

# Subdivision and/or Land Development Checklist Guide



**Contact List:**

<b>Bureau of Building Codes</b>	<b>John Lefever, MCP, BCO</b> Bureau Chief of Building Codes <a href="mailto:jlefever@cityoflancasterpa.com">jlefever@cityoflancasterpa.com</a>	<b>Public Work, Director</b>	<b>Stephen A. Campbell</b> Director, Public Works <a href="mailto:scampbell@cityoflancasterpa.com">scampbell@cityoflancasterpa.com</a>
<b>Bureau of Engineering</b>	<b>Kevin Flanagan</b> Public Works Engineer <a href="mailto:kflanagan@cityoflancasterpa.com">kflanagan@cityoflancasterpa.com</a> Office (717) 291-4725 Mobile (717) 598-6476	<b>Stormwater Bureau</b>	<b>Angela Brackbill</b> Water Resources Engineer <a href="mailto:abrackbill@cityoflancasterpa.com">abrackbill@cityoflancasterpa.com</a> Office (717) 517-5720 Mobile (717) 239-9296
<b>Chief Planner/ Bureau of Planning</b>	<b>Douglas T. Smith, AICP</b> <a href="mailto:dsmith@cityoflancasterpa.com">dsmith@cityoflancasterpa.com</a> Office (717) 291-4755 Mobile (717) 575-6521	<b>Urban Forester (Interim)</b>	<b>Kate Austin (Interim)</b> <a href="mailto:Kaustin@cityoflancasterpa.gov">Kaustin@cityoflancasterpa.gov</a> Mobile: (717) 875-4471
<b>City Arborist</b>	<b>Rick Anderer</b> <a href="mailto:randerer@cityoflancasterpa.gov">randerer@cityoflancasterpa.gov</a> Mobile: (717) 989-3673	<b>Wastewater Bureau</b>	<b>Bryan Harner</b> <a href="mailto:bharner@cityoflancasterpa.com">bharner@cityoflancasterpa.com</a> Utility Project Manager Office: (717) 293-5546 Mobile: (717) 989-3638
<b>City Engineer</b>	<b>Cindy McCormick, P.E., PTOE</b> Deputy Director of Public Works – Public ROW <a href="mailto:cmccormick@cityoflancasterpa.com">cmccormick@cityoflancasterpa.com</a> Office: (717) 291-4729	<b>Water Bureau</b>	<b>Benjamin Perwien, PE</b> Utility Engineer <a href="mailto:bperwien@cityoflancasterpa.com">bperwien@cityoflancasterpa.com</a> Office (717) 735-0341 Mobile (717) 598-9013
<b>Historic Preservation Specialist</b>	<b>Suzanne Stallings</b> <a href="mailto:sstallin@cityoflancasterpa.com">sstallin@cityoflancasterpa.com</a> Office: (717) 291-4726	<b>Zoning Officer</b>	<b>Jameel Thrash</b> <a href="mailto:jathrash@cityoflancasterpa.com">jathrash@cityoflancasterpa.com</a> Office-(717) 291-4736 Mobile-(717) 989-3710
<b>Fire Marshall</b>	<b>Captain Justin O’Shea</b> <a href="mailto:joshea@cityoflancasterpa.gov">joshea@cityoflancasterpa.gov</a> Office: (717) 291-4870 Mobile:		

## A. APPLICATION CHECKLISTS AND FORMS

### 1- Cover Sheet with 3-ring Binder

All applicants must provide a 1”-1.5” inches 3-ring binder includes a City cover sheet as the first page of their submission. All application checklist and form can be found here:

<https://www.cityoflanasterpa.com/saldo/>

### 2- Application Submission Checklist

All applicants must complete the Subdivision and Land Development Application Checklist which can be found here: <https://www.cityoflanasterpa.com/saldo/>

### 3- City Subdivision & Land Development Application

All applicants must complete the City Subdivision & Land Development Application Form which can be found here: <https://www.cityoflanasterpa.com/saldo/>

The coversheet and checklists are part of the City application process.

### 4- County Subdivision & Land Development Application

All applicants for subdivisions and land developments are required to submit to the Lancaster County Planning Commission for an advisory review and consistency with the County Comprehensive Plan Places 2040. All applicants must complete the County Subdivision & Land Development Form and get it signed by the City prior to the County submission. The application form found here:

<https://lanastercountyplanning.org/140/Subdivision-Land-Development-Reviews>

*\*Minor Plans must submit an MOU Checklist and Minor Plan MOU Technical Review Form which is also found on the County’s website above. \**

## B. FEES AND PAYMENTS

### 1- City Subdivision & Land Development Fees & Payment

All applicants must submit a fee in accordance with the City’s Fee Resolution which can be found here: <https://www.cityoflanasterpa.com/saldo/>. Payments must be made by check and made out to “City of Lancaster, PA” with a memo line for “land development.”

