic).
- B. The proposed subdivision or development is expected to generate 50 or more vehicle trips that are newly generated peak direction trips to or from the site.

In all cases, a traffic impact study will be conducted when, in the opinion of the Township, the subdivision or site development is expected to have a significant impact on the safety and/or traffic flow of the affected roadway(s).

§ 22-703. Preparation. [Ord. 6A-1998, 10/1/1998, § 703]

When it has been determined that a traffic impact study is required for a proposed subdivision or site development, it shall be the responsibility of the applicant to ensure the study is conducted and a final report submitted in accordance with these guidelines. The traffic impact study and final report shall be prepared under the supervision of a qualified and experienced transportation engineer with specific training in traffic and transportation engineering. The conduct of the traffic impact study must be in cooperation with and coordinated with the appropriate local officials. Of special importance is the need to work closely with the involved officials in determining the improvements, which are to be implemented on the affected

roadway(s). When requested by the applicant, the Township will perform a "procedural review" of the draft traffic impact study report. This review will be limited to insuring the proper procedures have been used and adequate documentation has been provided in accordance with the requirements of these guidelines. This "procedural review" is intended to provide the study preparer with guidance on the adequacy of the study in meeting the requirements of these guidelines and will not address the adequacy or appropriateness of the recommended improvements.

§ 22-704. Study Procedures. [Ord. 6A-1998, 10/1/1998, § 704]

1. General Requirements. The traffic impact study (TIS) will be conducted using currently accepted traffic engineering practices and procedures. The use of computer programs to conduct the required analyses is acceptable; provided, the programs reflect the most current provisions of the analysis procedure upon which they are based. Recommended geometric or traffic operations improvements must meet or exceed all applicable State and/or local minimum design criteria. The TIS engineer will be responsible for the collection of all information and data required to support the TIS effort. At the developer's request, the Township will make available appropriate information and data that will assist in the TIS effort. When additional traffic counts are required for the TIS, the engineer shall collect such data to include peak hour turning movements on an average week day, as well as on Saturday, if required, as defined in PennDOT's Publication 201. Traffic data may not be older than three years. The procedures and requirements outlined in these guidelines are intended to provide a basic framework for the conduct of a TIS. Additions or modifications to this framework may be made provided the Township approves such changes.
2. Study Area Characteristics. The limits for the study area should be based upon engineering judgment and a knowledge of the existing traffic conditions in the vicinity of the proposed subdivision or site development. The area must be of sufficient size to include the key roadway corridors and critical intersections, which may be impacted by the proposed site traffic. Designation of the study area boundaries shall be a cooperative effort between the engineer, Township and/or PennDOT. In those instances where agreement cannot be reached on the boundaries, the Township will establish the boundaries to be used for the TIS. The Township will make designation of the future design year(s) as the basis for the study dependent on the timing and/or phasing of the proposed project. Existing and proposed land uses in the study area must be considered in the TIS. This consideration must include not only the current/proposed zoning of the various tracts within the study area, but also the specific use for the development site. Where the current/proposed land use of the site is being modified, an analysis of the proposed changes should be made to determine the extent to which traffic volumes for the site will be modified. Characteristics of the study area roadway network, intersections and the proposed site access point(s), to include geometrics and traffic control need to be identified as part of the TIS. Included in this identification will be all driveways adjacent to or

across from the proposed site access point(s). In addition, all committed roadway and traffic operational improvements to the study area network, which will occur during the designated time period on which the TIS is based, are to be identified.

3. **Traffic Analysis.** The study area roadway network is to be analyzed for safety and capacity sufficiency for three separate conditions: existing network conditions, future network conditions without the proposed development and future network conditions with the proposed development. For each of the three conditions the following analyses shall be completed:
 - A. Mainline average daily traffic (ADT) volumes and turning movement volumes for all critical intersections within the study area will be determined for the a.m. peak hour, p.m. peak hour and the proposed development peak hour, which may be Saturday, if other than either the a.m. or p.m. peak hour of the network.
 - B. The effectiveness of the traffic signal control at all critical intersections will be evaluated by approach in terms of vehicle stops and delays.
 - C. Gap studies will be conducted at the proposed site access points to evaluate the need for signal control, turn prohibitions or additional site access points to reduce the left turn volume from the site driveway(s).
 - D. Queue length analyses will be completed to evaluate the potential for a back-up of traffic from controlled intersections which could impact other intersections including access points to the proposed development.
 - E. An analysis of the volume and capacity of the network and all critical intersections will be conducted utilizing the most current Highway Capacity Manual procedures. Levels of service will be determined and documented. The analysis of the existing roadway and intersection conditions in the study area will be based upon the current geometric conditions and traffic control operations. This analysis will serve as a basis for determining the current adequacy of the roadway network and to document any deficiencies. The analysis of the future conditions without the proposed subdivision or development will document the adequacy of the study area network to accommodate traffic in the design year(s) without the proposed development. This analysis must include a full consideration of all committed roadway improvements to the study area network when determining the expected levels of service. For the analysis of the future conditions with the proposed subdivision or development, one of the key factors will be the development of the projected site generated traffic and its distribution on the study area network. The study preparer must fully document the methodology that is used to complete this effort and

provide sufficient information such that the Township can verify the results. In addition, care must be taken to ensure that adequate consideration is given to that portion of the already projected future network traffic that will utilize the proposed development access points. (Failure to account for this "captured" traffic will result in a "double counting" of a portion of the future traffic).

4. Improvement Recommendations. The overall goal of this Section will be to detail necessary improvements to the study area roadway network which will provide for a level of service for the design year(s) with the development which is at least equivalent to the projected level of service for the design year(s) without the proposed subdivision or development. Based upon a comparison of the traffic analysis for the future conditions with and without the proposed subdivision or development, roadway and traffic operational improvements that will support this goal are to be identified and analyzed. These improvements may include both onsite and offsite roadway and traffic operational changes as determined by the preceding analyses. In developing the proposed improvements, the study preparer is to consider the following:

- A. All highway capacity evaluations shall consider not only the overall intersection level of service and delay but also evaluate each approach and movement to identify any substandard values which need to be improved.
- B. For locations where the level of service of the design year without the proposed development is level of service (3), the improvements shall provide an estimated delay which will be no worse than the delay for the design year without the proposed subdivision or development.
- C. Where new intersections are being established to serve as access to the proposed development, these intersections must be designed to at least operate at level of service (3) or better.
- D. For access points to the proposed development, which are not proposed to be controlled by a traffic signal, an analysis will be completed to determine the design details for a separate left turn lane on the adjoining highway.
- E. For access points to the proposed development where traffic signal control is being proposed, a traffic signal warrant analysis shall be performed in accordance with the requirements of PennDOT's Publication 201. Although a left turn lane shall be provided, an analysis shall be completed to determine the type of signal phasing required.

The final recommended study area network with proposed improvements will also be subjected to all the traffic analyses that are required under the previous Section of these guidelines. These analyses will serve to document the "adequacy" of the improvements.

§ 22-705. Final Report. [Ord. 6A-1998, 10/1/1998, § 705]

1. General. A final report must be prepared to document the results of the traffic impact study and the recommended improvements to accommodate the projected traffic due to the proposed subdivision or development. Since this report will be reviewed by Township officials with varying levels of technical expertise, the report must be presented in a format and context that can be understood by both technical and nontechnical parties. The presentation of data and analyses results should, preferably, be accomplished on either schematic diagrams of the study area, or through the use of charts and/or tables. All sources of data and methodologies that were used in the TIS (including computer programs) must be properly referenced and documented. Any modifications to the referenced procedures must be properly documented to enable a review of the appropriateness of the modification.
2. Contents. The final report will include the following:
 - A. Executive summary which provides a concise description of the study area, results of the traffic analyses, and any recommended improvements.
 - B. Description of the proposed subdivision or development site to include a map showing the site's location in regards to the region and the area roadway network.
 - C. Schematic diagram/map of the designated study area showing all major highways and critical intersections.
 - D. Results of the traffic analyses for the three traffic conditions. At a minimum, the following data must be shown for each of the three conditions:
 - (1) Mainline ADT and intersection turning movement counts.
 - (2) Levels of service.
 - (3) Projected traffic distribution and network assignment for the proposed site.
 - E. Recommended improvements to the study area network to include preliminary cost estimates, proposed implementation schedule and expected levels of service for the recommended network.
3. Review Procedures. Five copies of the final TIS report shall be submitted for review and approval. Reports that do not contain the required information or indicate that the study was not done in accordance with the requirements of these guidelines will be returned to the applicant for correction and resubmission.

§ 22-706. Contribution in Lieu of Preparation of Studies. [Ord. 6A-1998, 10/1/1998, § 706]

If a developer believes that the preparation of traffic study and report required herein is not warranted, he may request the Board of Supervisors to waive the preparation of such study and report and shall make an estimated contribution of the sum necessary to defray the costs of improvements which would be recommended by such studies. The estimated contribution shall be in accordance with the current adopted Township fee schedule.

