

FILE OF THE CITY CLERK

ADMINISTRATIVE ORDINANCE NO.

ADMINISTRATION BILL NO. 14- 2010

INTRODUCED – AUGUST 10, 2010

ADOPTED BY COUNCIL – _____, 2010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA AMENDING CHAPTER 202 OF THE CODE OF THE CITY OF LANCASTER TO PROVIDE FOR THE PAVING, PROPER DRAINAGE AND DESIGN OF PARKING LOTS; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY PENNSYLVANIA LAW.

WHEREAS, in 1964, the City Council of the City of Lancaster adopted Article 1761 of the Codified Ordinances for the proper design and drainage of parking lots, controlled access to public streets and protection of adjoining property owners from increased flows and velocity of storm water runoff; and

WHEREAS, Chapter 202 has been twice amended and the City finds it necessary to further amend the provisions therein to meet current storm water runoff provisions, the disbandment of the Traffic Bureau and general modifications to the permit and inspection process.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the City Council of the City of Lancaster, Lancaster County, Pennsylvania as follows:

SECTION 1. The Code of the City of Lancaster, Chapter 202 – PARKING LOTS, Section 202-1-202-9 is deleted in its entirety and replaced with the following:

202-1. Definitions

As used in this chapter, the following terms shall have the meanings indicated:

ADEQUATE DRAINAGE

Control and disposal of surface water from parking lots and from any buildings, walks or other surfaces which drain onto parking lots in accordance with the City's Storm Water Management Ordinance of 2001 as amended and other applicable statutes.

IMPROVED (PARKING-LOT)

Modification of existing spaces and or access aisles or drives, provision of required handicapped accessible spaces, correction of existing drainage problems, installation of required landscaping or reconstruction of paved areas. Repaving/repairing (excluding reconstruction) or restriping of a lot solely for maintenance shall not be deemed an improvement provided the number of spaces is not altered.

PARKING LOT

An aggregate area of 1,200 or more sq.ft. used for parking including access drives and aisles for motor vehicles, excluding one and two family dwelling lots.

TERMS NOT DEFINED

Words shall have the meanings as defined by the ordinance or statute referenced by this ordinance. For any other word the meaning thereof shall be as defined in the current addition of Webster's Dictionary.

202-2. Minimum standards and applicability

All newly constructed parking lots or existing parking lots which are enlarged or improved shall conform to the following minimum standards:

A.

Parking lots shall be constructed with four-inch 2A modified crushed stone base or better with a minimum of two inch bituminous topping. As an option, porous concrete or asphalt may be used with appropriate sub-base materials when storm water infiltration is proposed. For additional information on the use of porous paving materials refer to the City of Lancaster Specifications & Guidelines Manuel and Storm Water Management Ordinance.

B.

Handicapped accessible spaces shall be designed in accordance with the ICC/ANSI A117.1 or its successor.

C.

Anticipated loading, soil characteristics and other load bearing stresses shall be considered for parking lot design. The Pennsylvania Department of Transportation Publication 408 Specifications or other paving specifications approved by the City Engineer shall be incorporated into parking lot design. Access aisle drives, parking stall angles, stall sizes, and landscaping requirements shall be incorporated as per the City Zoning Ordinance.

D.

Adequate lighting, as defined herein, shall be provided and properly shielded so as to eliminate glare and light spillage beyond the property line and onto adjacent property. Photometric lighting design plans shall indicate fixture location and height and light intensity measured in footcandles at grade. In commercial areas parking surfaces should have a target illumination of 0.6-1.2 footcandles average with a uniformity ratio of 4:1, or better. All other areas parking surfaces should have a target illumination of 0.3-0.5 footcandles average with a uniformity ratio of 4:1, or better. When designing lighting for new parking lots, existing lighting from adjoining light sources shall be considered in order to avoid excess illumination.

202-3. Adequate drainage

Adequate drainage shall be provided as follows.

A.

Where sewers are available, parking lots shall be drained into such sewers by means of underground laterals from the parking lot to the sewer. Sewers shall be deemed to be available when located in the bed of any street or alley adjoining the premises on which such parking lot is located and where adequate capacity exists, as determined by the City Engineer, to accept additional flows, provided that connection to storm water inlets in the city's Combined Sewer District shall not be permitted. However, with the approval of the City Engineer, where connection to such sewer would be impractical by reason of topography or distance, connection need not be made to such sewer so long as water does not sheet flow over sidewalks or pedestrian ways and is otherwise in conformity with the City's Storm Water Management Ordinance.

B.

Where sewers are not available, parking lots shall be drained in a manner which is consistent with the City's Storm Water Ordinance requirements, including provision for:

(1)

Detention or retention basins, seepage or infiltration pits, parking lot ponding, lattice pavers, subsurface facilities or grass infiltrators.

(2)

Temporary and permanent erosion control measures.

(3)

Protection of adjoining property owners from increased flow and/or velocity of flow; provided, however, that approval by city officials of any drainage system shall not create, modify or extinguish any rights which adjoining property owners may have with respect to flow of surface water.

(4)

Prevention of conditions which may lead water flowing over public sidewalks, standing water, ice or other conditions deemed to pose a threat to the public health, safety and welfare.