Receipts will be provided upon request. The City uses a third-party reviewer for land development reviews, and the cost of that time is covered by the initial escrow. If that amount is spent down, then additional reimbursement to the City will be required.

CHECKS SHOULD BE PROVIDED INSIDE THE FRONT COVER OF THE BINDER.

**2- Payment of Fees in Lieu of Planting**

When site specific circumstances do not allow for on-site or off-site planting, the applicant must submit a payment of \$500 for each required tree to the City of Lancaster, PA.

**3- Payment of Fees in Lieu of Park and Recreational Facilities Dedication or Reservation**

When site specific circumstances do not allow for on-site park and recreational facilities, the applicant must submit a fee in accordance with the SALDO, § 265-49.

**4- Payment in Lieu of Installing the Bicycle Parking Facilities**

If the City Engineer determines there is insufficient space to locate required bicycle parking facilities on the lot or in the adjacent public right-of-way, then the applicant shall pay a fee per required bicycle parking space in lieu of installing the facilities, which is equal to the cost of installing the facilities elsewhere and set forth in a schedule of fees established from time to time by resolution of City Council.

**5- Site Inspection Fees**

The City uses a third-party for ongoing construction inspections, and these costs are covered by the developer on a rolling basis. When the required public/private improvements have been completed, the applicant must make an official request for the site inspection to release or reduce the financial guaranty, and submit all required documents as stated in the Application Checklist along with the applicable inspection fees.

**6- Fee for Public Hearings or Official Map Amendments.**

Fees for public hearings or official map amendments related to an application filed under SALDO must include required legal notices and charges of the City Solicitor and any fees incurred by the City for legal publications and court reporters.

**C. DOCUMENTS**

**1- Project Narrative**

A project narrative must be submitted that meets the minimum sketch plan requirements in [§265-19](#) in the Subdivision & Land Development Ordinance. Applicants are encouraged to offer additional information that may be helpful to understanding the vision you have for the project.

**2- Landowner Acknowledgement Letter (if plans are not signed)**

In accordance with [§265-23B\(1\)\(a\)](#), A physical copy of the plans must have an original signature from the landowner or in lieu of that a signed letter acknowledging submission of the plans.

### **3- SALDO Modification Request Letter**

Any deviation from the City's Subdivision & Land Development Ordinance requires a modification request made to the Planning Commission via Chief Planner. The list of such modifications, along with an explanation of and justification for each modification and proposed alternatives, shall be included in the letter and on the plan. The request letter shall be accompanied with applicable fees as stated above.

### **4- Waiver of Preliminary Plan Filing Requirements**

**a.** A modification to waive the preliminary and final plan filing requirements may be granted by the Chief Planner for no impact subdivision and land development as per § 265-20, where it is determined by the City of Lancaster Bureau of Planning that the proposed subdivision or land development does not exceed the thresholds listed in § 265-20(A) (B).

**b.** The applicant of a subdivision and/or land development plan must submit a written request to the City Chief Planner for a waiver of preliminary plan filing requirements, if the applicant has already submitted sketch plan and subdivision and/or development plan meets the criteria set forth in the SALDO, § 265-22A.

**c.** If the development plan exceeds the threshold of § 265-22, the applicant may skip the preliminary plan or file a preliminary/final in lieu of a separate preliminary plan, provided that:

- A project is developed in one phase.
- A sketch plan has first been submitted and reviewed by the City staff in accordance with § 265-17 or by the Commission in accordance with § 265-18.
- The applicant addresses concerns to the satisfaction of the City.

**d.** The applicant must file a waiver request with the Planning Commission seeking relief of the preliminary plan filing requirements if the applicant failed or choose not address issues raised by staff.

***All waiver of preliminary plan filing requirements requests shall be accompanied by the applicable fees.***

### **5- Design Development Schedule**

All applicants must submit to the City Planning Bureau a master schedule depicting all required activities of the subdivision and/or land development plan approval process. The master schedule shall, for example, show the dates where the project will be reviewed by Historical Commission, Shade Tree Commission, Traffic Commission, City planning Commission, Lancaster County Conservation District (LCCD), etc.

### **6- Community Benefits Survey**

The applicant must submit Community Benefits Survey to the Chief Planner prior to proceeding with the final plan or recoding of the plan. The City's Community Benefits

Survey helps track affordable housing, environmental projects, and other innovative development techniques throughout the community. The survey can be found here: <http://www.cityoflancasterpa.com/saldo/>

**7- Buildings and Site Photos.**

All applicants are encouraged to submit photos of existing building and site conditions in JPEG format, or any other types of image files.

**8- An electronic copy of all application forms and re/submission materials.**

All applicants must submit an electronic copy of all application forms and submission materials for all project development plan stages per §265-23B(1). The files' names shall reflect the content of the files.