- A. The developer of any commercial, industrial or institutional subdivision or land development shall provide the Township with a certification of the usable building floor area to be constructed for the purpose of determining the contribution in lieu of preparation of studies.
- B. This contribution in lieu of preparation of studies provided for herein shall be in addition to all charges imposed by the authority for tapping and connection fees and shall be in addition to all other review. Inspection and other fees or charges imposed by the Township and/or the authority, and all sums otherwise agreed to be paid by the developer.
- C. The developer shall enter into an agreement with the Township setting forth the contribution in lieu of preparation of studies to be paid and the studies to be waived by the Township. All such agreements shall be in a form satisfactory to the Township Solicitor.
- D. All contributions in lieu of preparation of fees shall be paid prior to approval of the final plan by the Township.

§ 22-707. References. [Ord. 6A-1998, 10/1/1998, § 707]

- 1. Highway Capacity Manual, Special Report 209, Transportation Research Board, 1994.
- 2. Trip Generation, latest edition, Institute of Transportation Engineers.
- 3. Site Impact Traffic Evaluation Handbook, Federal Highway Administration, 1985.
- 4. Development and Application of Trip Generation Rates. Federal Highway Administration, 1985.
- 5. NCHRP Report 187, "Quick Response Urban Travel Estimation Techniques and Transferable Parameters: Users' Guide," Transportation Research Board, 1978.

PART 8

ADMINISTRATION AND ENFORCEMENT PENALTIES

§ 22-801. Administration and Enforcement. [Ord. 6A-1998, 10/1/1998, § 801]

The Board of Supervisors shall have the duty and authority for the administration and general enforcement of the provisions of this Chapter, as specified or implied herein. Officials of the Township having regulatory duties and authorities connected with, or pertinent to, the subdivision, use or development of land shall have duties and authorities for controlling enforcement of the provisions of this Chapter, as specified or implied herein or in other ordinances of the Township.

§ 22-802. Sanctions and Penalties. [Ord. 6A-1998, 10/1/1998, § 802]

1. General Requirement. In Earl Township, no lot in a subdivision may be sold; no permit to erect, alter, or repair any building in a subdivision or land development may be issued; and no building may be erected in a subdivision or land development unless a final subdivision or land development plan has been approved and signed by the Earl Township Supervisors in accordance with the procedures for review outlined in Part 3 hereof, and duly recorded in the office of the Lancaster County Recorder of Deeds. All improvements as required by the Board of Supervisors in conjunction with said subdivision or land development shall have been constructed or guaranteed as herein provided.
2. Fines. It shall be a violation of this Chapter for any person who is the owner or agent of the owner of any lot, tract or parcel to lay out, construct, open 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 structures abutting thereon or to sell, transfer or agree or enter into an agreement to sell any land in a subdivision or land development or to undertake such development prior to the approval and recording of a final plan in full compliance with the provisions of this Chapter. It shall also be a violation of this Chapter for any person undertaking development in accordance with an approved and recorded final plan or an improvement construction plan to install improvements in a manner or to specifications other than those contained on the recorded final plan or approved construction improvement plan or to fail or refuse to install improvements required by the terms of this Chapter. Any person who shall violate any provisions of this Chapter shall be subject to the penalties and remedies provided for in the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended and as supplemented and specifically as amended and reenacted by Act 170 of 1988 including, but not limited to, the penalties and remedies set forth in §§ 22-515.1 through 22-515.3 which are incorporated herein by reference as though fully set forth. The description of such lot or parcel by metes and bounds in instrument of transfer, or other document uses, in the process of selling or transferring, shall not exempt the seller or transferor from such penalties, or from the remedies herein

provided. The Lancaster County may also enjoin such transfer or sale or agreement by action/or injunction brought in any court of equity jurisdiction, in addition to the penalty herein provided.

§ 22-803. Application Forms and Fees. [Ord. 6A-1998, 10/1/1998, § 803; as amended by Ord. 2009-03, 3/2/2009]

1. Application Form. The Supervisors shall prescribe and make available to applicants a form upon which all applications for approval of subdivision and land development plans shall be made. (See Appendix 11.)
2. Fee Schedule. Every applicant shall, at the time of filing an application for review of a plan, pay to the Township of Earl a basic filing fee as per a schedule adopted and subject to periodic amendment by the Supervisors.
3. Fees for Expert Review and Testing. Every applicant shall, as part of this application for review of a plan, pay to the Township of Earl such fees and expenses as said Township may be required to incur for the services of the Township Solicitor, Township Engineer, and, or inspector in investigation, for tests, reviews, and advice to the Township in relation to the plan. The applicant shall be billed for such services and shall pay the amount due within 45 days of such billing. The Township Supervisors shall establish by resolution a schedule of fees to be paid by the developer at the time of filing a preliminary plan and throughout the course of review and development of the project.
4. Lancaster County Planning Commission Application and Fee. Every applicant shall complete the form required for review by the Lancaster County Planning Commission and shall pay a fee as per a schedule adopted, and subject to periodic amendment by the Lancaster County Board of Commissioners. (See Appendix 15.)
5. No final plan shall be approved unless all fees and charges accruing at the time that the Supervisors are scheduled to take action upon the final plan have been paid in full.
6. The applicant is required to submit to the Township a digital copy of the approved final plan, including all design sheets, in pdf format.

§ 22-804. Revision and Amendment. [Ord. 6A-1998, 10/1/1998, § 804]

1. The Board of Supervisors may, from time to time on their own motion, revise, modify and amend this Chapter in order to increase its effectiveness or to expedite the approval of subdivision and land development plans.
2. Any revisions, modifications or amendments to this Chapter shall be in accordance with the procedures established by law after a public hearing on the proposed revisions, modifications or amendments. In addition, in the case of an amendment other than that prepared by the Township Planning

Commission, the Board of Supervisors shall submit each amendment to the Township Planning Commission for recommendations at least 30 days prior to the date of the public hearing on such proposed amendment.

§ 22-805. Waivers. [Ord. 6A-1998, 10/1/1998, § 805]

The provisions of these regulations are intended as a minimum standard for the protection of the public health, safety and welfare. If the literal compliance with any mandatory provision of these regulations is shown by the applicant, to the satisfaction of a majority of the members of the Township Supervisors present at a public meeting, to be unreasonable and to cause undue hardship because of peculiar conditions pertaining to the particular property and if the applicant shows that an alternative proposal will allow for equal or better results and represents the minimum modification necessary, the Board of Supervisors may grant a waiver from such mandatory provision, so that substantial justice may be done and the public interest secured while permitting the reasonable utilization of the property. However, the granting of a waiver shall not have the effect of making null and void the intent and/or purpose of this Chapter. Waiver requests shall be submitted in accordance with § 22-312 of this Chapter.

§ 22-806. Appeals. [Ord. 6A-1998, 10/1/1998, § 806]

Any person aggrieved by a finding, decision or determination of the Board of Supervisors in connection with an application for approval of a subdivision and land development shall appeal in accordance with the provisions of the Pennsylvania Municipalities Planning Code.

§ 22-807. Responsibility of Developers. [Ord. 6A-1998, 10/1/1998, § 808]

The developer shall be responsible for observing the procedures established in this Chapter and for submitting all plans and documents as may be required.



PART 9

PARKS AND OPEN SPACES

§ 22-901. Dedication of Land for Park and Open Space Uses. [Ord. 2009-03, 3/2/2009; as amended by Ord. 2011-04, 12/5/2011]

1. All plans for residential subdivision or residential land development, except for those exempted in Subsection 2, shall provide for the dedication of land for park and open spaces 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 plans and standards contained within the Eastern Lancaster County Region Recreation Park and Open Space Plan.
2. For contiguous properties held in single and separate ownership on December 5, 2011, the creation of the first new dwelling unit or first new residential lot, through the filing of a residential subdivision or residential land development plan, shall be exempt from the mandatory land dedication or fee in lieu of dedication requirement. Any subsequent residential subdivision or land development on such property shall require the mandatory dedication of fee in lieu of dedication.

§ 22-902. General Requirements. [Ord. 2009-03, 3/2/2009]

The applicant 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 the Eastern Lancaster County Region Recreation Park and Open Space Plan. The applicant shall make an irrevocable offer of dedication for such land to the Township as required by the Board of Supervisors. Title to such land shall be good and marketable, free of liens or other defects, and acceptable to the Township Solicitor. The Board of Supervisors may, upon agreement of the applicant, authorize the transfer of the land to a homeowners' association or to a nonprofit corporation whose purpose is the conservation or preservation of land.

§ 22-903. Amount of Land to be Dedicated. [Ord. 2009-03, 3/2/2009]

The amount of park and open space land to be dedicated shall be equal to, and in conformance with, standards expressed in the Eastern Lancaster County Region Recreation Park and Open Space Plan.

1. If the applicable plan specifically designates a future park site within the acreage of the tract proposed for development, all subdivision plans shall be designed in conformance with such designation in that all land required to be dedicated shall correspond to the location of the future park site.
 - A. Should the amount of land required to be dedicated exceed the acreage of the future park site as designated within the applicable

plan, the development proposal shall provide for such additional area to be located in a manner that best serves future residents of the proposed development.

- B. Should the amount of land required to be dedicated fall short of the acreage of the future park site as designated within the applicable plan or if the proposed development involves only a portion of the development rights afforded to the tract, the applicant shall reserve that portion of the future park site which will best serve the immediate development. In addition, a sketch plan shall be prepared to depict how full build-out of the site will be accomplished in a manner that respects the location of the future park site and ensures its accessibility to all future dwellings on the tract. As an alternative to such piece-meal dedication, the Township may opt to purchase that portion of the future park site, in which case the future dedication of land associated with the development of the tract would proceed in accordance with the provisions of § 22-909.

