TOWNSHIP OF WASHINGTON

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

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SUBDIVISION AND LAND DEVELOPMENT

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Short Title, Purpose, Authority, Application and Interpretation

101. Short Title This Chapter shall be known as the Township of Washington Subdivision and Land Development Chapter.

102. Purpose

1. These regulations are adopted for the following purposes:

   A. To protect and provide for public health, safety and general welfare of the Township.
   B. To guide the future growth and development of the Township in accordance with the comprehensive plan of the Township of Washington.
   C. To provide for adequate light, air and privacy to secure safety from fire, flooding and other danger. Also to prevent overcrowding of the land and undue congestion of population.
   D. To protect the character, social and economic stability of the Township and to encourage the orderly and beneficial development.
   E. To protect and to conserve the value of the land throughout the Township. To protect the value of buildings and improvements upon the land and to minimize the conflicts among the uses of land and buildings.
   F. To guide public policy, private policy and action in order to provide adequate and efficient transportation, water supply, sewage, schools, parks, playgrounds, recreation and other public requirements and facilities.
   G. To provide the most beneficial relationship between the uses of land, buildings and the circulation of traffic within the Township, having particular regard to the avoidance of congestion in the streets and highways. To provide pedestrian traffic movements appropriate to the various uses of land and buildings and also to provide for the proper location, width of streets and building lines.
   H. To establish reasonable standards of design, procedures for subdivisions and resubdivisions, in order to further the orderly layout and use of land. To insure proper legal descriptions and monumenting of subdivided land.
   I. To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision.
   J. To prevent the pollution of air, streams and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; to encourage the wise use and management of natural resources in order to preserve the community and value of the land.
   K. To preserve the natural beauty and topography of the Township and to insure appropriate development with regard to these natural features.
   L. To provide for open spaces through efficient design and layout of the land.

M. And finally, to ensure that the documents prepared as part of a land ownership transfer fully ~~and accurately~~ describe the parcel of land being subdivided, and the new parcels thus created.

103. Authority

1. Authority of Washington Township

A. The Supervisors of Washington Township are vested by law with the control of the subdivision of the land and land development within the Township Limits by Act 247 0f 1968, the Pennsylvania Municipalities Planning Code as amended. The Supervisors shall retain the authority to approve all subdivisions plans and land development plans as required herein.

2. Authority of the Township Planning Commission

A. The Planning Commission is hereby designated by the Supervisors as the Agency which shall review and make recommendations on preliminary and final subdivision and land development plans as required herein, prior to action by the Supervisors, and when provided by ordinance, make other recommendations.

104. Application of Regulations

1. Subdivision Control

A. No subdivision, as herein defined, of any lot, tract or parcel of land shall be effected and no street, alley, sanitary sewer, storm sewer, water main or other facilities in connection therewith, shall be laid out, constructed, opened or dedicated for public use or travel, or the common use of occupants of buildings abutting or to abut thereon, except in strict accordance with the provisions of this Chapter. No lot in any subdivision may be sold and no permit to erect alter or repair any building upon land in a subdivision may be issued; and no building may be erected in a subdivision, unless and until a subdivision plan has been approved and recorded; and until the improvements required by the Supervisors in connection therewith have either been constructed or guaranteed as herein provided in 612.

2. Land Development Control

A. Land Development as herein defined, must comply with the regulations contained herein. Such compliance shall include, but not limited to: the filing of preliminary and final plats, the dedication and improvement of right-of ways, streets and roads and the payment of fees and charges as established by the Supervisors.
B. Land Development plans shall indicate the location of each structure and clearly define each unit and shall indicate public easements , common areas, improvements, all easements appurtenant to each unit, and improvements to the public right-of-ways. Developments are subject to the zoning regulations as they apply to use and density requirements, setbacks, parking and other features. They shall be indicated on the land development plans.

105. Interpretation and Conflicts

1. Interpretation. In interpreting and applying the provisions of this Chapter, they shall be held to be minimum requirements for the promotion of public health, safety, comfort, convenience and general welfare.

2. Conflict with Public and Private Provisions

A. Public Provisions Where any provision of this Chapter imposes restriction different from those imposed by any other provision of this Chapter or any other ordinance, rule, regulation or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.
B. Private Provisions This Chapter is not intended to abrogate any easement, covenant on any other private agreement or restriction, provided that where the provisions of this Chapter are more restrictive or impose higher standards or regulations than such easement, covenant or other private agreement or restriction , the requirements of this Chapter shall govern. Where the provisions of the easement , covenant or private agreement or restriction impose duties and obligations more restrictive, or higher standards than the requirements of these regulations, or the determinations of the Supervisors in approving a subdivision or in enforcing this Chapter, and such private provisions are not inconsistent with this Chapter or determinations there under, then such private provisions shall be operative and supplemental to these regulations and determinations made there under.

PART 2

Definitions

201. General Interpretation Unless otherwise expressly stated, the following words shall for the purpose of this Chapter, have the meaning herein indicated. The present tense shall include the future, the singular number shall include the plural of the singular, words used in the masculine gender shall include the feminine and the neuter; the word **"shall"** is always mandatory, the word **"may"** is always permissive.

202. Specific words and Phrases

ALLEY- A minor way, whether or not legally dedicated, intended and used primarily for vehicular service access to the rear of properties which abut on a street, and not intended for the purpose of through vehicular traffic.