**D. IMPACT STUDIES, REOPORTS, AND MITIGATION MEASURES.**

All applicants must submit the following impact studies and their recommended mitigation measures as part of the preliminary plan submission when the stated thresholds are met: (Please see the SALDO, [§265-26](#) D (4) for more details)

**1- Traffic Impact Study**

**2- Floodplain Impact Study**

**3- Wetland Impact Study.**

**4- Stormwater Management Site (SWM) Plan.**

A stormwater report is required for projects required to submit a Stormwater Management Site Plan in accordance with Chapter 260.

**5- Geology Impact Study**

**6- Environmental Impact Report**

**7- Tree Appraisal Report.**

Prior to receipt of any demolition, grading, land development, or building permit or approvals, the applicant shall obtain a tree appraisal in accordance with the latest edition of the Council of Tree and Landscape Appraisers' Guide for Plant Appraisal, for all trees within the construction limits of the development site. For more information, please see [§273-10.B](#) of the City Trees Ordinance and Lancaster Tree Manual §4.00-A

**E. PERMITS AND APPROVALS**

The applicant must complete and submit all required documents to secure the required approvals and permits of the following City, County, State, and Federal Agencies:

**1. CITY BUREAU APPROVALS**

**a. Bureau of Engineering and City Engineer**

1. Scope of the Traffic Impact Study

The applicant must submit the scope of work of the Traffic Impact Study (TIS) and get it approved by City Engineer. Please see SALDO, 265-26D (4) and Article VIII: TRAFFIC AND TRANSPORTATION for more details. The applicant must submit the TIS report to City Engineer and Planning Bureau for review and comments and must address the comments to the satisfaction of the City Engineer and Bureaus.

2. Assignment of Street Number of Addresses of Individual Lots and Units  
In accordance with § 265-26D(3)(w), the developer shall request, in writing, the assignment of street numbers or addresses from the City Engineer. Assigned addresses and unit numbers shall be shown on the recorded plan. The City distributes these newly assigned addresses to mail carriers, County emergency service providers, and internal departments.

3. Access Drives and Driveways  
Access drives shall require approval of the Traffic Commission and the City Engineer. Driveways shall require approval of the City Engineer. The City Engineer shall consider safe stopping distance, intersection separation distances and pedestrian safety issues when reviewing permit applications.

4. Opinion of Probable Construction Cost  
The applicant must submit an estimate cost of completion of the required improvements to the City Engineer for approval/acceptance. The estimate cost shall be 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. A standard list of items to include in a cost opinion can be found here:  
<http://www.cityoflancafterpa.com/saldo/>

5. Fire Hydrants Location  
The location of all fire hydrants shall be approved by the City Engineer and Fire Marshal.

**b. Bureau of Water**

1. Approval of the Domestic Water Capacity Request  
The applicant must request, in writing, the approval of the domestic water capacity from the Bureau of Water for all new buildings, new units within existing buildings, that public water shall be provided to the subdivision or development by the appropriate municipal agency or authority. The water capacity form can be found here: <http://www.cityoflancafterpa.com/saldo/>

2. Fire Suppression Water Capacity Approval Letter  
All buildings required to install fire suppression systems or required to increase their capacity for fire suppression require a fire suppression water capacity approval from Water Bureau. The fire suppression water capacity form can be found here:  
<http://www.cityoflancafterpa.com/saldo/>

3. Approval of installation of water supply system's main or public lines

The drawings for the installation of a water supply system's main or public lines shall be prepared by the developer and approved by the City Engineer in consultation with the City's Bureau of Water.

**c. Bureau of Wastewater**

1. Approval of the Domestic Sewer Capacity Request

The applicant must request, in writing, the approval of the domestic sewer capacity from the Bureau of Wastewater for all new buildings, new units within existing buildings, that public sewer shall be provided to the subdivision or development by the appropriate municipal agency or authority. The sewer capacity form can be found here: <http://www.cityoflanasterpa.com/saldo/>

2. Sewage Facilities Planning Module Application and Approval

All new buildings, new units within buildings, or increased water use on a property will require a sewer capacity approval from the **City Collections Bureau**. Any project increasing sewer flows beyond 799 GPD must submit a sewer planning module to be completed by City staff and approved by City Council resolution. Final applications for completion of Component 4A and Council action must be submitted to the Planning Bureau.

**It is the responsibility of the applicant to forward Application materials to DEP for their review and approval.**

**d. Bureau of Stormwater**

1. Stormwater Ordinance Modification Request Approval (DPW-Director)

Any deviations from the City's Stormwater Ordinance requires a modification request made to the Director of the Department of Public Works. The list of such modifications, along with an explanation of and justification for each modification, shall be included on the plan.

2. Stormwater Management Site Plan

The applicant shall submit Stormwater Management Site Plan as part of the subdivision and/or land development plan.