§ 22-904. Fee in Lieu of Dedication. [Ord. 2009-03, 3/2/2009]

The applicant may, with the consent and approval of the Board of Supervisors, elect to pay a fee to the municipality in lieu of the park and open space dedication.

- A. The amount of any fee to be paid in lieu of dedication of land shall be established by resolution to be adopted by the Board of Supervisors and shall be subject to amendment or revision by the adoption of subsequent resolutions.
- B. Such fee shall be payable at such times as shall be set forth in the resolution adopted by Board of Supervisors.

§ 22-905. Parkland Acquisition Fund. [Ord. 2009-03, 3/2/2009]

All fees paid by the developer in lieu of dedication of park and open space land shall be paid to the Township and, upon their receipt, shall be deposited in a separate interest-bearing account. Fees deposited to this account shall be administered as required by the Pennsylvania Municipalities Planning Code.²

§ 22-906. General Design Criteria. [Ord. 2009-03, 3/2/2009]

1. 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 a one-half-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-mile radius of the majority of the

²Editor's Note: See 53 P.S. § 10101 et seq.

residences to be served, or a county park which serves residences located within a ten-mile radius.

2. The land set aside for park and open space uses shall meet the following design criteria:
 - A. The park and open space land shall be reasonably located so as to serve all of the residents of the subdivision or land development.
 - B. The park and open space land shall be accessible from a street either directly or by pedestrian connection or shall adjoin and become a part of an already existing public park or open space area that is accessible from a street. Where access to the park is by public road, the width of the frontage shall be the minimum length deemed necessary by the municipality for access visibility of the site and public safety.
 - C. Parks for active recreation shall have suitable topography and soil conditions for use and development as active play areas. No more than 25% of the park and open space land shall contain detention basins or other stormwater management facilities or be located within a floodplain or wetland unless such area is part of a linear trail or greenway along an existing watercourse. In all cases, land containing detention basins or other stormwater management facilities, floodplains, or wetlands must be suitable for public recreation use without compromising the function of these areas.
 - D. The park and open space land shall be compact and contiguous, unless 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 linear public open space along a scenic creek.
 - E. 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.
 - F. 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, the developer shall extend such utilities to the park and open space land.
 - G. 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. Playground

equipment constructed or placed on parkland shall be in compliance with guidelines from the Consumer Products Safety Commission.

- H. The site shall be sized and configured so as to accommodate its intended uses. Sufficient lot width/depth dimension shall be provided so as to accommodate, where practicable, athletic fields, courts and other open play areas.
- I. The percentage of slope acceptable on the site shall be determined by the Board of Supervisors after consultation with the Township staff and Township Engineer.

§ 22-907. Existing Trails. [Ord. 2009-03, 3/2/2009]

- 1. 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:
 - A. The points at which the trail enters and exits the tract shall remain unchanged.
 - B. The proposed alteration exhibits quality trail design according to the generally accepted principles of landscape architecture.
 - C. The proposed alteration does not run coincidentally with the paved road intended for use by motorized vehicles.
- 2. The land set aside for the continuation of such existing trail shall be counted towards the amount of park and open space land.

§ 22-908. Trails and Linear Parks. [Ord. 2009-03, 3/2/2009]

The trail or linear park shall conform to any applicable municipal master park and open space plan, any county-wide trail and recreation master plan, and appropriate municipal and county comprehensive plans. The Board of Supervisors 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. Trails and linear parks developed and dedicated for public use may be credited toward the park and open space land requirement.

§ 22-909. Municipal Fund Reimbursement. [Ord. 2009-03, 3/2/2009]

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 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 Township Engineer) divided by the number of lots or dwelling units in the development.

§ 22-910. Additional Recreation Reservations. [Ord. 2009-03, 3/2/2009]

The provisions of this Part 9 are minimum standards and shall not be construed as prohibiting a developer, with the approval of the Board of Supervisors, from electing to fulfill the open space requirements through the private reservation of a recreation area.

§ 22-911. Private Reservation of Land. [Ord. 2009-03, 3/2/2009]

Notwithstanding anything contained in the above sections, the applicant may, with the consent and approval of the Board of Supervisors, elect to fulfill the open space requirement through the private reservation of a recreation area.

- A. Any project that proposes the private reservation of land shall be accompanied by an agreement which is acceptable to the Township Solicitor and which shall be recorded prior to or concurrent with the preliminary plan approval. Such agreement shall stipulate:
- (1) That maintenance of the designated open space is the responsibility of the applicant, a homeowners' association, a condominium unit owners' association, or other recognized conservation organization.
 - (2) The availability of such private open space to nonresidents of the development.
 - (3) The method by which the private reservation may be offered for public dedication.
 - (4) That the land cannot be developed for anything other than open space purposes.
 - (5) 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 municipality.
- B. If such lands are to become common elements of a homeowners' or condominium unit owners' association of any type, then such association's organizational bylaws must conform to the requirements of applicable state law.

§ 22-912. Construction of Recreation Facilities. [Ord. 2009-03, 3/2/2009]

Notwithstanding anything contained in the above sections, the applicant may, with the consent and approval of the Board of Supervisors, elect to fulfill the open space

requirements through the construction of recreational facilities. All approved recreation facilities constructed in lieu of land dedication shall be completed and dedicated to the municipality before 50% occupancy has been reached in any applicable subdivision or land development. The Township may avail itself of all remedies provided by the Pennsylvania Municipalities Planning Code, including but not limited to the withholding of permits to ensure compliance with this provision.

PART 10
APPENDICES³

§ 22-1001. Appendices.

³Editor's Note: The appendices are included as attachments to this chapter.



22 Attachment 1

Township of Earl

Appendix 1

Certification of Accuracy (Survey)

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

_____, 19 ____

* _____

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

(Ord. 6A-1998, 10/1/1998, Appendix 1)



22 Attachment 2

Township of Earl

Appendix 2

Certification of Accuracy (Plan)

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

_____, 19____

* _____

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

(Ord. 6A-1998, 10/1/1998, Appendix 2)



22 Attachment 3

Township of Earl

Appendix 3

Storm Drainage Plan Certification

I hereby certify that, to the best of my knowledge, the storm drainage facilities shown and described hereon are designed in conformance with the Earl Township Stormwater Management Ordinance.

_____, 19____

* _____

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

(Ord. 6A-1998, 10/1/1998, Appendix 3)



22 Attachment 4

Township of Earl

Appendix 4A

Certificate of Ownership, Acknowledgment of Plan and Offer of Dedication

Individual

Commonwealth of Pennsylvania

Lancaster County of Lancaster

On this, the ____ day of _____, 19 ____, before me, the undersigned officer, personally appeared _____ who being duly sworn according to the law, deposes and says that he is the * _____ of the property shown on this plan, that the plan thereof was made at his direction, that he acknowledges the same to be his act and plan, that he desires the same to be recorded, and that all streets and other property identified as proposed public property (excepting those areas labeled "NOT FOR DEDICATION") are hereby dedicated to the public use.

** _____

*** _____

My Commission Expires _____, 19 ____

*Identify Ownership or Equitable Ownership

**Signature of the Individual

***Signature and Seal of Notary Public or Other Authorized to Acknowledge Deeds

(Ord. 6A-1998, 10/1/1998, Appendix 4A)



22 Attachment 5

Township of Earl

Appendix 4B

Certificate of Ownership, Acknowledgment of Plan and Offer of Dedication

Copartnership

Commonwealth of Pennsylvania

Lancaster County of Lancaster

On this, the ____ day of _____, 19 ____, before me, the undersigned officer, personally appeared _____, being the members of the firm of _____, who being duly sworn according to law, deposes and says that the copartnership is the
* _____ of the property shown on this plan, that the plan thereof was made at its direction, that it acknowledges the same to be its act and plan and desires the same to be recorded, and that all streets and other property identified as proposed public property (excepting those areas labeled "NOT FOR DEDICATION") are hereby dedicated to the public use.

** _____

*** _____

My Commission Expires _____, 19____

*Identify Ownership or Equitable Ownership

**Signature of the Individual

***Signature and Seal of Notary Public or Other Officer Authorized to Acknowledge Deeds.

(Ord. 6A-1998, 10/1/1998, Appendix 4B)



22 Attachment 6

Township of Earl

Appendix 4C

Certificate of Ownership, Acknowledgment of Plan and Offer of Dedication

Corporate

Commonwealth of Pennsylvania

Lancaster County of Lancaster

On this, the ____ day of _____, 19____, before me, the undersigned officer personally appeared _____ being * _____ of ** _____ who being duly sworn according to law, deposes and says that the corporation is the *** _____ of the property shown on this plan, that he is authorized to execute said plan on behalf of the corporation, that the plan is the act and deed of the corporation desires the same to be recorded and on behalf of the corporation further acknowledges, that all streets and other property identified as proposed public property and hereby dedicated to the public use (excepting those areas labeled "NOT FOR DEDICATION").