BLOCK- An area, divided into lots, and usually bounded by streets.

BUILDING- A combination of materials to form a permanent structure having walls and a roof, including but not limited to, all mobile homes and trailers.

CARTWAY OR ROADWAY- The portion of a street or alley improved, designed or ordinarily used for vehicular travel, exclusive of the sidewalk, berm or shoulder.

CLEAR SIGHT TRIANGLE- An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of street lines.

CONDOMINIUM- ownership in common with others of a parcel of land and certain parts of a building thereon which would normally be used by all occupants, together with individual ownership in fee of a particular unit or apartment in such building or on such parcel of land and may include dwellings, offices and other types of space in commercial and industrial buildings or on real property.

COUNTY- The County of Fayette, Pennsylvania

COUNTY PLANNING COMMISSION- The Planning Commission of the County of Fayette.

CUL-DE-SAC- A minor street intersecting another street at one end and terminated at the other by a vehicular turnaround.

CUT- An excavation. The difference between a point on the original ground and designated point of lower elevation on the final grade. Also, the material removed in Excavation

DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) - The Pennsylvania Department of Environmental Protection, it's bureaus, divisions, departments and/or agencies, as may from time to time be established, or such Department or Departments as may in the future succeed it.

DESIGNATED FLOODPLAIN AREAS- A relatively flat or low land area adjoining river, stream, stream or watercourse which is subject to partial or complete inundation in a 100-year flood as designated in the Township Zoning Chapter as amended.

DETENTION POND- An area in which surface water runoff is temporarily stored pending it's release at a controlled rate.

DEVELOPER- Any landowner, agent or tenant with permission of such landowner who makes or causes any development of tract or parcel of land or lot.

DEVELOPMENT- Any man- made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, the placement of mobile homes, streets and other paving, utilities, mining, dredging filling, grading, excavation, or drilling operations, and the subdivision of land.

DRAINAGE- The removal of surface water or groundwater from land by drains, grading or other means, and includes control of runoff to minimize erosion and sedimentation during and after construction.

DRAINAGE FACILITY- Any ditch, gutter, culvert, storm sewer or other structure designed, intended or constructed for the purpose of carrying, diverting or controlling surface water or groundwater.

DRAINAGE RIGHT-OF-WAY- The lands required for the installation of storm water sewers or drainage ditches, or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage.

DRIVEWAY- A private vehicular passageway providing access between a street and a private parking area or private garage.

DWELLING- Any building which is designed for human living quarters, but not including hotels, boarding houses, tourist cabins, motels and other accommodations used for transient occupancy.

EASEMENT- A grant of limited use of private land for a public or quasi-public purpose.

ENGINEER- A registered professional engineer in Pennsylvania designated by the Township.

ENGINEERING SPECIFICATIONS- The engineering criteria of the Township regulating the installation of any improvement or facility. In the absence of such Township engineering criteria, the applicable standards of the Fayette County Subdivision and Land Chapter and/or Pennsylvania Dept. of Transportation specifications for construction shall apply.

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

EXCAVATION- Any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed. it shall include the conditions resulting there from.

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

FLOOD PLAIN- The area along a natural watercourse which may from time to time be over flowed by water there from.

GRADING AND DRAINAGE PLAN- A plan showing all existing ground features and proposed grading, including existing and proposed surface and subsurface raining facilities, described by grades, contours and topography.

IMPROVEMENTS- hose physical additions, installations and changes required to render land suitable for the use intended, including but not limited to, grading, paving, curbing, street lights and signs, fire hydrants, water mains, electric service, gas service, sanitary sewers, storm drains, sidewalks, cross-walks, driveways, culverts and street shade trees.

INTERIOR WALK- A right-of-way or easement for pedestrian use, extending from a street into a block or across a block to another street.

LAND DEVELOPMENT- Any of the following activities:

1. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
   (i) a group of two or more residential or non residential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
   (ii) the division or allocation of land or space, whether initially or cummulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

2. A subdivision of land.
3. Development in accordance with section 503(1.1)3

LOT- A parcel of land having dimensions and area as required by this Chapter and having frontage upon a street as shown on a plat of record or considered as a unit of property and described by metes and bounds.

LOT, CORNER- A lot abutting upon two or more streets at their intersection, the front of which shall be considered to be the frontage of least dimension on a street , except that where any two (2) frontages shall exceed one hundred and fifty (150) feet in length, either frontage may be designated as the "front" of the lot.

LOT, DOUBLE FRONTAGE- An interior lot which abuts streets in both the front and rear.

LOT, INTERIOR- A lot having side lot lines which do not abut on a street.

LOT, MINIMUM WIDTH- The distance between the side lot lines measured at the building set-back line.

LOT, NON-CONFORMING- A lot of record at the time of the adoption of this Chapter, which by reason of area or dimension, does not conform to the requirements of this Chapter.

LOT OF RECORD- A lot described in a deed or shown on a plan of lots which has been recorded in the office of the Recorder of Deeds of Fayette County, "Pennsylvania."

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

MAINTENANCE GUARANTEE- Any security, other than cash, which may be accepted by the Township for the maintenance of any improvements required by this Chapter.

MAJOR SUBDIVISION- Any subdivision not classified as a minor subdivision.