3. Soil Erosion and Sediment Control (E&SC) Plan Approval

The applicant must submit a Soil Erosion and Sediment Control (E&SC) Plan to the City as part of the Stormwater Management Plan for approval. The City reviews projects involving earth disturbance of less than one acre, and the Lancaster County Conservation District reviews projects 1 acre or larger.

**e. City Fire Marshal**

1. Fire Hydrants Location



The location of all fire hydrants shall be approved by the City Engineer and Fire Marshal.

**f. Bureau of Planning**

1. Waiver of Preliminary Plan Filing Requirements

The applicant must submit a written request to the City Chief Planner for a waiver of preliminary plan filing requirements, if the applicant has already submitted the sketch plan and development plans meet the criteria set forth in the SALDO, § 265-22A.

2. Minor Plan Approval Process

Minor Plan will be processed by City staff and not the Commission. Please see § 265-21B.

3. Sewer Planning Module Application–Component 4A.

The Department of Environmental Protection, Bureau of Clean Water, requires local planning agencies and/or health departments having jurisdiction over the project area to provide comments by using the Component 4A of the application.

4. Review and Comment on Covenants Placed Upon the Use of the Land

If covenants are to be placed upon the use of the land in a subdivision or land development, said covenants shall be submitted to the Chief Planner for review and comment and shall be recorded at the time of plan recording. Evidence of such recordation shall be provided to the Chief Planner.

5. Inspection of Required Private Improvement

For more information see the section below: Inspection of Required Public and Private Improvements.

**2. CITY BOARDS AND COMMISSIONS APPROVALS**

For meetings schedules and contact information for City Boards and Commissions, please visit <https://cityoflancasterpa.com/boards-commissions-and-authorities/>

**a. Traffic Commission Approval**

All applicants must submit requests for the access drives to the Traffic Commission and City Engineer for approval.

All applicants must submit a request for driveway to City Engineer for approval.

**b. Shade Tree Commission Approval**

All applicants must submit street trees plan to the Shade Tree Commission and City Arborist for approval. All Shade Trees shall be planted in accordance with Chapter 273, Trees, and the Tree Manual for all subdivisions and land developments and newly created public streets.

The City Arborist/ Urban Forester shall review and approve and/or determine the spacing between trees based upon species proposed, existing trees, driveway and

street intersection locations, fire hydrants, utility poles or other factors relevant to the placement.

**c. Zoning Hearing Board (ZHB)/City Council Approvals**

All applicants must provide evidence of zoning approval or shall have filed an appeal to the Zoning Hearing Board for any necessary approvals.

Zoning Special Exceptions

All applicants must request Zoning Variances approval from the ZHB in accordance with the provisions of the Zoning Ordinance, Section § 300-68.

Zoning Variances

All applicants must request Zoning Variances approval from the ZHB in accordance with the provisions of the Zoning Ordinance, Section § 300-69.

Zoning Conditional Use (City Council)

All applicants must request a Zoning Conditional Use approval from City Council in accordance with the provisions of the Zoning Ordinance, Section § 300-70.

**d. Floodplain Zoning Permit**

If the project site is located in floodplain districts, the applicants must submit a Floodplain Zoning Permit request to the Floodplain Administrator. Where applicable, Zoning Hearing Board approval may be needed. See [§300-39](#).

**e. Historical Commission**

If the site is located within the Heritage Conservation District, any demolition and or new construction shall require a review by the Historical Commission and a Certificate of Appropriateness by City Council. Please contact Suzanne Suzanne Stallings, City

Historic Preservation Specialist. Contact information provided above.

**f. Historical Architectural Review Board (HARP)**

If the site is located within the local Historic District, any exterior work to buildings and structures or demolition, in whole or in part shall require a review by the HARB and a Certificate of Appropriateness by City Council. Please contact Suzanne Suzanne Stallings, City Historic Preservation Specialist. Contact information provided above.

**g. Certificate of Appropriateness–City Council Resolution**

Please see above.

**h. Sewer Planning Module Approval –City Council Resolution**

Please see information provided above under Wastewater Bureau.

**i. Scope of the Traffic Impact Study Approval by City Engineer and Planning Commission**

Please see information provided above under City Engineer

- j. Approval of a waiver request with the Planning Commission of the preliminary plan filing requirements.**
- k. Planning Commission Approvals of Preliminary, Final, and preliminary/Final Subdivision and/or Land Development Plans.**

### **3. COUNTY AGENCIES APPROVALS**

- a. Soil Erosion and Sediment Control (E&S) Plan Approval by the Lancaster County Conservation District (LCCD)**

For projects involving earth disturbance of one acre or greater, the applicant must obtain approval from the County Conservation District (LCCD) for their Soil Erosion and Sediment Control (E&S) Plan.