*** _____

***** _____

***** _____

My Commission Expires _____, 19____

*Individual's Title

**Name of Corporation

***Identify Ownership or Equitable Ownership

****Signature of Individual

*****Corporate Seal

*****Signature and Seal of Notary Public or Other Officer Authorized to Acknowledge Deeds.

(Ord. 6A-1998, 10/1/1998, Appendix 4C)



22 Attachment 7

Township of Earl

Appendix 5

**Earl Township Supervisors
Preliminary Plan Approval Certificate**

At a meeting on _____, 19____, the Earl Township Supervisors granted Preliminary Plan Approval of this project, including the complete set of plans marked sheet(s) _____through _____which form a part of the application dated _____, last revised _____, and bearing Earl Township File No._____. This plan may not be recorded in the office of the Lancaster County Recorder of Deeds, nor may any construction be initiated.

* _____

* _____

*Signatures of the Chairman and Vice Chairman or their designees.

(Ord. 6A-1998, 10/1/1998, Appendix 5)



22 Attachment 8

Township of Earl

Appendix 6

**Earl Township Supervisors
Final Plan Approval Certificate**

At a meeting held on _____, 19____, the Earl Township Supervisors approved this project including the complete set of plans and information which are filed with the Board of Supervisors in File No. _____, based upon its conformity with the standards of the Earl Township Subdivision and land Development Ordinance.

* _____ *

*Signatures of the Chairman and Vice Chairman or this designees.

(Ord. 6A-1998, 10/1/1998, Appendix 6)



22 Attachment 9

Township of Earl

Appendix 7

**Earl Township Supervisors
Approval Certificate for a Lot Add-On Plan**

Lot add-on plan, bearing Earl Township File No._____, approved by the Earl Township Supervisors this _____ day of _____, 19_____.

* _____ *

*Signatures of the Chairman and Vice Chairman or this designees.

(Ord. 6A-1998, 10/1/1998, Appendix 6)



22 Attachment 10

Township of Earl

Appendix 8

Earl Township Planning Commission Review Certificate

At a meeting held on _____, 19____, the Earl Township Planning Commission reviewed this plan according to the requirements of the Earl Township Subdivision and Land Development Ordinance. This certificate does not indicate approval or disapproval by the Earl Township Supervisors.

* _____

* _____

*Signatures of the Chairman and Vice Chairman or this designees.

(Ord. 6A-1998, 10/1/1998, Appendix 6)



22 Attachment 11

Township of Earl

Appendix 9

Lancaster County Planning Commission Review Certificate

The Lancaster County Planning Commission, as required by the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, reviewed this plan on _____, 19____, and a copy of the review is on file at the office of the Planning Commission in File No. _____. This certificate does not indicate approval or disapproval of the plan by the Lancaster County Planning Commission, and the Commission does not represent that this plan complies with the various ordinances, rules, regulations, or laws of the local municipality, the Commonwealth, or the Federal government.

Secretary

(Ord. 6A-1998, 10/1/1998, Appendix 9)



22 Attachment 12

Township of Earl

Appendix 10

Recorder of Deeds Certificate

Recorded in the office for Recording of Deeds, in and for Lancaster County, Pennsylvania, in Subdivision Plan Book _____, Volume _____, Page _____. Witness my hand and seal of office this _____ day of _____ A.D. 19_____.

Recorder

(Ord. 6A-1998, 10/1/1998, Appendix 10)



22 Attachment 13

Township of Earl

Appendix 11

Application for Consideration of Subdivision and/or Land Development Plan

=====

For Township Use Only

Date of Receipt _____ Meeting Date _____

Date of Filing _____

=====

The undersigned hereby applies for approval under the Earl Township Subdivision and Land Development Ordinance for the Subdivision/Land Development Plan described below:

1. Plan
Name: _____

Plan No: _____ Plan Date: _____

2. Project Location: _____

3. Name of Property Owner(s): _____

Address: _____ Phone No: _____

4. Project Description:

Existing Land Use: _____ No. of Lots: _____

Proposed Land Use: _____ No. of Units: _____

Current Zoning: _____

5. Total Acreage: _____

6. Application Classification: (Check One)

____ Sketch Plan ____ Lot Add-On Plan

SUBDIVISION AND LAND DEVELOPMENT

____ Preliminary Plan ____ Improvement Construction Plan

____ Final Plan

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

Address: _____ Phone No: _____

8. Firm Which Prepared the Plan: _____

Address: _____ Phone No: _____

Project Manager: _____

9. Type of Water Supply Proposed: ____ Public ____ On Lot

10. Type of Sewage Disposal Proposed: ____ Public ____ On Lot

11. Lineal Feet of New Street: _____

Streets Not Proposed for Dedication: _____

12. Acreage Proposed for Park or Other Public Use: _____

13. Amount of: Filing Fee: _____ Escrow _____

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

*Escrow Fee will be used to cover review costs incurred by the Township per §903.C. of the Earl Township Subdivision and Land Development Ordinance.

Date Signature of Land Owner or Applicant

(Ord. 6A-1998, 10/1/1998, Appendix 11)

22 Attachment 14

Township of Earl

Appendix 12

Required Improvements Listing

Plan Name: _____

Plan Location: _____

The undersigned developer hereby agrees to provide throughout his development as shown on the plan of _____, dated _____ the following improvements:

Improvements	Quantity	Units	Price Per Unit	Construction Cost
Street Grading	_____	_____	_____	_____
Street Base	_____	_____	_____	_____
Street Paving	_____	_____	_____	_____
Street Signs	_____	_____	_____	_____
Curbs	_____	_____	_____	_____
Sidewalks	_____	_____	_____	_____
Storm Sewer Facilities	_____	_____	_____	_____
Sanitary Sewer Facilities	_____	_____	_____	_____
Water Supply Facilities	_____	_____	_____	_____
Fire Hydrants	_____	_____	_____	_____
Survey Monuments	_____	_____	_____	_____
Buffer Planting	_____	_____	_____	_____
Street Trees	_____	_____	_____	_____
Traffic Control Signs	_____	_____	_____	_____
Other (Specify)	_____	_____	_____	_____

Estimated Cost: \$ _____

Contingencies (10%): \$ _____

Required Escrow: \$ _____

Signature of Developer _____

(Ord. 6A-1998, 10/1/1998, Appendix 12)



22 Attachment 15

Township of Earl

Appendix 13

Notice of the Completion and Approval of Improvement

Date: _____

Earl Township
Board of Supervisors
517 North Railroad Avenue
New Holland, Pennsylvania 17557

Subject: Approval of Improvements

Dear Supervisors:

The developer of the project known as _____ has completed the installation of the following improvements in accordance with the Improvement Construction Plan:

_____ Sanitary Sewer Facilities

_____ Water Supply Facilities

_____ Fire Hydrants

_____ Other (Specify) _____

Authorized Signature

Print Full Name

Title

Authority or Utility

Address

Phone No.

(Ord. 6A-1998, 10/1/1998, Appendix 13)



22 Attachment 16

Township of Earl

Appendix 14

Notice of Acceptance of an Improvement Guarantee

Date: _____

Earl Township
Board of Supervisors
517 North Railroad Avenue
New Holland, Pennsylvania 17557

Subject: Acceptance of Improvement Guarantee

Dear Supervisors:

The developer of the project known as _____ has provide an improvement guarantee in the form of a _____ to assure the proper installation of the following improvements:

_____ Sanitary Sewer Facilities

_____ Water Supply Facilities

_____ Fire Hydrants

This form of improvement guarantee was accepted by formal action of the Board of Supervisors at a meeting on _____, 19____.

Authorized Signature

(Ord. 6A-1998, 10/1/1998, Appendix 14)



22 Attachment 17

Township of Earl

Appendix 24¹

Application for Consideration of Subdivision and/or Land Development Plan

For Commission Use Only

LCPC File No. _____

Receipt Date: _____ Meeting Date: _____

Utilities: _____

APPROVAL — In accordance with Sec. 301 of the Lancaster County Subdivision/Land Development Ordinance

Preliminary Plan:

Subdivision: Lots _____ Units _____ Acres _____

Land Development: Square Feet _____ Lots _____ Units _____ Acres _____

Waiver(s) Section(s): _____ (Justification Attached)

Final Plan:

Subdivision: _____ Minor (Sec. 310) _____ Lots _____ Units _____ Acres _____

Land Development: _____ Minor (Sec. 305) _____ Square Feet _____ Lots _____ Units _____ Acres _____

Waiver(s) Section(s): _____ (Justification Attached)

Add on Plan _____ Revised Final Plan _____ Centerline Separation Plan _____

REVIEW — In accordance with Sec. 309 of the Lancaster County Subdivision/Land Development Ordinance

Preliminary Plan:

Subdivision: Lots _____ Units _____ Acres _____

Land Development: Square Feet _____ Lots _____ Units _____ Acres _____

Final Plan:

Subdivision: Lots _____ Units _____ Acres _____

Land Development: Square Feet _____ Lots _____ Units _____ Acres _____

1. Plan Name: _____

2. Municipality: _____

3. Plan Number: _____ Plan Date: _____

4. Property Owner(s): _____

Address : _____

Phone Number (s): _____ Source of Title: _____

5. Project Location: _____

¹ Editor's Note: This Exhibit is Lancaster County Exhibit No. 24. The Township has incorporated the same as Exhibit No. 15 of this, the Earl Township Subdivision and Land Development Ordinance.