MARKER- A wood or metal stake placed to designate the boundary and corners of lots in the subdivision of land for the purpose of reference in land and property survey and to facilitate the sale of lots.

MINOR SUBDIVISION- The subdivision of land into not more than two (2) parcels located on an existing improved street that does not involve:

Installation of improvements as required by this Chapter; extension of utilities; frontage on an arterial or collector street; adverse effect to the development of the remaining parcel; adverse effect to adjoining properties; and conflict with the Township of Washington's Comprehensive Plan, Zoning Chapter, any portion of this Chapter or other State, County or Township ordinance, laws or regulations.

MONUMENT- A concrete, stone or other permanent object placed to designate boundry lines, corners of property and the right-of-ways of streets and utilities for the purpose of reference in land and property survey.

MUNICIPALITIES PLANNING CODE- Act of Assembly of July 31, 1968, P.L.805, as amended.

ONE HUNDRED YEAR FLOOD- A flood that, on the average, is likely to occur once every one hundred (100) years.

OWNER- The legal or beneficial owner or owners of land, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the owner, or other persons having a proprietary interest in the land, shall be deemed to be an owner for the purpose of this Chapter.

PERFORMANCE GUARANTEE- Any security which may be in lieu of a requirement that certain improvements be made before the Township Board of Supervisors approves a final subdivision or land development plan, including performance bonds, escrow agreements and other similar collateral or surety agreements.

PERSON- An individual, partnership, corporation or legally recognized entity.

PLAN, FINAL- A complete and exact subdivision plan or land development plan, prepared for official recording as required by statute, to define property rights and proposed streets and other improvements.

PLAN, PRELIMINARY- A tentative subdivision plan or land development plan, in lesser detail than a final plan, showing approximate proposed street and lot layout as a basis for consideration prior to preparation of a final plan.

PLAN, SKETCH- An informal plan, subdivision or land development plan, not necessarily to scale, indicating salient existing features of a tract and it's surroundings and the general layout of the proposed subdivision.

PLAN, SOIL EROSION & SEDIMENTATION CONTROL- A plan for controlling erosion and sediment during construction which shall provide all steps, including scheduling, to assure erosion and sediment control during all phases of construction, including final stabilization.

PLANNING COMMISION- The Planning Commission of the Township.

PLAT- A map or plan of a subdivision or use indicating the location and boundaries of individual properties.

PUBLIC GROUNDS- (a) parks, playgrounds and other public areas; and (b) sites for schools, sewage treatment, refuse disposal and any other publicly owned or operated facilities.

PUBLIC NOTICE- Notice published once each week for two (2) consecutive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be not more than thirty (30) days or less than fourteen (14) days from the date of the hearing.

REGULATORY FLOOD ELEVATION- The 100-year flood elevation plus freeboard safety factor of one and one-half (1-1/2) feet.

RESERVE STRIP- A narrow parcel of ground having inadequate area for building purposes separating a street or a proposed street from adjacent properties.

RESIDENT PROPERTY OWNER- Any individual maintaining a voting address in the Township, adjacent to the proposed subdivision, owning real estate in his own or joint names.

RE- SUBDIVISION- Any subdivision or transfer of land, laid out on a plan which has been approved by the Township Board of Supervisors which changes or proposes to change property lines and/or public right-of-way not in strict accordance with approved plan.

RIGHT-OF-WAY- Land legally dedicated for public purposes, including but not limited to, a street, alley or interior walk.

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

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

SEPTIC TANK- A watertight tank in which raw sewage is broken down into solid, liquid and gaseous phases to facilitate further treatment and final disposal.

SETBACK (BUILDING SETBACK LINE)- The line within a property defining the required minimum distance between any structure and the ultimate adjacent right-of-way and the line defining side and rear yards where required.

SEWAGE DISPOSAL SYSTEM, ON SITE- A system of piping tanks or other facilities serving a lot, and collecting and disposing of sewage in whole or in part into the soil.

SEWAGE DISPOSAL SYSTEM, PUBLIC-A sanitary sewage collection method in which sewage is carried from the site by a system of pipes to a central treatment and disposal plant.

SHOULDER- The portion of a roadway (cart-way), between the curb or gutter, and the travel-way intended for emergency and parking use.

SITE DISTANCE- The extent of unobstructed vision, in a horizontal or vertical plane along a street.

SLOPE- The face of an embankment of cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage base upon vertical difference in feet per 100 feet of horizontal distance.

SOIL PERCOLATION TEST-A field test conducted to determine the absorption capacity of soil to a specified depth in a given location lot the purpose of determining suitability of soil for on-site sewage disposal.

STREET-An existing or platted way dedicated for the use of the general public, graded and paved or to be grated and paved, in order that the general public has the right to pass and to use it at all times for all purposes of travel transportation or parking to which it is adapted, devoted and not otherwise restricted.

A. **Local Access Streets** are those which, in addition to giving access to abutting properties, intercept local access streets and provide routes to community facilities and to arterial streets.
B. **Collector Streets** are those which, in addition to giving access to abutting properties, intercept local access streets and provide routes to community facilities and to arterial streets.
C. **Arterial Streets** are those serving large volumes of comparatively high-speed and long-distance traffic, and include facilities classified as main and secondary highways by the Pennsylvania Department of transportation.