- b. NPDES permits for Discharge of Stormwater Associated with Construction Activities**

All construction activities disturbing greater than one acre of land must obtain an NPDES permit for discharges of stormwater associated with those activities. The NPDES permit covers not only stormwater associated with the actual construction process, but post-construction stormwater as well.

Applicants are required to submit an Erosion and Sedimentation (E&S) Control Plan designed to control runoff and protect the water quality of the receiving stream during construction. Applicants must also submit a Post-Construction Stormwater Management Plan that identifies Best Management Practices (BMPs) for managing stormwater and protecting the water quality of the receiving stream after construction is completed. Where Act 167 Stormwater Management Plans have been adopted, applicants must also meet the requirements of the municipality's Stormwater Management Ordinance adopted pursuant to the Act 167 Plan.

For the most part, a general permit (PAG-2) is sufficient. However, in certain circumstances, such as proposed construction in High Quality or Exceptional Value watersheds, an individual permit is required.

- c. New Street Names Approval by Lancaster County-Wide Communication**

New street names shall be approved, in writing, by Lancaster County-Wide Communications prior to unconditional final plan approval.

**d. Evacuation Plan by the Appropriate Disaster Preparedness Authority**

In the case of manufactured home subdivisions or land development, single- or multifamily subdivisions or land development, or commercial and industrial subdivisions or land development located within the established flood-prone areas as designated on the Flood Insurance Rate Map for the City, as prepared by FEMA, an evacuation plan shall be filed with the appropriate disaster preparedness authority. This plan shall indicate alternate vehicular and pedestrian access and escape routes.

**4. STATE AND FEDERAL AGENCIES APPROVALS**

**a. Water Obstruction and Encroachment Permits**

If the proposed development contemplates any fill or earth disturbance in a wetland, watercourse or floodway, or the placement of any crossing (such as a bridge or culvert) over a wetland, watercourse or floodway, the developer will need a Water Obstruction and Encroachment Permit (also known as a “Chapter 105 Permit”) from PADEP South Central Regional Office. General permits are available for some minor encroachments and water obstructions (such as minor road crossings, utility line crossings and private residential construction in wetlands where the impact to wetlands is no greater than one-half acre and the lot is part of a subdivision approved prior to November 22, 1991). However, for water obstructions and encroachments of greater impact, individual permits are needed, and DEP reviews and issues them.

**b. Sewage Facilities Planning Module by DEP**

Please see the information provided under Bureau of Wastewater.

**c. NPDES permit for Discharges of Sewage and Water Quality Management (Part II) Permits**

If the sewage from the development is proposed to be treated using small sewage treatment system that collects and treats the wastewater from the subdivision (commonly referred as a “package plant”), the developer will need to apply for an NPDES point source discharge permit for the discharge of treated sewage from the plant. If the treatment facility is a “Small Flow Treatment Facility” (i.e., designed to treat flows not greater than 2000 gallons/day), does not discharge into a High Quality (HQ) or Exceptional Value (EV) watershed, and various other conditions are met, a recently issued general permit (PAG-4) may be sufficient. In most circumstances, however, an individual NPDES permit will be needed. In addition, an application for a Water Quality Management (Part II) Permit will be needed, which authorizes and sets forth the specifications for construction and operation of wastewater treatment facilities. If the treatment facility is a “Small Flow Treatment Facility” (i.e., designed to treat flows not greater than 2000 gallons/day) and does not discharge into a High Quality (HQ) or Exceptional Value (EV) water body, a Part II general permit (WQG-01) is sufficient. Otherwise, an individual permit is required.

**d. Public Water Supply Permit**

If the development proposes to construct a community or non-community public water supply system to serve the water supply needs of the proposed subdivision, a water supply permit from DEP will be needed. A public water supply system is defined as one that has at least 15 service connections and regularly serves an average of at least 25 individuals at least 60 days out of the year. A community public water system is one that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents. All other public water systems are categorized as non-community systems.

No DEP permits are needed if water is to be supplied to residents of the proposed subdivision via individual private wells or an extension of existing public water lines.

**e. Pennsylvania Historical and Museum Commission (PHMC) Review**

As part of the permit review process for some DEP permits, a cultural resource review is conducted by the Pennsylvania Historical and Museum Commission (PHMC). With respect to those DEP permits that may be needed for a development, a PHMC cultural resource review is required for: (i) individual encroachment and water obstruction (Chapter 105) permits; (ii) NPDES permits for discharges of stormwater associated with construction activities where the earth disturbance is greater than 10 acres; and (iii) sewage (Act 537) approvals for new development.