SUBDIVISION AND LAND DEVELOPMENT

Tax Map Number: _____

6. Proposed Land Use: _____
Existing Land Use: _____
Current Zoning: _____
7. Name of Applicant: _____
Address: _____
Phone Number: _____
8. Firm Which Prepared Plan: _____
Address: _____
Phone Number (s): _____ Person Responsible: _____
9. Type of Sewer Service Proposed: _____ Public _____ Community _____ Individual
10. Type of Water Supply Proposed: _____ Public (Live, Capped) _____ Community _____ Individual
11. Lineal Feet of New Street: _____
Identify All Streets not Proposed for Dedication: _____
12. Acreage Proposed for Park or Other Public Use: _____
13. Filing Fee Calculation: _____ Base
_____ Lots
_____ Square Feet
_____ Waiver(s)
_____ Reduction
_____ Stormwater Review
_____ Total Submission Fee

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

Date

Signature of Landowner(s) or Applicant

Signature of Landowner(s)

For Municipal Use Only

We do hereby request the Lancaster County Planning Commission to review the enclosed subdivision or land development plan in accordance with the Pennsylvania Municipalities Planning Code, Act 247, of 1968, as amended, Article V, Section 502.

Signature	Title	Date
Address	Phone	

(Ord. 6A-1998, 10/1/1998, Appendix 15)



22 Attachment 18

Township of Earl

Appendix 16

Street Grade and Intersection Standards

	Alley	Cul-de-sac	Local	Collector
Minimum Grade	0.75%	0.75%	0.75%	0.75%
Maximum Grade	12%	10%	10%	8%
Minimum Centerline Radius	50'	150'	150'	300'
Minimum Tangent Length Between Reverse Curves	0'	50'	50'	150'
Cartway Radii	10'	15'	20'	35'

(Ord. 6A-1998, 10/1/1998, Appendix 16)

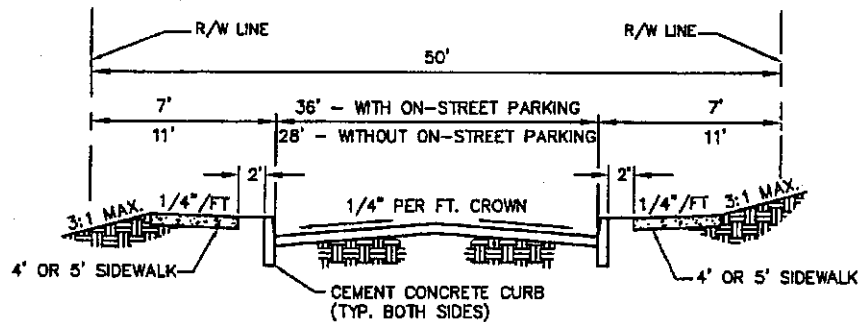


22 Attachment 19

Township of Earl

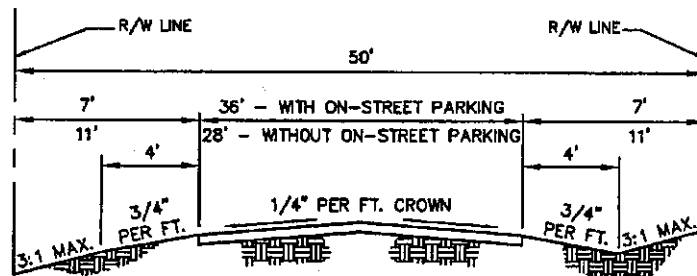
Appendix 17A

Typical Local Street Cross-Section



NOTE: SEE BASE COURSE AND PAVING SCHEDULE BELOW

WITH CURB



WITHOUT CURB

RESIDENTIAL DEVELOPMENTS

BASE COURSE	PAVED SURFACE
8" CRUSHED AGGREGATE (2A)	1-1/2" 9.5mm HMA WEARING COURSE 3" 25mm HMA BINDER COURSE

COMMERCIAL OR INDUSTRIAL DEVELOPMENTS

BASE COURSE	PAVED SURFACE
8" CRUSHED AGGREGATE (2A)	1-1/2" 9.5mm HMA WEARING COURSE 4" 25mm HMA BINDER COURSE

NOTES:

1. ALL WORK SHALL MEET THE REQUIREMENTS OF PA DOT FORM 408, SPECIFICATIONS, LATEST REVISION.
2. SLANT CURB MAY BE USED WHERE APPROVED BY THE TOWNSHIP.
3. ON ROADWAYS WITHOUT CURB, BASE COURSE SHALL EXTEND A MINIMUM OF 1'-0" BEYOND THE EDGE OF CARTWAY ON BOTH SIDES.
4. ALL PAVEMENT SHALL BE SUPERPAVE HMA AND MIXED WITH PG 64-22 OIL AT 0.0 TO 0.3 ESAL's, SRL-H, UNLESS OTHERWISE REQUESTED BY THE TOWNSHIP.

TYPICAL LOCAL STREET CROSS-SECTION

NO SCALE

EXHIBIT 1

(Ord. 6A-1998, 10/1/1998; as amended by Ord. 1-2000, 4/3/2000, §1; and by Ord. 02-2006, 4/3/2006, §1)

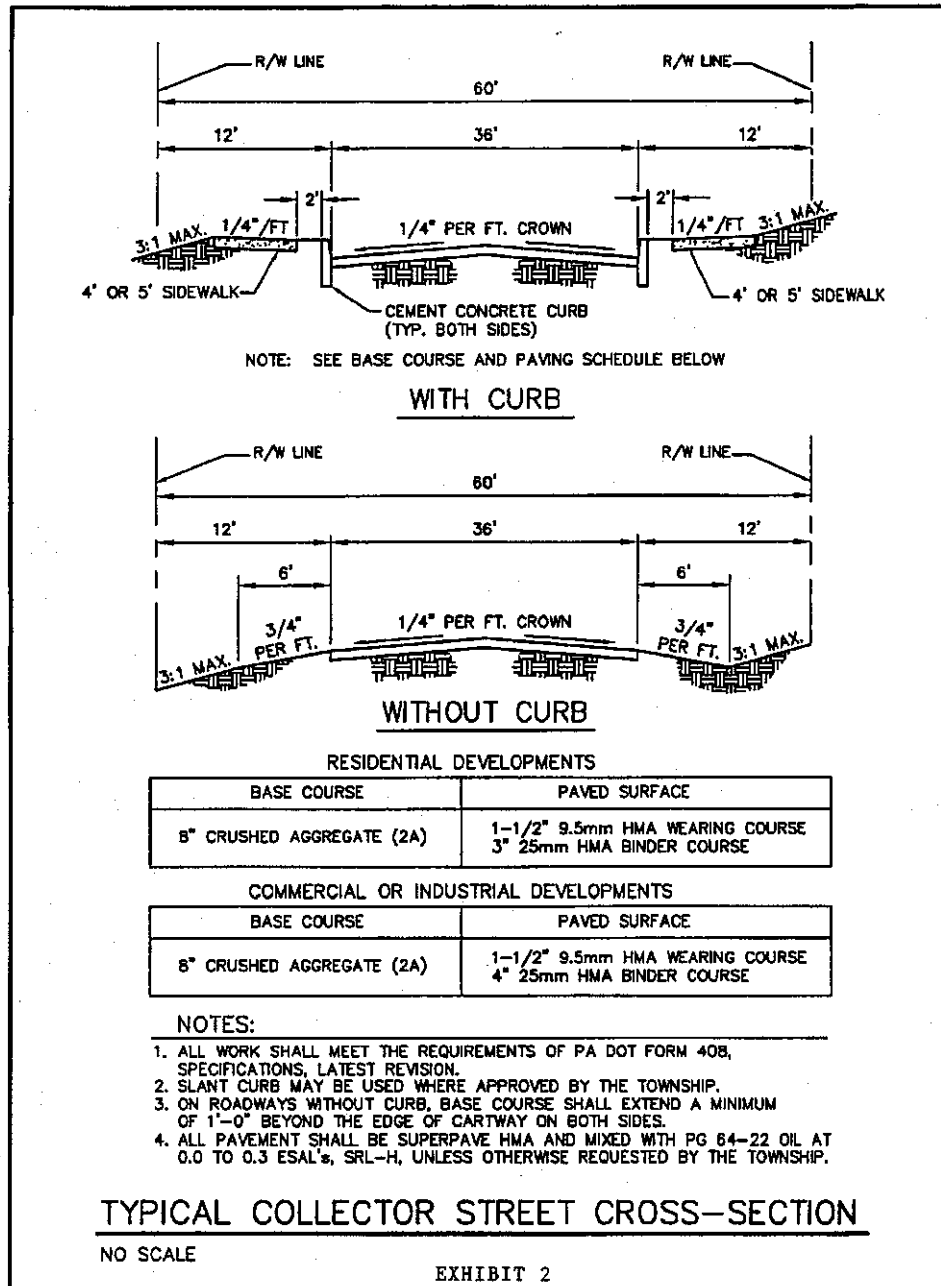


22 Attachment 20

Township of Earl

Appendix 17B

Typical Collector Street Cross-Section



(Ord. 6A-1998, 10/1/1998; as amended by Ord. 1-2000, 4/3/2000, §1 and by Ord. 02-2006, 4/3/2006, §1)

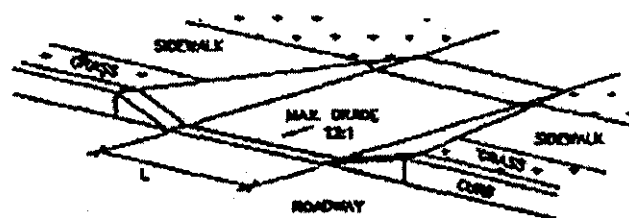
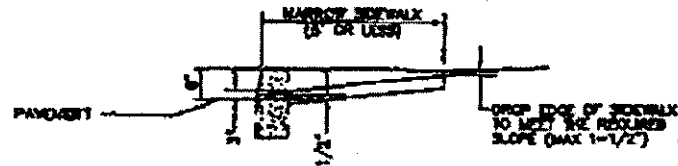


