

Franklin Township Subdivision and Land Development Ordinance

ARTICLE III APPLICATION PROCEDURES AND PLAT REQUIREMENTS

300. Pre-Application Procedures.

- A. Copies of this Ordinance shall be available at reasonable charge on request for the use of any person who desires information concerning subdivision and land development standards and procedures in effect within Franklin Township. Any prospective developer may request a consultation with the Planning Commission at its next regularly scheduled meeting to discuss and review tentative plans and discuss the applicability of the provisions of this Ordinance.
- B. Prior to, or in conjunction with, the Final Plan submission, the prospective developer must have complied with the planning requirements of the Pennsylvania Sewage Facilities Act as administered by the Pennsylvania Department of Environmental Protection (PA DEP) thorough submission of appropriate planning documents.
- C. Prospective developers shall consult the County Conservation District representative concerning erosion and sediment control, wetlands, and the effect of geologic conditions on the proposed development. At the same time an initial determination by the developer should be made as to whether or not any of the subdivision or development is located in an area subject to flooding. Land that is subject to flooding shall not be platted for residential occupancy or for any other use that may endanger health, life, or property. Any land in a Floodplain shall only be developed and used in strict conformance with the Township's Floodplain Ordinance.
- D. The developer may request that a pre-application meeting with the Board of Supervisors be held to discuss specific proposal requirements. Such request shall be made in writing.

301. Informal Submission of Sketch Plans.

- A. Prospective applicants are urged, but not required, to submit a Sketch Plan for review by the Planning Commission.
- B. Sketch Plans will be considered as submitted for informal review and discussion and shall not constitute formal filing of the plan with the Township.
- C. As far as may be practical on the basis of the Sketch Plan review and discussion, the Planning Commission will informally advise the prospective applicant of the extent to which the proposed land development conforms to the applicable provisions of this Ordinance and will discuss possible plan modifications necessary to secure conformance.
- D. A sketch plan should generally contain the following type of information:
 - 1. Name and address of developer, name of municipality, title, north arrow, and date.
 - 2. Existing tract boundaries.
 - 3. Location map showing relation of the land development to the surrounding area and community.

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4. Existing and proposed streets.
 5. Proposed general lot layout.
 6. Number of acres in tract, average lot size, approximate number of lots, and anticipated type of development (including zoning data).
 7. All public reservations such as schools, parks, etc.
 8. A statement indicating the zoning district and appropriate criteria.
 9. Soil boundaries, wetlands, floodplains.
 10. Contours (USGS).
- E. Sketch Plan Requirements for a Land Development other than a Subdivision: In addition to the above requirements, the Sketch Plan for a land development involved in the Mixed-Use (MU) or Industrial (I) Districts or other non-single family residential uses shall show the following:
1. The approximate size, location, and configuration of proposed buildings, vehicular entrances and exits, driveways, parking areas, truck loading and unloading areas, unenclosed storage areas, screens and buffers, landscaped areas, and all other significant proposed facilities.
- F. If the applicant chooses to have the Sketch Plan reviewed for comment by the Township Engineer, Solicitor, and the County Planning Agency in order to provide the developer with more specific written direction; then, the applicant shall provide the Township with a deposit, in accordance with the fee schedule, to cover the cost of such review. When a sketch plan is to be reviewed pursuant to this subsection, the following additional information should be included:
1. General information concerning any community facilities and/or any other man-made or natural features that will affect the proposal.
 2. Tract boundary(ies) taken from deeds, tax maps, or other surveys.
 3. A sketch of the proposed development drawn at a scale no smaller than 1" = 100' showing the proposed layout of streets and lots, and other features of the subdivision or development, such as the tentative layout of any proposed utilities or drainage structures.
 4. Contours from USGS Quadrangle map or other source.
 5. Soil boundaries as taken from the York County soil survey manual.
 6. Floodplain as taken from the Flood Insurance Rate Map for Franklin Township.
 7. Location of any Wetlands on the property.

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302. Submission of Preliminary Plans.

- A. Applications for approval of Preliminary Plans for all proposed subdivisions and land developments lying within the Township shall be filed with the Secretary or their designee at least fifteen (15) business days prior to the next regularly scheduled meeting of the Planning Commission. Such submission of Plans shall be accompanied by a filing fee as specified by the Township.
- B. The initial subdivision plan filed with the Township for formal review and approval shall be considered as a Preliminary Plan. In those instances where a Plan Revision to the Franklin Township Official Sewage Facilities Plan is required, a Preliminary Plan is also required. However, in the event that the initial plan is for a minor subdivision involving four (4) lots or less and involving no new streets or other public improvements, and is certified by the developer to constitute the entire extent of his development intentions, the developer may proceed directly to Final Plan preparation in compliance with the requirements of this ordinance. The processing of a minor subdivision plan shall be consistent with the procedures for processing a Final Plan as required in this Article.
- C. The developer shall submit fifteen (15) copies of the Preliminary Plans, blue or black line paper prints, as well as five (5) copies of the required supporting data.
- D. An application shall not be considered duly filed until the required copies of the Plan and any and all filings fees are submitted to the Township.
- E. All plans will undergo an initial staff review before being considered as a complete submission. During this initial review, plans will not be released to Planning Commission members for formal review. In the event that the application is deemed incomplete, the Township shall notify the applicant, in writing, within ten (10) business days of its receipt of the application.

Should the applicant fail to provide a written withdrawal of an incomplete submission, or fail to provide missing items, in either event by the day the agenda closes for the next meeting of the Board of Supervisors, the Township Secretary shall place the matter on the Agenda for that meeting, at which time consideration shall be given to deny approval of the plan under the relevant authority of this Ordinance and the Pennsylvania Municipalities Planning Code.