Pursuant to the Pennsylvania State History Code, PHMC is charged with protecting significant archeological and historic resources. DEP cooperates with PHMC in this regard by requiring permit applicants to submit a “Cultural Resource Notice” to PHMC. PHMC staff reviews the proposed project to determine the presence of and impact on archeological and historical resources. If PHMC determines that the project site is a significant archeological site, it may conduct an archeological survey and, further, an archeological field investigation (“Phase 3 Study”). Although PHMC has no authority to deny a permit or stop a proposed project, PHMC may provide comment to DEP that archeological or historical resources will be adversely impacted by the proposed project. DEP may then consider these comments in deciding whether to issue the permit.

**f. Pennsylvania Natural Diversity Inventory (PNDI) Review**

Applicants for all DEP permits and approvals must complete a “PNDI Search Request Form” with their application. DEP or County Conservation District staff will then perform a PNDI search. If the search reveals that there is a known occurrence of a species or resource of concern (referred to as a “hit”), DEP or the County Conservation District will inform the applicant and the agency responsible for jurisdiction over the protection of the resource (the “Jurisdictional Agency”). For example, in the case of a state listed threatened or endangered fish, the Pennsylvania Fish and Boat Commission would be the Jurisdictional Agency. In the case of a federally listed threatened or endangered species, the U.S. Fish and Wildlife Service would be the Jurisdictional Agency. If a “hit” is found, the

Jurisdictional Agency will take the lead in coordinating further review. This will include requests for more detailed information and, potentially, a field review to determine the potential impact on the species or resource of concern. Because of staff limitations, Jurisdictional Agencies will often request that the applicant secure the services of a professional environmental consultant to conduct the field review. Jurisdictional Agencies then coordinate and work with the applicant and DEP and/or the County Conservation District to develop a mitigation plan ensuring that impacts to the species or resource of concern are avoided or minimized. If the PNDI search for the property results in a “hit” for a federally listed threatened or endangered species, the U.S. Fish and Wildlife Service is contacted as the “Jurisdictional Agency.” For more information on Fish and Wildlife Service involvement, see “Endangered Species Act Review”.

**g. Highway Occupancy Permit by PennDOT**

If the proposed development requires access to a state highway, the applicant must obtain a Highway Occupancy Permit (HOP) from Pennsylvania Department of Transportation (PennDOT). A traffic Impact Study analyzing the impact of the proposed development on existing traffic patterns may also be required.

Access to the state highway shall only be as authorized by a highway occupancy permit, and the Planning Commission's approval of this plan in no way implies that such permit can be acquired. For more information, please follow the link below: <https://www.penndot.pa.gov/Doing-Business/Permits/HighwayOccupancyPermits/Pages/default.aspx>

**h. Section 404 Clean Water Act Permit by U.S. Army Corps of Engineers**

If the proposed development contemplates any fill or earth disturbance in a wetland, watercourse or floodway, or the placement of any crossing (such as a bridge or culvert) over a wetland, watercourse or floodway, the developer will need a state Chapter 105 Permit from DEP. In addition, the developer may need a federal Section 404 Permit. Section 404 Permits are issued by the U.S. Army Corps of Engineers (the “Corps”) pursuant to their authority under Section 404 of the Clean Water Act. They are required for any discharge of dredged or fill material into “waters of the United States.” Some minimal activities (such as activities that impact less than 250 linear feet of stream or less than one acre of wetlands) may avoid Section 404 permit review by the Corps by qualifying for a “joint permit” review process. If the Corps determines that an activity is eligible for a joint permit, DEP (or an authorized County Conservation District) will take the lead in reviewing the permit application and, if a permit is warranted, will issue concurrently a state Chapter 105 Permit and a federal Section 404 general permit known as the “Pennsylvania State Programmatic General Permit (PASPGP-2).” If a developer’s proposed activity does not qualify for joint permit review, DEP and the Corps will conduct independent permit reviews and will make separate decisions on Chapter 105 and Section 404 permits.

**i. National Environmental Policy Act (NEPA) Review**

The National Environmental Policy Act (NEPA) requires federal agencies to consider the environmental consequences of “major federal actions” that “significantly affect the quality of the human environment.” 42 U.S.C. § 4332(2)(C). NEPA review first requires federal agencies undertaking major federal actions to prepare an Environmental Assessment (EA), which analyzes the proposed action’s effect on the environment. If the EA concludes that the impact is insignificant, the agency will prepare a “Finding of No Significant Impact” (FONSI), which will conclude the NEPA review process. If the EA concludes that significant impacts to the environment will occur, the agency proceeds to prepare an Environmental Impact Statement (EIS). The results of the EIS can help guide the agency in its decision-making process with respect to whether to proceed with the major federal action as planned.

Obviously, the vast majority of land development projects are not undertaken by federal agencies but, rather, private developers. Nonetheless, aspects of a land development project may be sufficiently “federalized” such that they are considered “major federal actions,” triggering NEPA review. For example, if Section 404 Permits are needed to fill wetlands or streams, the Corps’ issuance of these permits may be considered a “major federal action.” Another possibility may be federal funding for the sewage treatment system to be constructed for the development, depending on the amount of federal funding involved and provided that federal dollars are an actual, not just potential, funding source.