22 Attachment 21

Township of Earl

Appendix 18

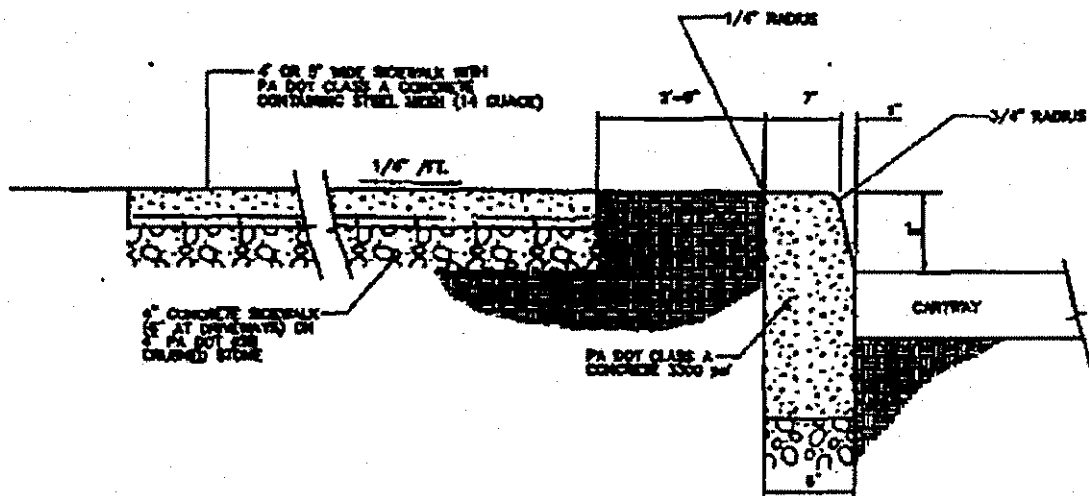
Specifications for Curbing, Sidewalks and Driveways



NOTE: THE L DISTANCE SHOULD BE
ADEQUATE TO ACCOMMODATE
TURNING VEHICLES

DRIVEWAY APRON DETAIL

NO SCALE

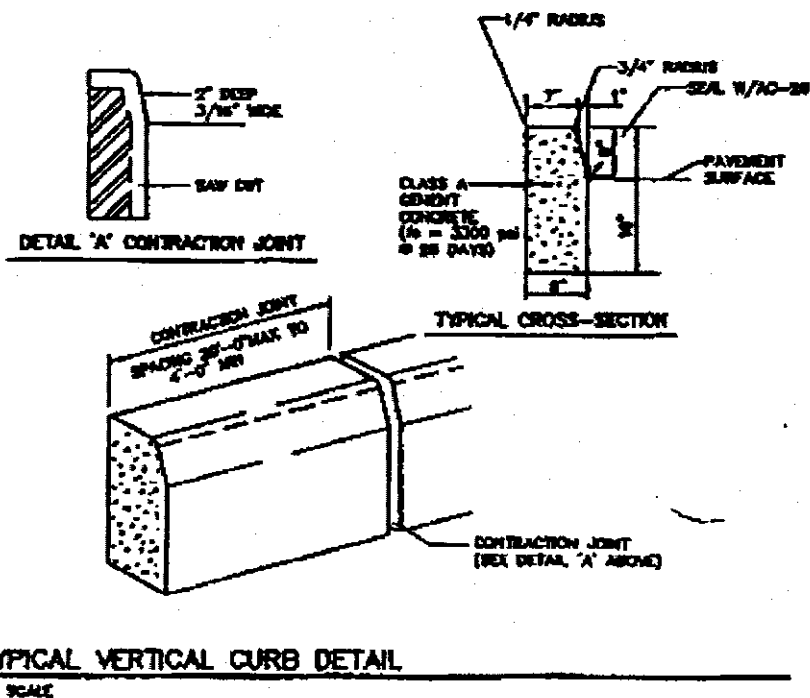
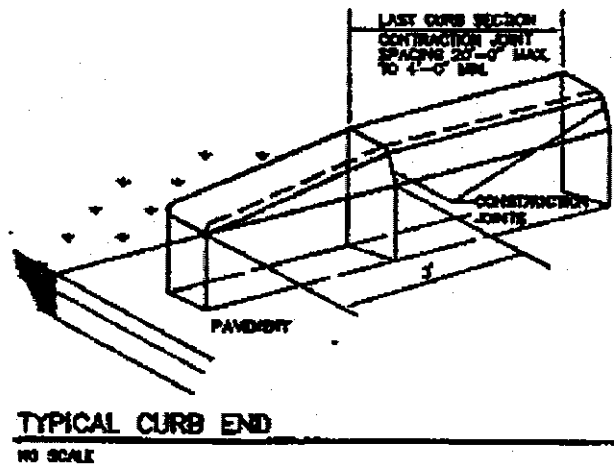
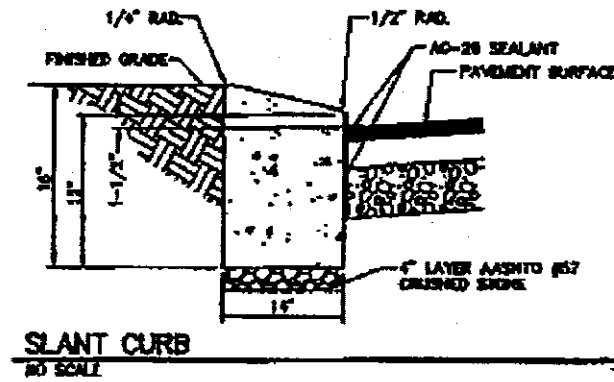
**CURB & SIDEWALK CROSS-SECTION**

NO SCALE

(Ord. 6A-1998, 10/1/1998, Appendix 18)

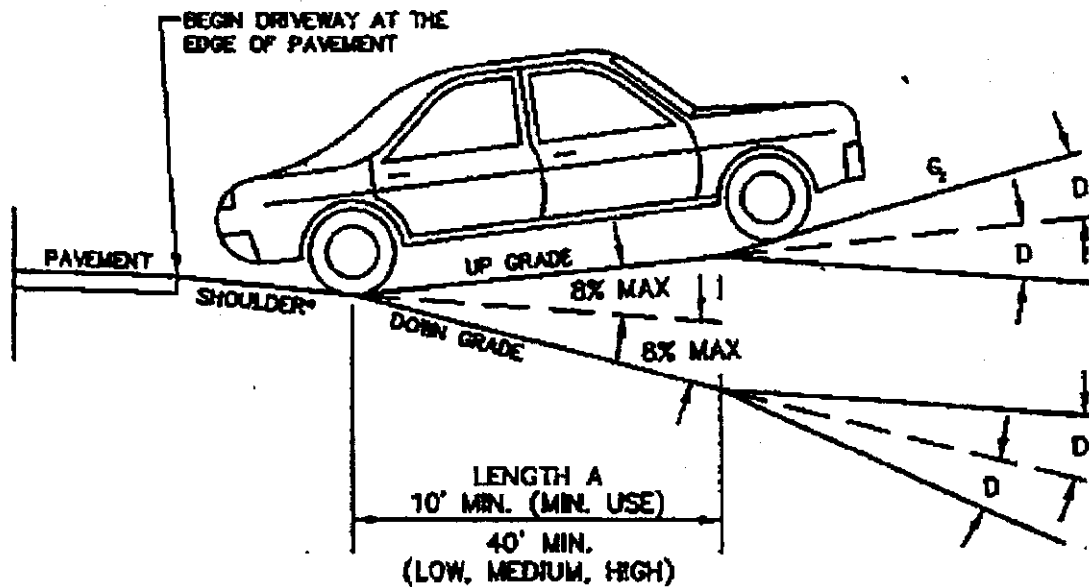
Curb Improvements

1. Introduction. All curbs must conform to the following specifications, with the exception that the specifications for a curb to be dedicated to the Township will be superseded by any other Township ordinance, resolution, or regulation adopted prior to the preliminary plan submission date and containing different specified standards. Where such other standard applies, the plan shall note that the curbs will be constructed to such standard.
2. Construction Method. All curbs shall be of marble, granite, or concrete construction. All concrete construction. All concrete used in construction of curbs shall be certified to develop a compressive stress of at least 3,300 psi at 28 days. Certification of the mix shall be furnished, if requested by the Township.
3. Concrete shall be placed in forms that are straight and securely braced, unless a curbing machine is used. Care shall be taken to control the water content to prevent separation of the aggregates. All concrete shall be thoroughly tamped into any forms, if used. After the concrete has set sufficiently, any forms, if used, shall be removed and the exposed surface shall be rubbed to provide an even finish.
4. Vertical curbs shall be 18 inches deep, seven inches wide at the top, and eight inches wide at the base. The distance from the top of the curb to flow line of the gutter shall be eight inches. (See detail provided)
5. Slant curbs, where approved for use by the Township, shall be 14 inches wide and built in accordance with the configuration shown on the detail provided.
6. Curbs shall be built in accordance with the contraction joint spacing shown on the detail provided and have expansion joints of one-quarter 1/4 inch premolded filler placed at intervals of 60 feet.
7. To provide for driveways, depressions in vertical curb may be constructed and finished during the time of pouring. A 1 1/2 inch curb reveal shall be maintained at driveway depressions. Driveway slopes and curb and sidewalk transitions should be as shown on the detail provided for the standard vertical cement curb section.