- F. After submitting the preliminary plan, the applicant shall notify the abutting owners that a preliminary plan proposed for the subject lot has been filed. Such notice shall occur at least ten (10) days prior to the first Planning Commission meeting following the submission of the preliminary plan. Evidence of such notification in the form of a certified mail receipt shall be presented to the Planning Commission at its first meeting following the submission of the plan

303. Referral of Preliminary Plans.

- A. All Preliminary Plans shall be distributed by the Secretary to the Planning Commission for review and recommendation. The Secretary shall also transmit one (1) copy of all Preliminary Plans to the York County Planning Commission as required by this Ordinance.

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- B. The Secretary may also notify the following agencies in writing that the Preliminary Plan has been received and will be considered at its meeting of specified date and provide the following documents:
1. One (1) copy of the plan and one (1) copy of a Water Facility Feasibility Report transmitted to the Township Engineer for review and recommendations.
 2. One (1) copy of the plan and five (5) copies of a PA DEP Planning Module for Land Development transmitted to the Township Sewage Enforcement Officer for review, approval of the Board of Supervisors if necessary and forwarding to the local office of the Department of Environmental Protection.
 3. One (1) copy transmitted to the local office of the York County Conservation District of the U.S. Department of Agriculture for review and recommendation concerning erosion, sediment, and drainage control.
 4. One (1) copy transmitted to the local office of the Pennsylvania Department of Transportation (PennDOT) for review and recommendation where the land development will front on an existing or proposed State Highway or has a proposed street entering on such Highway.
 5. One (1) copy transmitted to the appropriate fire company officials for their review and comments.
 6. One (1) copy of all material shall be transmitted to the Township Solicitor in the case of major subdivisions.
 7. One (1) copy transmitted to the local school district when deemed appropriate by the Board of Supervisors or the Planning Commission or if greater than twenty-five (25) dwelling units.
 8. One (1) copy transmitted to the appropriate municipality that participated in the implementation agreement associated with the Northern York County Regional Comprehensive Plan.
 9. The Secretary shall also retain one (1) copy of all material for the Township file.

304. Review of Preliminary Plans.

- A. Zoning Review.
1. All land development and subdivision plans must be submitted to the Franklin Township Zoning Officer for zoning review.
 2. Preliminary plan approval will not be granted prior to receipt of proof of conformance to the Zoning Ordinance as it relates to the preliminary plan.
- B. Plan review may involve physical site inspections by the Township Supervisors, Planning Commission members, or appointed Township officials. All Preliminary Plans shall be reviewed by the Township with reference to the following criteria:

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1. The standards and requirements of this ordinance.
2. Site suitability for the particular type of development proposed as set forth in the requirements of other Township Ordinances.
3. Consideration of the greater health, safety, and welfare of the citizens of the Township.
4. The availability for necessary services and facilities.
5. The requirements of any other applicable Township ordinance.
6. The improvements, design, and dedications or reservations required by this Ordinance.

305. Approval of Preliminary Plans.

- A. Following receipt of the written decision (meeting minutes) from the Township Planning Commission, the Board of Supervisors shall consider the Preliminary Plan at their next regularly scheduled or special meeting. If the plan is to be considered at a special meeting, the developer shall be so notified, and in addition, the Board of Supervisors may also schedule a public hearing, pursuant to public notice, before taking any action on the plan.
- B. Action on a Preliminary Plan shall be taken by the Board of Supervisors not later than ninety (90) days following the date of the regular meeting of the Township Planning Commission, next following the date that a complete application is duly filed, or after a final order of the court remanding an application, provided that should the said next regular meeting occur more than thirty (30) days following the filing of a complete application, or the final order of the court, the said ninety (90) day period shall be measured from the thirtieth (30th) day following the day the complete application has been filed.

In their review, the Board of Supervisors shall consider the reports and recommendations of the Township Planning Commission and the various other individuals or agencies to whom the plan was sent for review and comment. As a result of their review, the Board of Supervisors may require or recommend such changes and modifications as they shall deem necessary or advisable in the public interest.

- C. The decision of the Board of Supervisors concerning the plan shall be in writing and shall be communicated to the developer not later than fifteen (15) days following the meeting at which the decision is made.

If a plan is not approved, or approved subject to certain conditions, the written decision shall specify the defects and describe the requirements which have not been met, citing in each instance the applicable provisions of this Ordinance or any other Franklin Township ordinance.

- D. Failure of the Board of Supervisors to render a decision and communicate it to the developer within the time and in the manner required in this Ordinance shall be deemed an approval of the application in terms as presented unless the developer has agreed, in writing, to an extension of time or change in a prescribed manner or presentation of

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communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

- E. 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 and shall not be subject to changes or amendments in the zoning subdivision or other governing ordinance or plan for five years.
- F. When a Preliminary Plan has been approved or approved subject to certain conditions acceptable to the developer, no subsequent change or amendment in this or any other applicable ordinances shall be applied to affect adversely the right of the developer to commence and to complete any aspect of the approved development within five (5) years from such 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 plan for such approval was duly submitted to the Township.
- G. In lieu of disapproving a plan, the Board of Supervisors may approve the preliminary plan subject to conditions acceptable to the applicant. Where a plan is conditionally approved, the written decision shall state the conditions of approval along with any applicable time limits for satisfaction of conditions. When a conditional approval is granted and a written decision is provided to the applicant, the applicant shall have seven (7) business days from the date of the decision to notify the Township that the conditions are or are not acceptable.