D. **Marginal Access Streets** are minor streets, parallel and adjacent to arterial Streets, providing access to abutting properties and control of intersections with the arterial street.

E. **Half or Partial Street** is a street generally parallel and adjacent to a property line having a lesser right-of-way width than normally required for satisfactory improvements and use of the street.

STRUCTURE- Any man-made object having an ascertainable stationary location in land or water, whether or not affixed to the land.

SUBDIVISION- The division or re-division of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership, or building or lot development, provided. However, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or residential dwellings, shall be exempted. The term subdivision includes land development, re-subdivision and, as appropriate in these regulations, shall refer to the process of subdividing land or the land subdivided.

SUPERVISORS- The Board of Supervisors of the Township of Washington, Fayette County, Pennsylvania.

SURVEYOR- A licensed professional surveyor registered by the Commonwealth of Pennsylvania.

SWALE- A low- lying stretch of land characterized as a depression used to carry surface water runoff.

TOP SOIL- Surface soils and subsurface soils which normally are fertile soils and soil material, ordinarily rich in organic matter of humus debris, Top soil is found in the uppermost soil layer called A Horizon.

TOWNSHIP- The township of Washington, Fayette County, Pennsylvania.

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

UNIT- A part of the property, structure or building designed or intended for any type of independent use, which has direct exit to public street or way, or to an easement or right-of-way leading to a public street or way, and includes a proportionate undivided interest in the common elements, which is assigned to the property, structure or building.

WATER FACILITY- Any water works, water supply works, water distribution system or part thereof, designed, intended or constructed to provide or distribute potable water.

WATER COURSE- A stream of water, river, brook, channel or ditch for water whether natural or man made.

PART 3

Procedures

301. General Procedure

1. **Classification of Subdivision.** Whenever any subdivision of land or land developments is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of a structure in such proposed subdivision or land development shall be granted, the Owner, or his authorized agent shall apply for and secure approval of such proposed subdivision or land development in accordance with the following procedures for subdivision and land development.

2. **Per-Application Consultation.** Prior to filing an application for approval of a subdivision or land development within the Township, the Owner or his authorized agent shall meet with the Township Engineer or designated agent or Township Zoning Officer for an official classification of his proposed subdivision or land development. The Township Engineer or Township Zoning Officer shall determine whether the proposal shall be classified as a minor subdivision, a major subdivision or a land development. At this time, the Township Engineer or Township Zoning Officer shall advise the Owner or his authorized agent as to which of the procedures contained herein must be followed.

3. **Official Filing Date.**

A. For the purpose of these regulations, the official filing date shall be the date of the regular meeting of the Planning Commission next following the date the application and plans are received in the Township Building. Provided that should said regular meeting occur more than thirty (30) days following the submission of the application has been submitted.
B. Upon receipt of an application for subdivision or land development approval, the Township Secretary or Designated agent shall affix to the application both the date of submittal and the official filing date.

4. **Fayette County Planning Commission Review.** All plans shall be submitted to and reviewed by the Fayette County Planning Commission in accordance with its then prevailing rules and regulations. The Township shall forward to the sub-divider a copy of any report of the county Planning Commission. No plan may be approved or recorded with Fayette County Planning Commission comments or review.

302. **Fee Schedule**

1. All filing, inspection and engineering fees shall be submitted to the Township except fees collected by Fayette County Planning Commission which shall be paid directly to Fayette County planning commission.
2. **Plan Filing Fee** A filing fee shall accompany the preliminary plan. No application shall be accepted or acted upon unless payment is made to the Township. The Township Board of Supervisors shall create by resolution a schedule of fees to be paid by the sub-divider or land developer to defray the cost of administering and processing of plans. The schedule of fees may be changed from time to time by resolution of township Board of Supervisors.
3. **Inspection and Engineering Fees**
   A. The applicant shall pay the appropriate fees as fixed from time to time by separate resolution of the Township Board of Supervisors for the following services:
      (1) Reviewing the Plan's engineering details.
      (2) Inspecting the layouts of the site for conformance to the survey and plan.
      (3) Reviewing the results of the soil tests.
      (4) Preparing cost estimates of required improvements
      (5) Inspecting required improvements during installation.
      (6) Final inspection on completion of installation of the required improvements.

   B. An applicant shall, by filing a plan, be then obligated to pay the fees herein provided. The engineering fees required to be paid by this section shall be promptly submitted to the Township by the applicant upon the submission of bills therefore to the applicant from time to time by the Township Board of Supervisors. Acceptance by Washington Township of required improvements will not be made unless all fees are paid to date.

303. **Minor Subdivision Procedure**

1. Minor subdivision plans shall be initiated and submitted for review in the form of a Final Plan as specified in 403 and shall be otherwise reviewed in accordance with the procedures and standards of 304.
2. **Additional Subdivision.** Any subdivision of a tract from which a minor subdivision has already been formed shall be deemed to be a major subdivision and shall follow the procedure applying thereto.

304. Major Subdivision and land Development Procedure

1. **Sketch Plan.** Prospective sub-dividers and developers are strongly urged to discuss possible development sites with the Planning Commission prior to submission of a preliminary plan. A sketch plan shall be presented for review not less than ten (10) days prior to the regular meeting of the Planning Commission at which it is to be considered. Submission of a sketch plan will not constitute a formal

filing of a subdivision or land development plan with the Township Board of Supervisors. Sketch plans should include those items listed in Part 4, Plan Requirements.