(Ord. 6A-1998, 10/1/1998, Appendix 18)

SUBDIVISION AND LAND DEVELOPMENT



*THE SHOULDER SLOPE USUALLY VARIES FROM 1/2" PER FT (4%) TO 3/4" PER FT (6%).. HOWEVER, THE SHOULDER SLOPE SHOULD BE MAINTAINED WHEN CONSTRUCTING THE DRIVEWAY.

FOR GRADE CHANGES GREATER THAN THOSE SHOWN ABOVE, VERTICAL CURVES AT LEAST 10 FEET LONG SHALL BE CONSTRUCTED AND LENGTH "A" SHALL BE INCREASED.

GRADES (G_s) SHALL BE LIMITED TO 15% FOR MINIMUM USE OF DRIVEWAYS AND FROM FIVE PERCENT TO EIGHT PERCENT FOR LOW, MEDIUM OR HIGH VOLUME DRIVEWAYS WITHIN THE RIGHT-OF-WAY

	MAXIMUM GRADE CHANGE (D)	
	DESIRABLE	MAXIMUM
HIGH VOLUME DRIVEWAY	0%	±3%
MEDIUM VOLUME DRIVEWAY	±3%	±6%
LOW VOLUME DRIVEWAY	±6%	CONTROLLED BY VEHICLE CLEARANCE

(Ord. 6A-1998, 10/1/1998, Appendix 18)

22 Attachment 22

Township of Earl

Appendix 19 Minimum Safe Stopping Distance

HIGHWAY GRADE IN PERCENT																
	0	+1	+2	+3	+4	+5	+6	+7	+8	+9	+10	+11	+12	+13		
	0	1	2	3	4	5	6	7	8	9	10	11	12	13		
15	75'	74'	73'	73'	73'	73'	72'	72'	71'	71'	71'	70'	70'	70'		
	75'	75'	76'	77'	77'	78'	79'	79'	80'	81'	82'	83'	84'	85'		
20	109'	108'	07'	106'	105'	105'	104'	103'	102'	102'	101'	101'	100'	100'		
	109'	110'	111'	112'	113'	114'	115'	117'	118'	119'	121'	123'	125'	127'		
25	147'	145'	144'	143'	142'	140'	139'	139'	137'	136'	135'	134'	134'	133'		
	147'	148'	150'	151'	153'	155'	157'	159'	161'	164'	166'	169'	172'	175'		
S	196'	194'	191'	189'	187'	185'	183'	182'	180'	178'	177'	175'	174'	173'		
P	196'	198'	201'	204'	207'	210'	214'	217'	221'	225'	230'	235'	241'	247'		
E	249'	245'	242'	238'	236'	233'	231'	228'	226'	224'	221'	219'	217'	215'		
E	249'	245'	256'	260'	265'	269'	274'	280'	286'	292'	299'	306'	314'	323'		
D	314'	309'	304'	299'	295'	291'	287'	280'	280'	277'	274'	271'	268'	266'		
I	314'	319'	325'	331'	337'	345'	352'	360'	369'	379'	309'	401'	414'	428'		
N	383'	376'	370'	364'	358'	353'	343'	343'	338'	334'	330'	326'	322'	319'		
	383'	390'	398'	406'	415'	425'	435'	447'	459'	472'	487'	503'	521'	540'		
M	462'	453'	444'	436'	429'	421'	415'	409'	403'	397'	392'	388'	382'	378'		
P	462'	471'	481'	492'	504'	517'	531'	547'	563'	581'	600'	622'	647'	674'		
H	538'	527'	517'	508'	494'	490'	482'	475'	467'	461'	454'	448'	442'	437'		
55	538'	553'	562'	576'	590'	605'	622'	641'	660'	682'	706'	733'	762'	795'		
60	621'	608'	596'	584'	573'	563'	554'	545'	536'	529'	521'	513'	506'	500'		
	621'	634'	649'	665'	682'	701'	721'	742'	766'	792'	821'	852'	887'	926'		

(Ord. 6A-1998, 10/1/1998, Appendix 19)

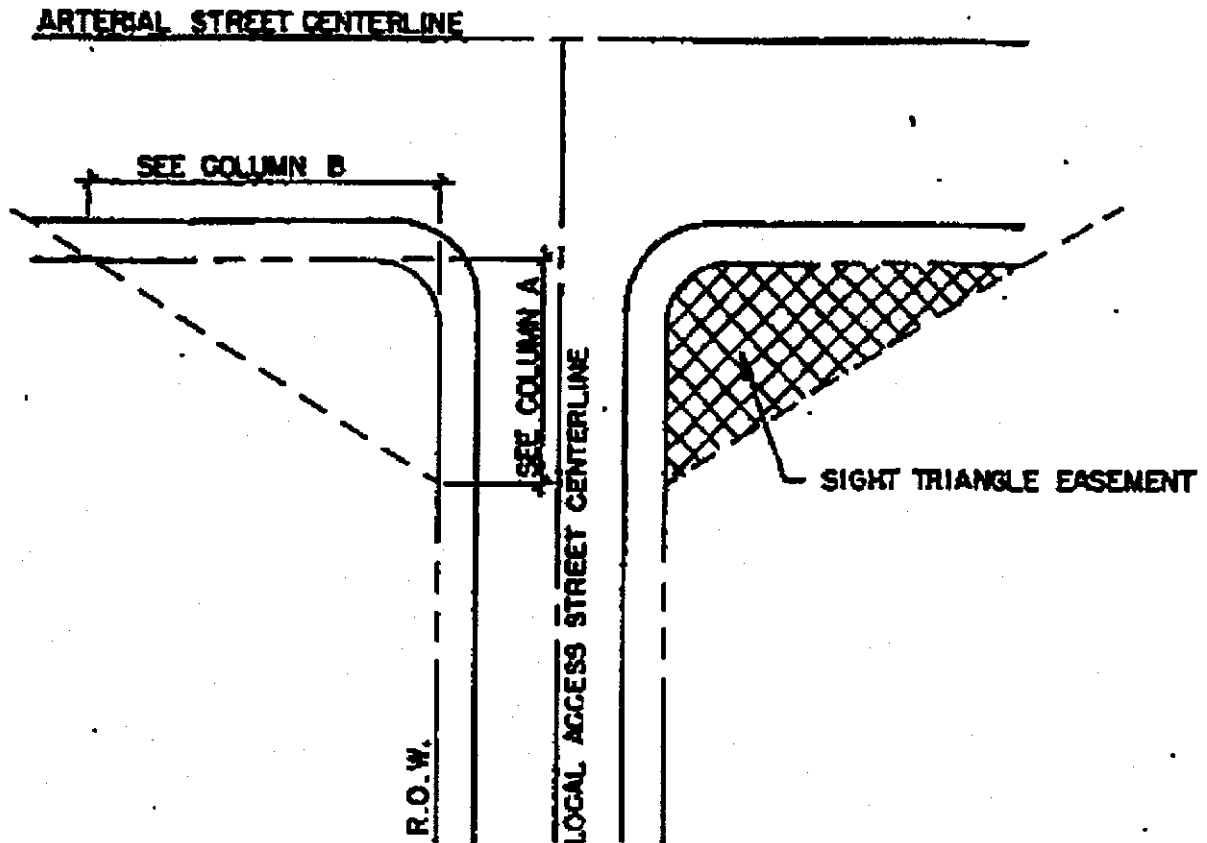


22 Attachment 23

Township of Earl

Appendix 20

Typical Intersection Sight Triangle



TYPICAL DISTANCE REQUIREMENTS ALONG R.O.W. LINE

COLUMN A	COLUMN B		
DRIVEWAYS & LOCAL ACCESS	LOCAL ACCESS	COLLECTOR	ARTERIAL
30'	30'	100' - 120'	130' - 150'
COLLECTOR	—	120'	130' - 150'
ARTERIAL	—	—	130' - 150'