In the event that the applicant notifies the Township that the conditions are unacceptable, the approval of the plan will automatically be rescinded and the plan is considered to be disapproved, with written notice of the denial being transmitted to the Applicant no later than 15 days after the rejection of the conditions.

- H. When the applicant revises the plan to an extent which the Township determines to be a significant revision (i.e. street layout, design or layout changes in utilities, lot changes, lot revisions, etc.), or if unauthorized revisions, not requested specifically by the Township, are made, the 90 day review period shall automatically be restarted and shall begin with the date of the Planning Commission meeting following the re-submittal or thirty (30) days after re-submittal, whichever shall come first.
- I. Preliminary Plan approval also does not constitute final approval of the design of improvements as required by the Ordinance and prior to approval for construction of improvements which will be offered to the Township for dedication, a final construction drawing set shall be approved by the Township Engineer.
- J. The Township may request the review and comment of additional agencies and public services such as the appropriate fire department, emergency management agency, school district, PennDOT, etc. This shall include any sub-consultants of the Township Engineer which shall be deemed necessary by the Township Engineer in order to thoroughly review speciality designs and studies. Copies of such review shall be made available to the developer. The fee for such review(s) shall be the responsibility of the applicant in accordance with the requirements of this Ordinance.

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306. Preliminary Plan Requirements.

- A. General Preliminary Plan Requirements: The Preliminary Plan shall be clearly and legibly drawn and submitted by a Professional Engineer or registered Professional Land Surveyor (PLS) on reproducible mylar or another permanent drafting film approved by the Township Engineer. The Plan shall be prepared on one or more sheets uniformly measuring a maximum of 24" x 36" and at a maximum scale of fifty (50) feet to the inch unless otherwise approved by the Township Engineer.
- B. Such plats and surveys shall be prepared in accordance with Act of May 23, 1945, (P.L. 913, No. 367), known as the Engineer, Land Surveyor and Geologist Registration Law.
- C. The foregoing requirements shall not preclude the preparation of a plat in accordance with the Act of January 24, 1966 (1965 P.L. 1527, No. 535, known as the Landscape Architects' Registration Law, when it is appropriate to prepare the plat using professional services as set forth in the definition of the "practice of landscape architecture" under Section 2 of that Act.
- D. The Preliminary Plan shall show the following information:
 1. Title block containing the name of the land development, name of the municipality, name, address, and telephone number of the record owner of the property or of his authorized agent, name, address, telephone number, license number, and seal of the professional engineer or registered surveyor responsible for preparing the plan, graphic scale, written scale, the plan date and the date(s) of all plan revisions, and individual page numbers, e.g., 1 of 10, 2 of 10, etc.
 2. True or magnetic north point.
 3. A location map, at a scale of not less than two thousand (2,000) feet to the inch, showing the proposed development and adjoining areas. Such map shall show sufficient information to enable Township officials to locate the proposed land development such as (but not limited to) boundaries of the tract, any existing and proposed roads, and any municipal boundaries.
 4. The total tract boundary lines of the area being subdivided showing distances to hundredth of a foot and bearings to one second. These boundaries shall be determined by accurate survey in the field, which shall close with an error of closure not to exceed one (1) foot in ten thousand (10,000) feet before adjustment; provided, however, that the boundary(s) adjoining additional un-platted land of the subdivider (for example, between separately submitted Final Plan sections) are not required to be based upon field survey, and may be calculated. The location of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the engineer or surveyor shall certify to the placement of the monuments.
 5. The names of owners of immediately adjacent unplatted land and the names of proposed or existing land development immediately adjacent. Reference shall also be made to recorded subdivision plans of adjoining subdivided land by record name, date, and number.

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6. Contour lines at vertical intervals of no more than two (2) feet for land with average natural slope of four (4%) percent or less, and at intervals of no more than five (5) feet for land with average slope exceeding four (4%) percent. Contour intervals of one (1) foot are required for plans which propose improvements.
7. Location and elevation of the bench mark(s) to which contour elevations refer; sea level datum used shall be based on USGS mean sea level. In cases where public sewer and water are proposed, the Township may require that plans be referenced to the Pennsylvania state plane coordinate system in NAD 83.
8. Location of all existing streets and also those streets that are preliminarily approved or recorded but unimproved within or adjacent to the tract, including names, right-of-way width, and roadway width.
9. Location of all existing buildings, sewers, water mains, culverts, petroleum lines, gas lines, electric transmission lines, fire hydrants, and other significant man-made features within or adjacent to the tract.
10. Location and width of all existing easements and rights-of-way within or adjacent to the tract and the purpose for which the easements or rights-of-way have been established.
11. Layout of proposed lot(s), dimensions of lot lines, size of each lot, and building setback lines on all lots.
12. Lot numbers and a statement of the total number of lots and parcels. Lot numbers shall be used to identify each lot. Land which has been previously subdivided shall be numbered consecutively and not contain the same lot numbers used in the prior subdivisions (except for the original tract of land).
13. Location, names, roadway width, and right-of-way width of all proposed streets and location and width of the future right-of-way required for the expansion of existing streets.
14. The point of access of driveways on all lots.
15. Clear sight triangles at each street intersection and each proposed access drive and/or driveway intersection.
16. The available and required sight distances for all proposed access drives and/or driveway intersections.
17. Location, width, and purpose of all proposed easements and rights-of-way.
18. Location, dimensions, and purpose of areas to be dedicated or reserved for public and semi-public uses or to be reserved for common use of all property owners and/or tenants in the land development.