2. **Preliminary Plan**

A. **Submission of Preliminary Plans**

(1). The preliminary plan and all information and procedures relating thereto shall in all respects be in compliance with the applicable provisions of this Chapter. It is the responsibility of the sub-divider or developer to coordinate his plans with the respective private and public service agencies.

(2). The application form shall be accompanied by the requisite fee as set forth in 302 of the Chapter and by not less than three (3) copies of all required material and not less than nine (9) prints of the preliminary plan of the subdivision or development as required by Township Ordinance from time to time. Preliminary Plan must be presented for review not less than ten (10) days prior to the regular meeting of the Planning Commission.

(3). The Applicant shall forward one (1) copy of the preliminary plan prints to the Fayette County Planning Commission and such other agencies as he deems appropriate for review and comment.

(4). The Applicant shall forward the remaining copies of the preliminary plan prints and required materials to the Planning Commission.

(5). When applicable the application form shall be accompanied by a Planning Module for Land Development, as required by the Pennsylvania Department of Environmental Protection.

B. **Review of Preliminary Plans**

(1). In cases where the subdivision or land development adjoins an existing or proposed state highway, or has proposed streets entering on to state highways, the developer shall submit the plans to the Pennsylvania Department of Transportation for review.

(2). The Planning Commission will consider the plan to determine if it meets the standards set forth in this Chapter and Township Zoning Chapter.

(3). The Planning Commission shall act on the Preliminary Plan within sixty (60) days of the official filing date, but in any event shall act on the plan in time for Supervisors to render their decision within ninety (90) days from the

official filing date. In the event that any variance from this Chapter is requested by the applicant or is deemed necessary for approval, the variance and the reasons for its necessity shall be entered into the records of the Township Board of Supervisor.

C. **Planning Commission Recommendation**

(1). The planning Commission shall recommend whether the Preliminary Plan shall be approved, approved with modifications or disapproved, and shall notify the Township Board of Supervisors in writing thereof, including, if disapproved, a statement of reasons for such action by means of the minutes of the meeting.

(2). In making its recommendations, the Planning Commission shall consider the recommendations of the Township Engineer, Township Staff, Township Sanitary Engineer, the Fayette County Planning Commission, interested residents and the recommendations of any agency or agencies from which a review was requested under subsection 304 (2)(A)(3) of this Chapter.

D. **Township Engineer Review.**

All plans may be reviewed by the Township Engineer, which approval, if reviewed, shall precede the transmission of such plans to the township board of Supervisors.

E. **Resubmission of Final Plans.**

A revised plan submitted after disapproval shall be considered and processed as a new plan submission.

F. **Approval of Final Plans.**

(1). Township Supervisors shall act on the preliminary plan within ninety (90) days of the official filing date. Failure to do so shall be deemed an approval. Before acting on a preliminary plan the Township Supervisors may hold a hearing thereon after public notice.

(2). The Township Supervisors shall notify the applicant of its decision to approve with conditions, or disapprove the preliminary plan in writing. Such notice shall be given to the applicant in person or mailed to him at his last known address not later than fifteen days following the decision. If the plan is approved with conditions or disapproved, the Township Supervisors shall specify in its notice the plan, and the requirements which have not been met, including specified reference to provisions of any statue or ordinance which have not been fulfilled.

(3). Approval of the preliminary plan shall constitute approval of the subdivision or land development as to the character and intensity of development, the arrangement and approximate dimensions of streets, lots and other planned features. The approval binds the sub-divider or developer to the general scheme of the subdivision shown, unless a revised preliminary plan is submitted, and permits the sub-divider to proceed with final detailed design of improvements, to arrange for guarantee to cover installation of the improvements, and to prepare the final plan. Approval of the preliminary plan does not authorize the sale of lots nor the recording of the preliminary plan.

3. Final Plan

A. Submission of Final Plans

(1). After the sub-divider or developer has received official notification from the Township Board of Supervisors that the preliminary plan has been approved, he must submit a final plan in accordance with the provisions of Section 508 of the Municipalities Planning Code.

(2). The final plan shall conform in all respects with the approved preliminary plan. If it does not, the plan submitted shall be considered as a revised preliminary plan and shall be forwarded to the Planning Commission for review and recommendation as a preliminary plan.

(3). The sub-divider or developer must submit with the final plan a guarantee for the installation of improvements which meets the requirements of Part 6.

(4). The application form shall be accompanied by the requisite inspection and engineering fees as set forth in 302(3).

(5). Documented approval of the Planning module for Land Development by the Pennsylvania Department of environmental Protection shall be a part of the requisite materials accompanying the Final Plan submission.

(6). The sub-divider or developer shall submit a reproducible original of the plans and five (5) copies of the plans and one (1) copy of the plan and one (1) copy of all other material to the Fayette County Conservation District for review and comments; one (1) copy of the plan and one (1) copy of all other material to the Fayette County Planning Commission; and copies to such other agencies whose recommendations would be pertinent to the processing of the plan.

B. **Review of Final Plans**

(1). The Planning Commission will review the plan and requisite materials for compliance with the approved preliminary plan and for conformance to the requirements of this chapter.

(2). The Planning Commission shall act on the final plan within sixty (60) days of the official filing date.