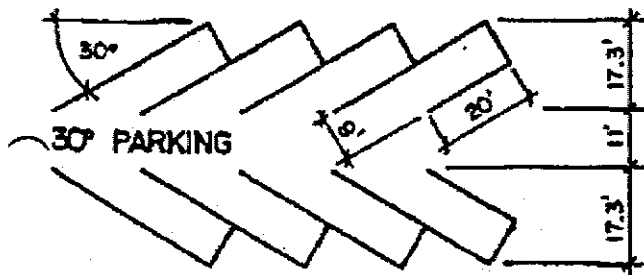
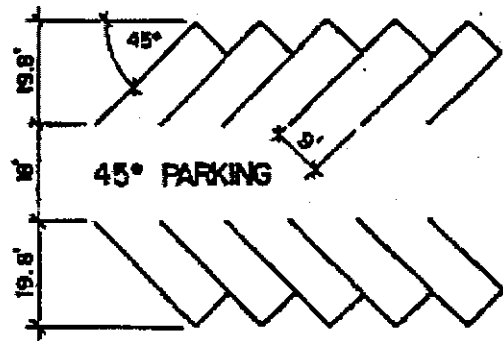
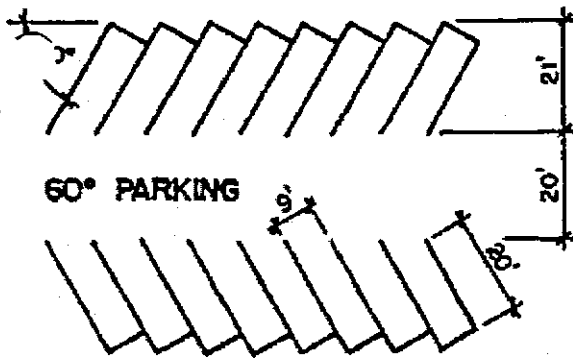
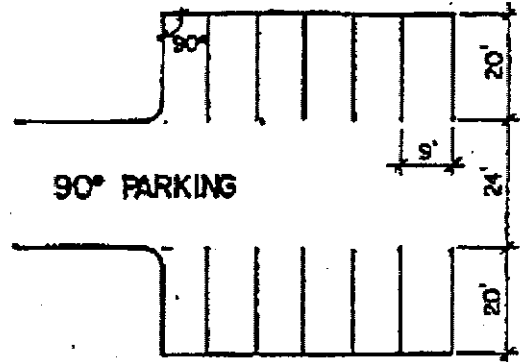
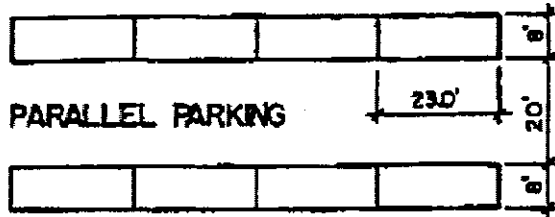
(Ord. 6A-1998, 10/1/1998, Appendix 20)



22 Attachment 24

Township of Earl

Appendix 21
Typical Parking Space Layout



PARKING DIAGRAMS

SCALE: 1" = 30'

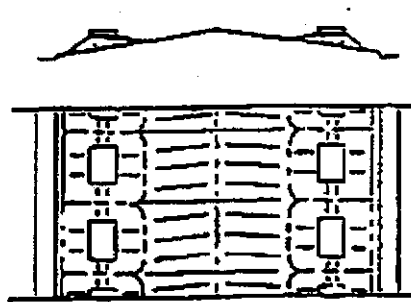
(Ord. 6A-1998, 10/1/1998, Appendix 21)



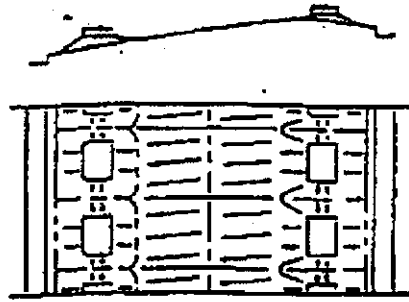
22 Attachment 25

Township of Earl

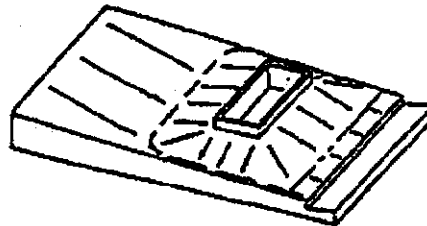
Appendix 22
Lot Grading Plan Examples



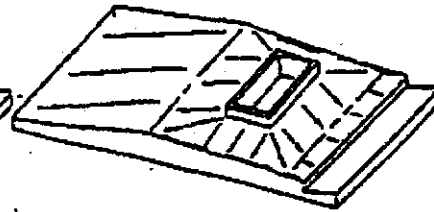
LOT GRADING - TYPE A,
LOT GRADING - TYPE A



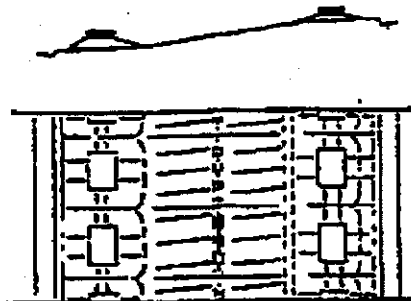
LOT GRADING - TYPE A,
LOT GRADING - TYPE B



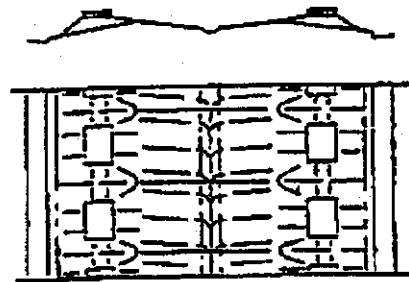
EXAMPLE: BLOCK GRADING TYPE 1



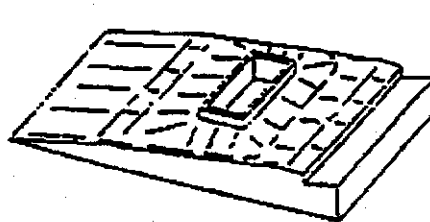
EXAMPLE: BLOCK GRADING TYPE 2



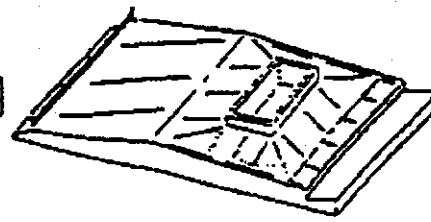
LOT GRADING - TYPE A,
LOT GRADING - TYPE C



LOT GRADING - TYPE D,
LOT GRADING - TYPE D



EXAMPLE: BLOCK GRADING TYPE 3



EXAMPLE: BLOCK GRADING TYPE 4

SOURCE: IOWA DEPARTMENT OF SOIL CONSERVATION, SOIL
AND WATER CONSERVATION IN URBAN AREAS

(Ord. 6A-1998, 10/1/1998, Appendix 22)



22 Attachment 26

Township of Earl

Appendix 23**Illumination Guidelines for Street, Parking and Pedestrian Areas**

1. Illumination Guidelines for Street, Parking and Pedestrian Areas. Illumination of streets, parking areas, and pedestrian ways shall be provided as specified in the following table:

A. Street Illumination.

Street Hierarchy	Area Classification					
	Commercial		Intermediate		Residential	
	Lux	Footcandles	Lux	Footcandles	Lux	Footcandles
Collector	13	1.2	10	0.9	6	0.6
Minor-Residential Subcollector	10	0.9	6	0.6	4	0.4
Local	6	0.6	4	0.4	4	0.4

B. Parking Illumination (Open Parking Facilities).

Level of Activity	Illumination Objective					
	Vehicular Traffic		Pedestrian Safety		Pedestrian Security	
	Lux	Footcandles	Lux	Footcandles	Lux	Footcandles
Low Activity	5	0.5	2	0.2	9	0.8
Medium Activity	11	1	6	0.6	22	2
High Activity	22	2	10	0.9	43	4

SUBDIVISION AND LAND DEVELOPMENT

C. Pedestrian Way Illumination.

Walkways and Bikeway Classifi- cation	Minimum Average Level		Average Levels for Special Pedestrian Security			
			Mounting Heights 3 to 5 meters (9 to 15 feet)		Mounting Heights 5 to 10 meters (15 to 30 feet)	
	Lux	Footcandles	Lux	Footcandles	Lux	Footcandles
Sidewalks (roadside) and Type A bike- ways						
Commercial Areas	10	0.9	22	2.0	43	4.0
Intermediate	6	0.6	11	1.0	22	2.0
Residential Areas	2	0.2	4	0.4	9	0.8
Walkways distant from roadways and Type B bikeways						
Park walkways and bikeways	5	0.5	6	0.6	11	1.0
Pedestrian tunnels	43	4.0	54	5.0	—	—
Pedestrian over- passes	3	0.3	4	0.4	—	—
Pedestrian stair- ways	6	0.6	9	0.8	—	—

D. IES Lighting Handbook Definitions.

(1) Area Classification.

COMMERCIAL — that portion of a municipality in a business development where ordinarily there are large numbers of pedestrians during business hours.

INTERMEDIATE — that portion of a municipality often characterized by a moderately heavy nighttime pedestrian activity such as in blocks having libraries, community recreation centers, large apartment buildings or neighborhood retail stores.

RESIDENTIAL — a residential development, or a mixture of residential and commercial establishments, characterized by a few pedestrians at

night. This definition includes areas with single family homes, townhouses and/or small apartment buildings.

(2) Activity Level.

HIGH ACTIVITY — major league athletic events, major cultural or civic events, and major regional shopping centers.

MEDIUM ACTIVITY — fast food facilities, area shopping centers, hospital parking areas, transportation parking (airports, etc.), cultural, civic or recreational events and residential complex parking.

LOW ACTIVITY — local merchant parking, industrial employee parking, educational facility parking.

(3) Bikeway Classification.

TYPE A BIKESWAY — a strip within or adjacent to a public roadway or shoulder, used for bicycle travel.

TYPE B BIKEWAY — an improved strip identified for public bicycle travel and located away from a roadway or its adjacent sidewalk system.

Source: Illuminating Engineering Society of North America, IES Lighting Handbook (New York, NY: IES, 1981)

(Ord. 6A-1998, 10/1/1998, Appendix 23)