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19. For on-lot septic systems, the location of all perc tests and probes shall be shown. Satisfactory and unsatisfactory tests shall be identified. Proposed well location(s) shall also be shown along with the required one hundred (100) foot isolation distance.
20. For those areas where public water will be utilized, a representation of the source of said public water and a copy of any documentation of transmittal from said source indicating the availability of such services at the site shall be provided. If water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, the applicant shall present evidence that the subdivision or development is to be supplied by a certificated public utility, a bona fide cooperation association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.
21. For those areas where public sewer will be utilized, a representation of said public sewer and a copy of any documentation of transmittal from said source indicating the availability of such services at the site shall be provided.
22. The stages, if any, to be followed in the construction of the land development.
23. A statement of the intended use of all lots including reference to zoning districts, with reference to restrictions of any type which exist as covenants in the deed for the lot(s) contained in the subdivision.
24. Where the development lies partially or completely in any flood-prone area, or where the development borders on any flood-prone area, the preliminary plan map shall include detailed information giving the location and elevation of proposed roads, public utilities, and building sites. All such maps shall identify accurately the boundaries of the flood-prone area.
25. A notarized statement to the effect that the applicant is or represents the owner of the land proposed to be development and that the land development shown on the Plan is made with his or their free consent. For those subdivisions involving the addition of a lot to an existing recorded lot, a notarized statement shall also be provided to the effect that the owner of the land to whom the lot is being added or transferred is aware of the transaction and that the land development shown on the Plan is made with his or her free consent.
26. Location and description of the property as recorded in the York County Recorder of Deeds Office, including the base tax parcel number, deed book and page number.
27. Certification by professional engineer or surveyor that depicted topography is field surveyed for all instances where grading activities and/or public improvements are proposed. Subdivision Plans that do not propose public improvements may utilize USGS quadrangle mapping or County GIS / Aerial topography as provided by the GIS Department of the York County Planning Commission.

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28. The location (and elevation, if established) of all existing and proposed street and property corner monuments and markers.
29. Location, size, and invert elevation of all existing and proposed storm sewers (and other drainage facilities), with the size and material of each indicated, and any proposed connections with existing facilities.
30. Location of drainage facilities/features, including marshes, ponds, streams, or similar conditions.
31. All plans for property on which hydric soils exist shall provide a report, prepared by a qualified wetland delineator (subject to approval by the Township), indicating the absence or presence of wetlands on-site. If wetlands are present, a recognized professional with specific expertise in this type of survey shall perform a field delineation of existing wetland boundaries.
32. No plat which requires access to a highway under the jurisdiction of the PennDOT shall be approved unless the plat contains a notice that a Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the State Highway Law, before driveway access to a state highway is permitted. The plat shall be marked to indicate that access to the state highway shall be only as authorized by a Highway Occupancy Permit.
33. All plans shall include the soil types and boundaries located on the subject tract. Boundaries and soil data shall be taken from the York County Soil Survey.
34. Provision for signatures by the Township Planning Commission indicating their review of the plan (2 spaces for signatures and 1 space for review date).
35. Provision for signatures by the Township Engineer indicating their review of the plan (1 space for Engineer's signature, 1 space for review date).
36. Provision for signatures, on all sheets of the plan to be recorded, by the Board of Supervisors indicating their approval of the Plan (2 spaces for signatures and 1 space for review date).
37. The plan shall state the maximum number of lots that can be developed in the parent tract prior to the proposed subdivision, the amount of lots used with the proposed subdivision, the amount of lots remaining after the proposed subdivision and which parcel(s) the remaining lots are associated with.
38. The following notes shall be placed on all plans:
 - a. "Franklin Township assumes no responsibility with regard to the process of wetlands delineation. The accuracy of each delineation presented to the Township shall be the responsibility of the applicant and his consultant. A final determination of each delineation's accuracy may be made by the Pennsylvania Department of Environmental Protection, the United States Army Corps of Engineers, or any subsequently empowered governmental regulatory agency."

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- b. "A Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law", before driveway access to a state highway is permitted. Access to the State Highway shall be only as authorized by a Highway Occupancy Permit."
- c. "No construction requiring Township building permits shall begin until approval of the Final Plan and any other required governmental authorizations are obtained."
- d. "For plans involving proposed infrastructure improvements, a preconstruction meeting must be held prior to the start of construction. At a minimum, the applicant, Township representatives/Township Engineer/Developer's Engineer and Contractor shall be present."
- e. "Prior to authorization for construction of improvements which will be offered for dedication to the Township at a later date, a final construction drawing set shall have been approved by the Township Engineer."
- f. "Prior to receipt of a building permit for any residential structure, a site grading/drainage plan and/or stormwater management plan may be required to be submitted to the Township for review."
- g. "Burning and/or burying of construction debris on-site is prohibited unless Township approval is obtained."

307. Preliminary Plan Supplementary Data Requirements.

- A. The Preliminary Plan shall be accompanied by the following supplementary data where applicable:
 - 1. Application for Review of Subdivision and Land Development Plan.
 - 2. Filing fee(s).
 - 3. A planning module for land development as required by the PA DEP. For projects involving proposed public sewer extensions or central sewer facilities, the planning module when deemed to be necessary must be submitted to the appropriate Municipal Authority for review. At minimum, the Preliminary Plan will not be approved until a feasibility study has been completed to show there is the possibility for connection to the public sewer extensions or central sewer facilities.
 - 4. The applicant shall, if requested by the Township, submit a Water Supply Feasibility Report in accordance with the requirements of this Ordinance concerning the availability of, impact to and adequacy of water supply facilities in or near the proposed subdivision and/or land development.
 - 5. Proof of any modifications which may have been granted by the Board of Supervisors and zoning approvals granted by Zoning Hearing Board (ZHB).