C. **Planning Commission Recommendation**

(1). The Planning Commission shall recommend whether the final plan shall be approved, approved with modifications, or disapprove, and shall notify the Township Supervisors in writing thereof, including, if approved with modifications or disapproved a statement of reasons for such action by means of the minutes of the meeting.

(2). In making its recommendation, the Planning Commission shall consider the recommendations of the Fayette County Planning Commission, the Fayette County Conservation District, Penn Dot and recommendations of any agency or agencies from which a review was requested under 304 (3)(4)(7).

D. **Township Engineer Review**

All plans may be reviewed by the Township Engineer, which approval, if reviewed, shall precede the transmission of such plans to the Township Board of Supervisors.

E. **Resubmission of Final Plans.**

A revised plan submitted after disapproval shall be considered and processed as a plan submission.

F. **Approval of Final Plans**

(1) Township Supervisors will not take official action to approve a Final Plan unless it is accompanied by a guarantee for the installation of improvements which meet requirements of Part 6.

(2) Township Supervisors shall take action with ninety (90) calendar days from the official filing date of the final plan. Failure to do so

shall be deemed as an approval.

(3) Township Supervisors shall notify the applicant in writing of its decision to approve, approve with conditions or disapprove, the final plan. Such notice shall be given to the applicant in person or mailed to him at his last known address not later than fifteen (15) days following the decision. If the final plan is disapproved, the Township Board of supervisors shall specify the defects found in the plan and the requirements which have not been met, including specific reference to the provisions of any statue or ordinance which has not been fulfilled.

(4) If the final plan is approved subject to conditions, the Township Board of Supervisors shall not endorse the plan until all of the conditions have been met.

(5) If the Township Supervisors approve the final plan or grants a conditional approval, it shall set the amount of bonding or other security necessary to guarantee the construction of improvements and community facilities and shall state such amount in the notice to the applicant.

G. Recording of Final Plans

(1) Upon approval of the final plan, the sub-divider or developer shall prepare four (4) prints which shall be submitted to the Township not later than thirty (30) days after approval. These plans, upon satisfaction of all conditions attached to the approval, will be signed by the Chairman of the Board of Supervisors. A copy of the signed final shall be recorded in the office of the Fayette County Recorder of Deeds within ninety (90) days after approval of the final plan or the approval of Township Supervisors shall be null and void. The final plan must be recorded before proceeding with the sale of lots or construction of buildings. The sub-divider or developer shall submit a copy of the recorded plan to the Township Secretary within 10 days of recording.

(2) Recording the final plan shall be an irrevocable offer to dedicate all streets and other public ways to public use, and to dedicate or reserve all park reservations and other public areas to public use unless reserved by the sub-divider as hereinafter provided. The approval of the final plan shall not impose any duty upon Supervisors or Township concerning maintenance or improvements except if such action is taken by ordinance or resolution.

(3) The sub-divider shall place a notation on the final plan if there is no offer of dedication to the public of streets and certain public areas, in which event the title to such areas shall remain with the Owner, and the Township shall assume no responsibility for improvement or maintenance thereof; which fact shall be noted on the final plan.

PART 4

Plan Requirements

401. **Sketch Plan**

1 A sketch plan may be submitted by the sub-divider or developer as a basis for informal discussion with the Planning Commission, which may comment upon such plan, but no approval or disapproval shall be given.

2 Data furnished in a sketch plan shall be at the discretion of the sub-divider. For fullest usefulness, it is suggested that a sketch should include the following information:

A. Tract boundaries.

B. Location within the Township

C. North Point.

D. Streets on and adjacent to the tract.

E. Significant topographical physical features.

F. Proposed general street layout.

G. Proposed general lot layout, including location of proposed open space and other preservation areas.

3 A subdivision sketch plan need not to be to scale nor are precise dimensions required.

402. **Preliminary Plan**

1. The preliminary plan shall be at a scale of not more than one hundred (100) feet to the inch.

2. The preliminary plan shall show or be accompanied by the following information:

A. Proposed subdivision or land development name or identifying title.

B. City name

C. North point, scale and date of preparation.

D. Name(s) and addresses of the owner(s) off the property, including reference to deed book, volume and page of current legal owner.

E. Name and seal of a Pennsylvania registered surveyor.

F. Tract boundaries, with bearings and distance.

G. Existing contours at vertical interval of five (5) feet or, in the case of relatively level tracts, at such lesser interval as may be necessary for satisfactory study and planning of the tract.

H. Datum to which contour elevations refer shall be U.S. Coast and Geodetic Survey datum. (Township will furnish elevations of nearest known benchmarks.

I. All existing watercourses, floodplains or tree masses and other significant natural features.

J. All existing buildings, sewers, water mains, culverts, petroleum or petroleum product lines, fire hydrants and other significant man-made features.

K. All existing streets on or adjacent to the tract, including name right-of-way width and cart-way width.

L. All existing property lines, easements and right-of-ways and the purpose for which the easements or right-of-ways have been established.

M. Location and width of all proposed streets, alleys, right-of-ways and easements; proposed lot lines with approximate dimensions and area of all lots; proposed minimum set-back lines for each street; playgrounds, public buildings, public area and parcels of land proposed to be dedicated or reserved for public use; proposed street names; proposed watercourses and detention ponds; proposed phasing of land development; typical section of all streets.

