

# **SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF MANHEIM TOWNSHIP - 1998**

**AN ORDINANCE ESTABLISHING RULES, REGULATIONS  
AND STANDARDS, GOVERNING THE DEVELOPMENT  
AND SUBDIVISION OF LAND WITHIN THE TOWNSHIP  
OF MANHEIM, SETTING FORTH THE PROCEDURES TO  
BE FOLLOWED BY THE OFFICIALS OF THE TOWNSHIP  
IN APPLYING AND ADMINISTERING THESE RULES,  
REGULATIONS AND STANDARDS AND PROVIDING  
PENALTIES FOR THE VIOLATION THEREOF.**

**BE AND HEREBY ORDAINED AND ENACTED** by the Board of Commissioners of Manheim Township, Lancaster County, Pennsylvania as follows:

## **ARTICLE I. GENERAL PROVISIONS**

### **SECTION 101. STATUTORY AUTHORITY**

The Board of COMMISSIONERS of Manheim TOWNSHIP, pursuant to the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, hereby enacts and ordains this ORDINANCE governing SUBDIVISION and LAND DEVELOPMENTS within the limits of Manheim TOWNSHIP.

### **SECTION 102. TITLE**

This ORDINANCE shall be known and may be cited as "The SUBDIVISION and LAND DEVELOPMENT ORDINANCE of Manheim TOWNSHIP 1998, as amended".

### **SECTION 103. PURPOSE**

This ORDINANCE is adopted for the following purposes:

1. To assist in the orderly, efficient and integrated DEVELOPMENT of land in accordance with the Manheim TOWNSHIP COMPREHENSIVE PLAN, as amended, ("COMPREHENSIVE PLAN").
2. To promote safe and adequate travel and transportation facilities and controls.
3. To ensure coordination and conformance of SUBDIVISION and LAND DEVELOPMENT PLANS with the PUBLIC IMPROVEMENTS plans of the TOWNSHIP.

4. To provide the proper extension of community services and facilities at minimum cost and maximum convenience.
5. To ensure equitable handling of all SUBDIVISION and LAND DEVELOPMENT PLANS by providing uniform standards and procedures.
6. To promote the general health, safety and welfare of the residents of the TOWNSHIP.
7. Control accelerated RUNOFF and EROSION and sedimentation problems at their source by regulating activities which cause such problems.
8. Utilize and preserve the desirable existing natural drainage systems within the TOWNSHIP.
9. Encourage recharge of groundwaters.
10. Maintain the existing flows and quality of WATERCOURSES in the TOWNSHIP and the Commonwealth.
11. Preserve and restore the FLOOD carrying capacity of WATERCOURSES.
12. Provide for proper maintenance of all permanent storm water management facilities which are constructed in the TOWNSHIP.
13. In the interest of public health, safety, and welfare, the regulations of this ORDINANCE are designed and intended to protect FLOODPLAIN AREAS subject to and necessary for FLOOD waters, to permit and encourage the retention of open land uses so located and utilized and to guide incompatible DEVELOPMENT into more appropriate zoning districts.
14. To regulate uses, activities, and DEVELOPMENT which, acting alone or in combination with other existing or future uses, activities, and DEVELOPMENT, will cause unacceptable increases in FLOOD heights, velocities and frequencies.
15. To restrict or prohibit certain uses, activities, and DEVELOPMENT from locating within AREAS subject to FLOODING.
16. To require all those uses, activities, and DEVELOPMENTS that do occur in FLOOD-prone AREAS to be protected and/or FLOODPROOFED against FLOODING and FLOOD damage.
17. To protect individuals from buying lands and STRUCTURES which are unsuited for intended purposes because of FLOOD hazards.

## **SECTION 104. JURISDICTION**

1. In order that the actions of the Board of COMMISSIONERS under this SUBDIVISION and LAND DEVELOPMENT ORDINANCE may be correlated with all relevant data and procedures, the Board of COMMISSIONERS hereby designates the PLANNING COMMISSION as the reviewing agency of the TOWNSHIP:
  - A. To which all applications relating to either sketch, preliminary or final approval of SUBDIVISION and LAND DEVELOPMENT PLANS shall be initially submitted
  - B. With which APPLICANTS shall hold all preliminary consultations relating to the plans;
  - C. Which shall make recommendations to the Board of COMMISSIONERS concerning approval, disapproval, MODIFICATION and conditions of approval of such plans; and
  - D. Which shall make recommendations to the Board of COMMISSIONERS concerning the interpretation of and the granting of MODIFICATION to provisions and standards of this ORDINANCE.
2. Without limitation of the foregoing, applications for preliminary or final approval of SUBDIVISION and LAND DEVELOPMENT PLANS shall be initially submitted to the TOWNSHIP Manager for processing and scheduling on behalf of the TOWNSHIP Commission, and the TOWNSHIP Manager or the Manager's designee shall be available, as administrative designees of the PLANNING COMMISSION, for preliminary consultations relating to such plans.
3. The Board of COMMISSIONERS has jurisdiction to take final action on all SUBDIVISION and LAND DEVELOPMENT PLANS.

## **SECTION 105. PLANNED RESIDENTIAL DEVELOPMENTS**

In case of any DEVELOPMENT governed by the PLANNED RESIDENTIAL DEVELOPMENT provisions of the Manheim TOWNSHIP Zoning ORDINANCE, the applicable provisions of this ORDINANCE shall be as modified by such PLANNED RESIDENTIAL DEVELOPMENT provisions and procedures which shall be followed in the approval of any plan and the rights and duties thereto shall be governed by the provisions of such PLANNED RESIDENTIAL DEVELOPMENT provisions.