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6. Where proposed development covers only a part of the developer's entire tract, a Sketch Plan shall be submitted of the prospective development for the remainder of the tract. Such Sketch Plan shall be prepared in accordance with this Ordinance.
7. Final profiles along the centerline of the cartway (pavement) or along the top of the curb for both sides of each proposed street shown on the Preliminary Plan. Such profiles shall show natural and finished grades and utilities which are existing or proposed to be located beneath the roadway surface.
8. Final designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the PA DEP and the PennDOT. Where facilities will be offered for dedication, the Township shall also review and approve the design.
9. A plan for the surface drainage of the land development prepared by a qualified professional surveyor or professional engineer. Such plan shall include storm water run-off calculations and a drawing of present and proposed grades and facilities for accommodating the anticipated run-off in accordance with the Franklin Township Storm Water Management Ordinance.
10. Where the land included in the proposed development plan has an electric transmission line, a gas pipeline, a water transmission line, or a petroleum or petroleum product transmission line located within the tract, the plan shall be accompanied by a letter from the owner or lessee of such right-of-way stating any conditions on the use of the land and the minimum building setback and/or right-of-way lines. This requirement may also be satisfied by submitting a copy of the recorded agreement which shall contain the above data.
11. Whenever a land development plan proposes to dispose storm water runoff to an adjacent property not within a natural watercourse or in a manner which exceeds the capability of a natural watercourse, a letter shall be obtained from the affected property owners stating their approval of the proposal after they have reviewed the required surface drainage plan. If deemed necessary, an easement shall be required from the affected property owners.
12. In the event that the plans propose enlargement of utility and other services extending from another municipality, a statement or certificate indicating that the proposal and a PA DEP Planning Module for Land Development, if required, has been submitted by the developer for review and has been approved by the municipality or municipal authority concerned and is considered to be reasonable. Approval by the utility will be required when deemed necessary by the Board of Supervisors.
13. A plan for the control of erosion and sedimentation for review by the York County Conservation District Office as required by the Pennsylvania Clean Streams Act. This shall include related preliminary design, calculations and detail drainways. The plan shall also indicate if any borrow/spoil areas are proposed in which case the plan shall include Erosion and Sediment Control provisions for each such borrow area.
14. A land grading plan in accordance with the requirements of this Ordinance.

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15. An agreement that the applicant will install all underground utilities (if required) before paving streets and/or constructing sidewalks.
16. A letter from the authorized U.S. Postmaster or the York County 911 Office stating that the proposed street names do not duplicate names already in existence.
17. Typical street cross-section drawings for all proposed streets.
18. The developer shall submit a Traffic Impact Study in accordance with Township Standards. All Traffic Impact Studies shall be prepared in accordance with this Ordinance.
19. Feasibility studies and preliminary design of Sanitary Sewer and Water systems, including plan and profiles and any required extensions of existing facilities to the subject site. Where applicable, design of sanitary sewer and water systems shall be submitted to the appropriate Municipal Authority for review. The developer shall address technical comments of the Township Engineer and Municipal Authority Engineer.
20. A listing of underground utilities and contact information as per PA Act 287, 172 and 38 as may be amended (Pennsylvania One Call System).
21. Location and general layout of any proposed recreational facilities.
22. An offer of dedication shall be shown on the plan identifying which improvements are intended to be dedicated to the Township or applicable Municipal Authority.
23. Landscaping Plan in accordance with the requirements of this Ordinance.
24. Where access will be to a Township Road, the Plan shall identify the location of a proposed driveway(s) and sight distance(s) which are adequate to demonstrate that the site can be served with an access.
25. Traffic control devices, as may be required. This shall include necessary engineering studies to justify such devices.
26. A review letter from the York County Planning Commission reviewing and commenting on the proposed subdivision and/or land development.
27. Other certificates or data as may be required by this ordinance or any other Township Ordinances or regulations shall be submitted prior to Plan approval if requested by the Planning Commission or the Board of Supervisors.
28. Until such time as the construction plan is approved, all plans shall be labeled "Not For Construction."

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308. Final Plan Procedures.

Except for any revisions or changes required by the Township, the Final Plan shall conform basically to the approved Preliminary Plan. Where significant revisions or changes, other than those required by the Township, are made to an approved Preliminary Plan, the plan shall be submitted again as a Preliminary Plan.

309. Submission of Final Plans.

- A. Applications for approval of Final Plans for all proposed subdivisions and land developments lying within the Township shall be filed with the Secretary or their designee at least fifteen (15) business days prior to the next regularly scheduled meeting of the Planning Commission. Such submission of Plans shall be accompanied by a filing fee as specified by the Township.
- B. The developer shall submit fifteen (15) copies of the Final Plans, blue or black line paper prints, as well as five (5) copies of the required supporting data.
- C. An application for Final Plan approval may be for all land included in the Preliminary Plan approval or for a section thereof. When Preliminary Plan approval, either with or without conditions, has been granted by the Board of Supervisors, the developer shall have a maximum of five (5) years after the Preliminary Plan approval date to submit an application for Final Plan approval. In the event the land development is to be constructed in stages or phases, the application for Final Plan approval of the first stage or phase shall be submitted within five (5) years of the preceding stage or phase. Failure to submit any application for Final Plan approval of any stage or phase within the specified time period will void the approval of the application for Preliminary Plan approval if a one (1) stage or phase development is being carried out, or will void the approval of the remaining stages or phases of the application for Preliminary Plan approval on which applications for Final Plan approval have not yet been submitted in the case of a multiple stage or phase development. However, if the developer, due to extenuating circumstances cannot submit an application for Final Plan approval of any stage or phase within the specified time period, he may apply to the Board of Supervisors for a time extension.