N. Total acreage, number of lots, average lot size, density, open space and existing zoning classification and Tax Map Parcel No.

O. Names of owners of all adjoining properties and all abutting subdivisions .

P. A location map, at a scale of four hundred (400) feet to the inch, showing the proposed development and adjoining areas, will be required.

Q. Where the preliminary plan covers only a part of the sub-divider's entire holding, a sketch shall be submitted of the prospective street layout for the remainder.

R. Where applicable, a Plan Revision Module for Land Development shall be the responsibility of the applicant and shall be prepared in accordance with the rules and regulations of the Pennsylvania Department of Environmental Protection. The completed module shall accompany the preliminary plan submission.

S. When on-lot water supply is proposed, the location of all well sites or springs shall be shown.

T. When required by 512 of this Chapter, a proposed soil erosion and sedimentation control plan shall be submitted.

U. When required, the information required by 513 of this Chapter, which may be a separate plan, shall be submitted.

V. Block for signatures of the reviewing agency membership and date of recommendation, as per example in Appendix A.

W. Block for signatures of Supervisors and date of approval, as per example in Appendix A.

X. Land development plans shall show building locations and parking areas in addition to the above information.

Y. A letter from the sub-divider specifically requesting any waiver from the regulations herein established and citing the reasons for same.

403. **Final Plan**

1. Final plans shall be on sheets twenty-two (22) inches by eighteen (18) inches. Where necessary to avoid sheets larger than the size prescribed, final plans shall be drawn in two (2) or more sections. The plan shall be drawn and annotated in accordance with the "Subdivision Plan Form" shown as Appendix A hereto, The final plan shall be at a scale of not more than one hundred (100) feet to the inch.

2. The final plan shall include or be accompanied by the following:

A. Subdivision name or identifying title.

B. City name.

C. North point, scale, date of preparation and date of preliminary plan approval.

D. Name and address of the record owner and sub-divider or land developer, including reference to deed book, volume and page of current owner.

E. Name and seal of a Pennsylvania registered surveyor.

F. Tract boundaries with bearings and distances.

G. All existing streets and driveways on or adjacent to the tract, including name, right-of-way width, cart-way width, street lines, lot lines, right-of-ways, easements and areas dedicated or proposed to be dedicated to public use.

H. Sufficient data, including bearing and length, to locate every street, lot, easement, right-of way and boundary line upon the ground.

I. The length of all straight lines, radii, lengths of curves and tangent bearings for each street.

J. All dimensions and angles or bearings of the lines of each lot and of each lot proposed to be dedicated to public use.

K. The proposed building set- back line for each street and the proposed placement of each building, except placement for single- family dwellings.

L. Location and width of all right-of-way, easements, and the purpose for which the right-of-way and easements were established.

M. Location of all sanitary and storm sewer easements, and location of all watercourses and detention ponds, whether public or private.

N. All dimensions shall be shown in feet and hundredths of a foot.

O. Lots within a subdivision shall be numbered and their area shown within the lot boundaries; house numbers, as assigned by the Township, or post office shall also be shown therein.

P. Typical section for all proposed streets.

Q. Permanent reference monuments shall be shown on the plan and designated existing or proposed.

(6). Centerline of streets with bearings, distances, curve data, sight distances and stations corresponding to the profile.

(7). Right-of-way and curb lines of streets with radii at intersections.

(8). Beginning and end of proposed construction of streets.

(9). Tie-ins by courses and distances to intersection of all public roads with their names and widths.

(10). Location of all monuments with reference to them.

(11). Property lines and ownership of abutting properties.

(12). Location and size of all drainage structures, public utilities, street name signs and shade trees.

(13). Location and size of storm and/or sanitary sewer lines with stations corresponding to the profile.

(14). Location of storm and/or sanitary sewer manholes or outlets with grade between and elevation of flow line and top of each manhole or outlet.

(15). Property lines and ownership, with details of easements where required.

(16). Beginning and end of proposed construction of storm and/or sanitary sewer.

(17). Location of storm and/or sanitary laterals, y's, etc.

(18). Location of all other drainage facilities and public utilities.

(19). Profile of existing ground surface along centerline of street.

(20). Proposed centerline grade of streets with percent of grade on tangents and elevations at fifty (50) feet intervals, including grades at intersections, control points, etc.

(21). Vertical curve data of streets, including length, elevations and sight distance as required by Engineer.

(22). Profile of existing ground surface with elevations at top of manholes or inlets.

(23). Profile of storm drain or sewer, showing size of pipe, grade, cradle (if any), manhole or inlet locations and elevations at flow line.

404. As-Built Plans.

The sub-divider or developer will furnish the Township and the Municipal Authority with as-built plans for sanitary systems and storm sewer systems within the subdivision or land development.

PART 5

General Design Principles

501. Application.

The Supervisors and Planning Commission to evaluating plans for proposed subdivisions or land developments will apply the following principals, standards and requirements. The standards and requirements outlined herein shall be considered minimum standards and requirements for the promotion of the public health, safety, morals and general welfare. Where literal compliance with the standards herein specified is clearly impractical, Owner may modify or adjust the standards to permit reasonable utilization of property while securing substantial conformance with the objectives of this Chapter.