**j. Endangered Species Act Review**

If the PNDI search for the property results in a “hit” for a federally listed threatened or endangered species, the U.S. Fish and Wildlife Service is contacted as the “Jurisdictional Agency.”

If the endangered or threatened species may be impacted by a federal permit that the developer needs (such as a Section 404 Clean Water Act permit issued by the U.S. Army Corps of Engineers to discharge fill into a wetland), the “federal consultation” process under Section 7 of the Endangered Species Act is triggered. Section 7 requires all federal agencies conducting federal projects (such as the issuance of permits) that may adversely affect threatened or endangered species to consult with the Fish and Wildlife Service in order to ensure that the continued existence of the species is not jeopardized, nor its critical habitat adversely modified. If consultation reveals that the species may be adversely affected, the Fish and Wildlife Service proceeds to prepare a Biological Opinion. If the Biological Opinion results in a “jeopardy” or “adverse modification” determination, the Opinion must identify any “reasonable and prudent alternatives” that would allow the project to move forward.

Development of the site may also result in the “take” (harass, harm, kill, significant habitat modification, etc.) of the species, which is illegal under Section 9 of the Endangered Species Act. In such a case, the developer may apply for an “incidental take permit” under Section 10 of the Endangered Species Act. The

application for an incidental take permit must be accompanied by a “Habitat Conservation Plan” designed to ensure that the effects of the incidental take are adequately minimized and mitigated.

## **5. OTHER UTILITIES AGENCIES AND COMPANIES**

### **a. Public Street Lighting Approval by the Electric Utility Company**

In accordance with the SALDO, Section 265-26D (11)(a), the developer shall prepare appropriate lighting plans, which plans shall be approved by the electric utility company (in the case of streetlights). The Current practice may differ from the provision of this section where the street lighting plan is approved by City Engineer as part of the Subdivision/Land Development Plan process.

### **b. Include information regarding any other utility approvals that are anticipated (e.g., UGI, PPL, LASA).**

## **F. APPLICABLE SUBDIVISION AND LAND DEVELOPMENT PLAN**

### **MINOR/PRELIMINARY/ FINAL SUBDIVISION AND LAND DEVELOPMENT PLAN**

Plans must be submitted in accordance with §265-26 Minor and Preliminary Plan Specifications and Data and include all improvements and standards listed in Article VII Design and Improvement Standards. The development plans shall depict all changes required by the City staff during the review process.

## **G. CITY/COUNTY STAFF REVIEW COMMENTS AND CORRESPONDENCES**

### **A. City staff review comments**

Once the planning Bureau determines that the application and the submission are complete, the Planning Bureau takes 3 weeks to compile all City’s Bureaus’ comments and notify the applicant for action. The applicant shall retain all records of such notifications and must address the comments to the City’s satisfaction. All City staff’s comments shall be addressed by highlighting the development plans, if applicable.

### **B. Lancaster County Planning Commission Advisory Review**

All applicants should adhere to the Lancaster County Planning Commission’s recommendations. The Lancaster County Planning Commission (LCPC) file number shall be noted on the cover sheet of the subdivision/land development plans.

## **H. AGREEMENTS, EASEMENTS, COVENANT, AND PUBLIC DEDICATION DOCUMENTS (DRAFT AND FINAL)**



The purpose of the easement and the responsible party for maintenance of the easement and any facilities located within the development shall be clearly identified on the plan and in any documents or agreements prepared as a result of the easement.

### **1. Stormwater Operations & Maintenance Agreement**

All land developments installing stormwater infrastructure require a stormwater operations and maintenance agreement in accordance with [Chapter 260: Stormwater Management](#). The agreement must be reviewed by City staff and recorded separately from the plans. A proof of the recorded agreement must be submitted to the Planning Bureau.

### **2. Stormwater/Drainage Easement**

A stormwater easement or drainage right-of-way shall be provided within a subdivision or land development containing a watercourse, drainageway, channel or stream. The minimum width of the easement or right-of-way shall correspond to the one-hundred-year storm event boundary or established floodplain. For more information see SALDO, [§ 265-35](#). Easements.

### **3. Developer's Agreement**

If the applicant and the Planning Commission agree to additional conditions of preliminary plan approval beyond those required by the SALDO, all such conditions shall be embodied in a developer's agreement entitled "Preliminary Plan Developer's Agreement," which lists the agreed upon conditions (see Appendix B). Acceptance or rejection of the preliminary plan agreement shall be done in accordance with the procedures set forth in [§ 265-23B\(4\)\(a\)](#).