310. Referral of Final Plans.

- A. All Final Plans shall be distributed by the Secretary to the Planning Commission for review and recommendation. The Secretary shall also transmit one (1) copy of all Final Plans to the York County Planning Commission as required by 102.B.3 of this Ordinance.
- B. The Secretary may also notify the following agencies in writing that the Final Plan has been received and will be considered at its meeting of specified date:
 - 1. One (1) copy of the plan and one (1) copy of a Water Facility Feasibility Report transmitted to the Township Engineer for review and recommendations.
 - 2. One (1) copy of the plan and five (5) copies of a PA DEP Planning Module for Land Development transmitted to the Township Sewage Enforcement Officer for review, approval of the Board of Supervisors if necessary and forwarding to the local office of the PA DEP.

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3. One (1) copy transmitted to the local office of the York County Conservation District of the U.S. Department of Agriculture for review and recommendation concerning erosion, sediment and drainage control.
4. One (1) copy transmitted to the local office of the PennDOT for review and recommendation where the land development will front on an existing or proposed State Highway or has a proposed street entering on such Highway.
5. One (1) copy transmitted to the appropriate fire company officials for their review and comments.
6. One (1) copy of all material shall be transmitted to the Township Solicitor in the case of major subdivisions.
7. One (1) copy transmitted to the local school district when deemed appropriate by the Board of Supervisors or Planning Commission.
8. One (1) copy transmitted to the appropriate municipality that participated in the implementation agreement associated with the Northern York County Regional Comprehensive Plan.
9. The Secretary shall also retain one (1) copy of all material for the Township file.

311. Review of Final Plans.

A. Zoning Review.

1. All land development and subdivision plans must be submitted to the Franklin Township Zoning Officer for zoning review.
2. Final plan approval will not be granted prior to receipt of proof of conformance to the Zoning Ordinance as it relates to the final plan.

B. Plan review may involve physical site inspections by the Township Supervisors, Planning Commission members, or appointed Township officials. All Final Plans shall be reviewed by the Township with reference to the following criteria:

1. The standard and requirements of this ordinance.
2. Consideration of the greater health, safety, and welfare of the citizens of the Township.
3. The availability for necessary services and facilities.
4. The requirements of any other applicable Township ordinance.
5. The improvements, design, and dedications or reservation required by this Ordinance.

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312. Approval of Final Plans.

- A. Following receipt of the written decision (meeting minutes) from the Township Planning Commission, the Board of Supervisors shall consider the Final Plan at their next regularly scheduled or special meeting. If the plan is to be considered at a special meeting, the developer shall be so notified, and in addition, the Board of Supervisors may also schedule a public hearing, pursuant to public notice, before taking any action on the plan.
- B. Action on a Final Plan shall be taken by the Board of Supervisors not later than ninety (90) days following the date of the regular meeting of the Township Planning Commission, next following the date that a complete application is duly filed, or after a final order of the court remanding an application, provided that should the said next regular meeting occur more than thirty (30) days following the filing of a complete application, or the final order of the court, the said ninety (90) day period shall be measured from the thirtieth (30th) day following the day the complete application has been filed.

In their review, the Board of Supervisors shall consider the reports and recommendations of the Township Planning Commission and the various other individuals or agencies to whom the plan was sent for review and comment. As a result of their review, the Board of Supervisors may require or recommend such changes and modifications as they shall deem necessary or advisable in the public interest.

- C. The decision of the Board of Supervisors concerning the plan shall be in writing and shall be communicated to the developer not later than fifteen (15) days following the meeting at which the decision is made.

If a plan is not approved, or approved subject to certain conditions, the written decision shall specify the defects and describe the requirements which have not been met, citing in each instance the applicable provisions of this Ordinance.

- D. In lieu of disapproving a plan the Board of Supervisors may approve the final plan subject to conditions acceptable to the applicant. Where a plan is conditionally approved the written decision shall state the conditions of approval along with any applicable time limits for satisfaction of conditions. When a conditional approval is granted and a written decision is provided to the applicant, the applicant shall have seven (7) business days from the date of the decision to notify the Township that the conditions are or are not acceptable.

In the event that the applicant notifies the Township that the conditions are unacceptable, the approval of the plan will automatically be rescinded and the plan is considered to be disapproved, with written notice of the denial being transmitted to the Applicant no later than 15 days after the rejection of the conditions.

- E. Failure of the Board of Supervisors to render a decision and communicate it to the developer within the time and in the manner required in this Ordinance shall be deemed an approval of the application in terms as presented unless the developer has agreed, in writing, to an extension of time or change in a prescribed manner or presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

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- F. The developer shall either install all the required improvements in accordance with the plans or shall provide for deposit with the Township a corporate bond or other security acceptable to the Township in the amount of one hundred ten percent (110%) of the cost of such improvements as estimated by the Township Engineer in accordance with the procedure outlined in this ordinance. Such bond or security shall provide for the completion of all required improvements within a stated period which shall not be longer than two (2) years from the date of approval of the Final Plan or as otherwise stipulated in a land development agreement.