202-4. Permit application

Prior to construction, enlargement or improvement of a parking lot or conversion of land for use as a parking lot, the owner, tenant or other party in interest who proposes such construction or conversion shall first submit a Building Permit Application and construction documents to the Building Code Official. The construction documents shall include the following:

A.

A scaled and dimensioned drawing(s)/ survey showing the location of the parking lot on the premises.

B.

Proposed access drives and distance from nearest edge of drive to edge of cartway of nearest street intersection.

C.

Material specifications, parking stalls, sight triangles, aisles, radii and access drives, landscaping areas, shade tree and shrubbery locations, landscape sizes, lighting plan and proposed regulatory signage .

D.

Grading plan with contours and spot elevations, nearest sewers, method of connection and materials used in the system.

E.

Detail concerning excavation, reconstruction or installation of any curbs, streets, sidewalks and invert elevation of inlets and appurtenances which will be installed for the parking lot.

F.

Proposed relocation of utilities, poles, fire hydrants, signage, parking meters or demolition of structures.

G.

Erosion and Sediment Control plan with sequencing narrative to address earth moving activities.

H.

For parking lots involving new or modified access drives to a public street or alley requiring Traffic Commission approval and/or where a Highway Occupancy Permit would be required from the Pennsylvania Department of Transportation, the owner, tenant or other party in interest shall first obtain the necessary approvals and submit evidence of same with the permit application to the Building Code Official. An application for access to a public street or alley shall require that the applicant submit a written request to the City Traffic Commission. Applicants shall present to the Commission pertinent documentation concerning sight and safe stopping distances, safety for pedestrians and vehicles and impacts resulting from any loss of on-street parking.

I.

For any parking lot requiring a special exception or variance from the Zoning hearing Board the applicant shall first present evidence to the Building Code Official that required approvals have been granted and are in effect.

202-5. Procedure upon receipt of application

The Building Code Official, shall first determine whether or not the submitted Building Permit Application and construction documents are sufficient for review as per § 202-4. The application shall then be submitted by the Building Code Official to:

A.

Other City code administrators including but not limited to the Bureau of Planning, Zoning Officer, City Engineer and Bureau of Waste Water, who shall review and comment upon the applications compliance with their respective codes and specifications. Comments may include reference to materials, inspection, permit, fee or escrow deposit account, if any, that are required with respect to the construction of drainage lines, tapping , repairs to street, curb or sidewalk, erosion control during construction, driveway or access drive permit, storm water facilities or installation of other required improvements in compliance with other City codes and the City's Specifications and Guidelines Manual.

B.

Following a review of the plan, the Building Code Official shall return a copy of the plan(s) and related documents with any written comments. The applicant shall address all comments and submit three copies of the revised plan/documents along with the original comment plan/documents to the Building Code Official.

202-6. Permit Approval

A.

Upon the Building Code Official determining that any requested plan revisions have been made in accordance with city codes and specifications, that approvals have been granted by other Boards, Commissions or other agencies and that all fees and escrow monies have been paid, the Building Code Official shall authorize the issuance of the building permit.

B.

In the event that the Building Official refuses to issue a permit, he shall state, in writing, the reason for the refusal and the regulation, ordinance or law upon which such refusal is based.

202-7. Appeals

A.

Where the refusal to issue the permit is based on the provisions of any other regulation, law or ordinance and that regulation, law or ordinance provides a procedure for appeals, an appeal shall be in the manner so provided in the regulation, law or ordinance in question.

B.

Where the refusal to issue the permit is based on the provisions of this chapter or other applicable ordinance, regulation or law that does not provide a procedure and forum for appeals, appeals shall be made to the Building Code Board of Appeals.

202-8. Permit fee

The fee for the permit shall, in addition to any other fee provided by law, be the same as those provided in Chapter **116** Uniform Construction Code of the Commonwealth of Pennsylvania as adopted and amended by the City of Lancaster.

202-9. Violations and penalties

Whoever violates any of the provisions of this chapter shall, upon conviction in a summary proceeding, be fined an amount not to exceed \$1,000.00, or be sentenced to a term of imprisonment not exceeding 90 days, or both, together with costs of prosecution for each offense. Any fines assessed hereunder shall be collected as other fines and costs or by law collectible. Each day of violation shall constitute a separate offense hereunder.

SECTION 2. All ordinances or resolutions or parts of ordinances or resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded. Notwithstanding the foregoing, any such ordinances or resolutions shall remain in full force and effect for purposes of continuation of any enforcement proceedings commenced prior to the effective date of this ordinance.

SECTION 3. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any of the remaining provisions, sections, sentences, clauses or parts of this Ordinance; it being the intent of the City of Lancaster that the remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 4. This Ordinance shall become effective as provided by the laws of the Commonwealth of Pennsylvania.

DULY ORDAINED AND ENACTED this _____ day of _____, 2010, by the Council of the City of Lancaster, Lancaster County, Pennsylvania, in lawful session duly assembled.

ATTEST:

CITY OF LANCASTER

Janet Spleen, City Clerk

By: _____
J. Richard Gray, Mayor