### **4. Street Tree Easement Agreement**

If Shade Trees are planted on private property, the applicant agrees to enter into a street tree easement agreement with the City of Lancaster, which agreement shall be recorded at the time of final plan recording so that the easement runs with the lot or lots shown on the final plan. All easements shall be within 12 feet of the boundary of a public right-of-way and visible from said right-of-way, or as determined by the City, per [§265-33M\(2\)\(d\)](#) and [§273-13](#).

### **5. Utility Easement Agreement**

When easements are required for utilities, the minimum width shall be 20 feet for a single utility and 30 feet or more for two or more utilities; shall, in most cases, be centered on or adjacent to the rear or side lot lines; and shall be situated on the tract, per [§265-35](#) and [§265-26\(6\)](#).

### **6. Maintenance Easement**

Easements for the purpose of maintenance of structures may be required by the Commission where the Commission deems it essential. Such easements shall be a minimum of three feet in width for structures not exceeding 10 feet in height and shall be no less than five feet in width for structures greater than 10 feet in height, per [§265-35](#).

## **7. Riparian Easement**

A riparian corridor easement shall be created and recorded as part of any subdivision or land development that encompasses a riparian corridor. For more information see SALDO, [§260-306](#), Riparian Corridor.

## **8. Vehicles/Pedestrian Traffic Circulation Easement Agreement**

These easements shall not be less than six feet in width for pedestrian use and 12 feet in width for bicycle or vehicular use unless the Commission requires narrower easements because of anticipated pedestrian use or vehicular volume, per [§265-35](#).

## **9. Public Access Greenway Easement for Lots Adjacent to the Conestoga River.**

Where the subdivision or land development is adjacent to the Conestoga River, the applicant shall reserve within the floodplain a natural area of undisturbed open space, at least 50 feet wide, in order to preserve a Conestoga River greenway. In lieu of partial or complete dedication of land, developments adjacent to the Conestoga River may propose the designation and establishment of a public access greenway easement with a minimum width of 12 feet and a clear path of eight feet for a walking/biking trail, which provides direct access to the river and is situated so that it may be connected with existing or proposed adjacent riverbank trails, parks and open spaces, per [§265-48](#).

## **10. Covenants**

If covenants are to be placed upon the use of the land in a subdivision or land development, said covenants shall be submitted to the Chief Planner for review and comment and shall be recorded at the time of plan recording. Evidence of such recordation shall be provided to the Chief Planner, per [§265-31B\(5\)](#)

## **11. Homeowner's Association Agreement for Park and/or Recreational Facilities Use and Maintenance.**

If the developer decided to provide private park and recreation as an alternative to a public dedication, at the time of final plan submission, the applicant shall submit a homeowner's association agreement or other document, subject to review and approval by the City, describing how the park and/or recreational facilities will be used or maintained, per [§265-48E](#).

# **I. PROJECT CLOSE-OUT**

## **1. Construction Phasing Program and Schedule**

The applicant must submit construction phasing plan and construction activities schedule.

## **2. Opinion of Probable Construction Cost signed by professional engineer (P.E) and accepted/approved by City Engineer.**

See the information provided under Bureau of Engineering and City Engineer

**3. Improvement construction guaranty**

Surety performance bond/ Escrow account/ Letter of credit (project name and City File # shall be noted on the financial security form.

**4. GIS/CAD/PDF Files emailed to the Planning Bureau**

GIS/CAD files must be submitted with signed plans in accordance with the Planning Bureau's Digital Submittal Guidelines for Approved Land Developments. The guidelines can be found here: <http://www.cityoflancasterpa.com/saldo/>

**5. Paper and Mylar Plans**

In preparation for recording, signed Mylar plans must be submitted to the City along with four paper copies for recording.

**6. A proof of recorded plans, easements, deeds, and receipt of payment.**

The developer shall provide the City with the evidence of recordation of plans, easements, and deeds.

**J. INSPECTION OF REQUIRED PUBLIC AND PRIVATE IMPROVEMENTS**

**1. A letter requesting reduction or releasing of improvement construction guaranty**

When all required private and public improvements are completed, the applicant must submit in writing a request for reduction or releasing of construction guaranty. The Planning Bureau in coordination with the applicant and other City Bureaus shall set up a joint site meeting to inspect the required improvements.

**2. As-built drawings with all deviations from previously approved plan highlighted**

The applicant must submit as-built drawings for stormwater, water, and sewer at the time of requesting reduction or releasing of construction guaranty.

**3. Opinion of Probable Construction Cost with Tracking Spreadsheet for Reductions**

The applicant must provide a cost estimate with tracking spreadsheet for reduction.

**4. Site Inspection Report**

The Planning Bureau with other City Bureaus shall prepare a site inspection report. The Applicants must address all comments provided in the report to the satisfaction of the City staff. The Planning Bureau shall furnish a letter to the bank to reduce or release the construction guaranty.