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

313. Recording of Final Plans.

- A. Once Final Plan approval has been granted, the developer shall submit a copy of the plan drawn on reproducible mylar or other permanent drafting film approved by the Township Engineer to the Township Secretary to be retained for the Township file.
- B. Upon approval of the Final Plan and receipt of all bonds and/or other guarantees for the completion of all public and lot improvements, the Township shall record the Final Plan within ninety (90) days from approval and the receipt of all bonds and/or other guarantees for the completion of all public and lot improvements in the Office of the Recorder of Deeds of York County. The Plan Book and Page Number, along with the date of recording, shall be obtained. A copy of the recorded Plan shall be made available to the applicant. The Final Plan shall be filed before the applicant and/or developer can proceed with the sale of any lots or the construction of buildings or structures.
- C. The Recording of the Final Plan shall not constitute grounds for assessment increases until such time as lots are sold or improvements are installed on the land included within the subject Plan.
- D. After the Plan has been recorded, a copy of the Recorded Plan and a receipt showing the name of the recorded plan, fee, plan book, and page number shall be retained by the Township. This shall be required prior to issuance of any applicable licenses or building permits.
- E. No land in a development shall be sold or transferred prior to recording of the Final Plan.
- F. Upon approval and where required, one (1) electronic/digital copy of the Final and Construction plan shall be provided in a format acceptable to the Township.

314. Limitations of Final Plan Approval.

The approval of the Final Plan by the Township shall be deemed as an acceptance of the plan and shall authorize the Recorder of Deeds to record the Plan, but shall not impose any duty upon the Township concerning maintenance of improvements or other portions of the same until said Township shall have accepted the same by the dedication for public use.

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315. Final Plan Requirements.

- A. In addition to all of the information required in the Preliminary Plan Requirements and Supplementary Requirements Sections, the Final Plan shall show:
1. The following data for the cartway edges (curb lines) and right-of-way lines of all recorded (except those which are to be vacated) and/or proposed streets, and for the right-of-way lines of all existing streets, within the property:
 - a. The length (in feet and hundredths of a foot) of all straight lines and of the radius and the arc (or chord) of all curved lines (including curved lot lines).
 - b. The width (in feet) of the cartway, right-of-way and, if required, of the ultimate right-of-way, and (in degrees, minutes, and quarters of a minute) of the delta angle of all curved lines, including curved lot lines.
 - c. All straight lot lines, defined (in feet and hundredths of a foot) by distances and (in degrees, minutes, and seconds) either by magnetic bearings or by angles of deflection from other lot and street lines.
 2. If a subdivision proposes a new street intersection with a State Legislative Route, the highway occupancy permit number(s) shall be indicated for all such intersections (if available). If a permit has not yet been obtained, the Plan must contain a note that requires a Highway Occupancy Permit be obtained in accordance with the State Highway Law.
 3. Location of existing and proposed right-of-ways and easements.
 4. Traffic control devices, as may be required. This shall include necessary engineering studies to justify such devices.
 5. Status of plans which involve previously subdivided land shall be titled as "Revised Final Subdivision Plan of...".
 6. Offer of dedication of land for the widening of existing streets and the location of the future right-of-way line for existing streets.
 7. Primary control points, or descriptions and ties to such control points to which all dimensions, angles, bearings, and similar data on the plan are referred.
 8. If streets, parks, or other areas or portions of them are to be dedicated to the Township, a note stipulating that the legal means of conveyance shall be by dedication.
 9. Location, size, and invert elevation of all proposed water mains and the location of all manholes, inlets, and culverts; or, in the alternative, a contract with the applicable authority for such services.

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10. Location, size, and invert elevation of all proposed sanitary sewers and/or storm sewers and the location of all manholes, inlets, and culverts; or, in the alternative, a contract with the applicable authority for such services.
11. Whenever a private road or street is proposed or in existence as the proposed access for any lot or lots in the plan, the plan shall be accompanied by a recordable maintenance agreement for the private street obligating all property owners served by said private street.
12. Whenever surface stormwater drainage is to be carried off the site of the subdivision or outside the right-of-way of any existing or proposed streets, the plan shall be accompanied by necessary easement agreement(s).
13. Whenever a joint-use drive is proposed or in existence as the proposed access for any lot or lots in the plan, the plan shall be accompanied by a recordable maintenance agreement for the joint-use drive obligating all property owners served by said joint-use drive.

316. Final Plan Supplementary Data Requirements.

- A. Unless previously submitted, the Final Plan shall be accompanied by the following supplementary data where applicable.
 1. Any information required in this article.
 2. Filing fee, review fees, recording fee, and other reasonable fees as required by the Township.
 3. Profiles for all proposed streets. Such profiles shall show the existing (natural) and proposed grades along the centerline of the proposed street and the length of all proposed vertical curves.
 4. Horizontal and vertical alignment for each proposed sanitary sewer, storm sewer, and water distribution system. Information on manhole locations and size and type of material shall be provided and drainage calculations shall be submitted. Storm sewer plan and profile (if proposed) and sanitary sewer plan and profile (if proposed) shall also be submitted.
 5. Certification from the Township Engineer that the developer has installed all public improvements, lot improvements, or other improvements to the specifications of this Ordinance and any conditions attached by the Board of Supervisors or certification from the Township Solicitor that the developer has posted an improvement bond or other accepted security in amount sufficient to assure completion of all public, lot, or other improvements.
 6. A copy of the approved Sewage Planning Module for land development as approved by the PA DEP.

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7. Copies of all required permits and related documentation from the PA DEP, and any other Commonwealth agency, where any alteration or relocation of a stream or watercourse is proposed. In addition, documentation shall be submitted indicating that all affected adjacent municipalities have been notified of the proposed alteration or relocation. The Department of Community Affairs, and the Federal Insurance Administrator shall also be notified whenever any such activity is proposed. Proper planning, design, construction, and maintenance of any proposed water obstructions and encroachments shall also be monitored.
8. Offers of dedication and/or reservation of land for public purposes or an offer of payment in lieu of such offer.
9. Where required by the Township, Land Development Agreement(s) shall be executed. A Land Development Agreement may be required under the circumstances where deemed to be necessary for the implementation of plan approval. Details and provisions of such agreement shall be as recommended by the Township's Solicitor and Engineer.
10. If a Final Plan for a land development other than a major land subdivision covers only a part of the developer's entire tract, a Sketch Plan shall be submitted of the prospective development for the remainder of the tract. Such Sketch Plan shall be prepared in accordance with this Ordinance. However, if the Final Plan is for a minor land subdivision (four (4) lots or less and involving no new streets or other public improvements), this requirement shall be waived if the developer certifies that the Final Plan constitutes the entire extent of his development intentions.
11. An agreement that the applicant will install all underground utilities before paving streets or constructing sidewalks. This shall be so noted on the plan.
12. Copies of permits for sewer, water, stormwater, transportation, and erosion control facilities.
13. A copy of the approved Erosion and Sedimentation Control Plan.
14. A copy of the approved Stormwater Management Plan.
15. Where deemed necessary by the Township, a map showing the location of the proposed development with respect to the Township's flood-prone area, including information in the Regulatory Flood Elevation, the boundaries of the flood-prone areas, proposed lots and sites, fills, flood or erosion protection facilities, and areas subject to special restrictions. In addition, where the proposed development lies partially or completely in any flood-prone area, or border on any flood-prone area, such map shall also show the location and elevation of proposed roads, public utilities, and building sites.
16. Such private deed restrictions, including building setback lines, as may be imposed upon the property as a condition of sale, together with a statement of any restrictions previously imposed which may affect the title of the land being subdivided.

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17. Any other certificates, affidavits, endorsements, or dedications, etc., that may be required by the Planning Commission or Board of Supervisors.
18. A note shall be placed on the drawing indicating that a copy of the approval from the PA Department of Labor & Industry, where applicable shall be provided before a Building Permit is issued.
19. Report in accordance with the requirements of this Ordinance concerning the availability, impact and adequacy of water supply facilities in or near the proposed subdivision and/or land development.
20. Whenever it is determined that a subdivision or land development increases the volume, rate, or concentration of stormwater runoff onto an adjacent property not in a natural watercourse or in a manner which exceeds the capacity of the natural watercourse, the developer shall obtain a letter from the adjacent land owner stating his or her approval of the proposal and that they have reviewed the plans and any required stormwater management plan.
21. A review letter from the York County Office of Planning and Development reviewing and commenting on the proposed subdivision and/or land development.
22. If a Homeowners Association (HOA) is proposed for the maintenance of improvements, the Township shall receive, review and approve all documents associated with the HOA.
23. Confirmation that electricity, and any other utility, can be made available to the development site.

317. Re-Subdivision.

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

318. Additions to Existing Lots.

- A. The parcel to be added shall be contiguous to the existing lot.
- B. The Plan prepared for the addition of this parcel shall follow the procedures as outlined for Minor Subdivisions.
- C. The applicant shall record in the Deed of consolidation like in the amendment.
- D. When a large lot is added to an existing lot, the amount (if any) of developable lots associated with the parent parcel must be noted on the plan. Also, If no developable lots are associated with the lot addition, this must be stated on the plan.

319. Commencement and Completion of Construction and Improvements.

- A. No construction shall be commenced until the following applicable items have been addressed to the satisfaction of the Township:

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1. Plan approval together with receipt of any necessary permits.
 2. In the case of public improvements, the Construction Plan shall be signed by the Township Engineer indicating the Plan set is to be used for Construction of public improvements.
- B. No construction requiring building permits shall be commenced until the applicant files with the Township all permits, approvals, clearances, and the like from government agencies (such as those from the PA DEP, the PennDOT, and/or the Township). Authorities, and companies which may provide water supply or sewage disposal facilities pipeline easement holders or others.
- C. The applicant shall commence construction of improvements within one (1) year from the recording date of the Final Plan, unless approved otherwise by the Board of Supervisors.
- D. In the case where development is projected over a number of years, each section except for the last section, shall contain a minimum of twenty-five (25) percent of the total number of lots, dwelling units or buildings as depicted in the final plan, unless a lesser percentage is approved by the Board of Supervisors.
- E. A copy of the approved plan shall be available at the construction site at all times.

320. As Built Plan.

- A. After Final Plan approval and upon completion of all required improvements, the applicant shall submit an As-Built Plan prepared, signed, and sealed by a registered professional engineer or surveyor.
- B. The As-Built Plan shall be provided on a reproducible media and drawn to the same scale as the approved Final Plan and shall be reviewed and approved by the Township Engineer. In addition, one (1) electronic / digital copy of the As-Built Plan shall be provided in a format and on a media by which the Township can utilize the digital file for the purpose of future roadwork, utility improvements, exhibits, etc.
- C. Said Plan shall indicate the actual location, dimensions, and/or elevations of all completed improvements, including but not limited to:
1. Monuments and markers.
 2. The location of the cartway and curb, for both sides of each street.
 3. Sanitary sewer main, manholes, rim and invert elevations, and laterals.
 4. Storm sewers, inlets, rim and invert elevations, and culverts.
 5. Water mains, service lines, valves, and fire hydrants.
 6. Street lights.

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7. Landscaping and screen planting.
 8. Berms.
 9. Permanent sedimentation, erosion control, and stormwater management structures with as-built storage volume and outlet structure elevations and as-built elevations for all detention/retention basins or other storage structures.
 10. All easements and rights-of-way.
 11. All buried utilities, gas, electric, cable, water, sewer, etc.
- D. The As-Built Plan shall be submitted in complete and accurate form prior to the final release of security funds being withheld, as provided in this ordinance.
- E. Completion of as built drawings in accordance with this ordinance shall not relieve the applicant from their responsibility as may be required by the applicable Municipal Authority.