502. Land Requirements.

1. Land shall be suited to the purposes for which it is to be subdivided or developed.

2. Land that is unsuitable for development because of hazards to life, safety, health or property, shall not be subdivided or developed until such hazards have been eliminated or unless adequate safeguards against such hazards are provided for in the Subdivision or Land Development Plan. Land included as having unsuitable characteristics would be the following:

A. Land subject to flooding or which has a high ground water table

B. Land which if developed will create or aggravate a flooding condition upon other land.

C. Land subject to subsidence.

D. Land subject to underground fires.

E. Land containing significant areas of slopes greater than 25%.

F. Land that, because of topography or means of access, is considered hazardous by the Supervisors.

G. Land that is subject to ground pollution or contamination.

3. Proposed subdivisions of land developments shall be coordinated with existing nearby neighborhoods so that the community as a whole develops harmoniously.

4. Proposed land uses shall conform to the Township Zoning Ordinance.

503. Street Systems

1. Proposed streets shall be properly related to such street plans or parts thereof as have been officially prepared and adopted by the Township and shall be coordinated with existing or proposed streets in adjoining subdivisions or land developments.

2. Proposed streets shall further conform to such County and State road and highway plans as have been prepared, adopted or filed as prescribed by law.

3. Streets shall be related to the topography so as to produce usable lots and acceptable grades.

4. Access shall be given to all lots and a portion of the tract in the subdivisions or land developments and to adjacent un-subdivided territory unless the topography clearly indicates that such connection is not feasible. Streets giving such access shall be improved to the limits of the subdivision or land development and shall be improved.

5. Streets shall be laid out to preserve the integrity of their design. Local access streets shall be laid out to discourage their use by through traffic and, where possible, arterial streets shall be designed for use by through traffic.

504. Street Design.

1. Street Classification

A. Three functional classifications are hereby established for the streets and roads in the Township.

(1). **Arterial** This classification includes highways which provide intra-county or inter-municipal traffic of substantial volumes where the average trip lengths are usually five (5) miles or greater. Generally, these highways should accommodate operating speeds of 35 to 55 miles per hour.

(2). **Collector** This classification is intended to include those highways that connect local access highways to arterial highways. They may serve as intra-county and intra-city traffic. They may serve as traffic corridors connecting residential areas with industrial shopping and other service. They may penetrate residential areas. Generally these highways will accommodate operating speeds of 35 miles per hour.

(3). **Local Access** This classification is intended to include streets and roads that provide direct access to abutting land and connections to higher classes of roadways. Traffic volumes will be low and travel distances generally short. These streets and roads should be designed for operating speeds of 25 miles per hour or under.

2. **Right of Way Widths**

A. **Minimum Widths** for each type of public street shall be as follows:

Type of Street	Right-of-Way Width	Cart-Way Width
Arterial	80'-120'	50'
Collector	50'	30'
Local Access	50'	22'

B. Where a proposed subdivision abuts an existing public street or road having a right-of-way width less than would be required if said street or road were created under this Chapter, sufficient additional width for right0of-way may be required and dedicated to meet the foregoing standards.

C. Additional right-of-way and cart-way widths may be required by the Supervisors to promote public safety and convenience when special conditions require it and to provide parking space in areas of intensive use.

3. **Cul-de-sac Streets**

A. Cul-de-sac streets, whether permanent or temporary, shall be provided at the closed end with a turnaround having a minimum radius to the edge off the finished street of curb line of not less than fifty (50) feet.

B. Unless future extension is clearly impractical or undesirable, the turnaround right-of-way shall be placed adjacent to a property line and a right-of-way of the same width as the street shall be carried to the property line in such a way as to permit future extension of the street into the adjoining tract. At such time as such a street is extended, the overage created by the turnaround outside the boundaries of the extended street shall revert in ownership to the property owners fronting on the cul-de-sac turnaround.

C. The Township Engineer or designated agent shall review commercial and industrial cul-de-sacs for adequacy. This recommendation will be given to the Supervisors who shall have the final authority in this matter.

D. Permanent cul-de-sac streets shall be kept to a minimum and shall not exceed six hundred (600) feet in length without Supervisor's waiver.

4. **Street Alignment**

   A. Whenever street lines are deflected by more than five (5) degrees, connection shall be made by horizontal curves.

   B. The minimum radius at the centerline for horizontal curves on collector and arterial streets shall be three (300) feet, and for local streets the minimum radius shall be one hundred (100) feet.

   C. On local access streets, the minimum tangent between reverse curves shall be at least one hundred (100) feet; on collector and arterial streets, the minimum tangent shall be at least two hundred fifty (250) feet.

   D. Minimum vertical sight distance measured four (4) feet above grade shall be three hundred (300) feet for collector and arterial streets and one hundred (100) feet for local access streets.

5. **Street Grades**

   A. The minimum grade on all streets shall be one (1%) percent.

   B. The maximum grade on collector or arterial streets shall be seven (7%) percent and on local access streets twelve (12%) percent.

   C. Vertical curves shall be used in changes of grade exceeding one (1%) percent and shall provide proper sight distances as specified hereinabove.

6. **Street Intersections**

   A. Local streets shall not intersect with collector or arterial streets on the same side at intervals of less than eight hundred (800) feet as measured from centerline to centerline.

   B. The distance between centerlines of streets opening onto the opposite side of a proposed or existing street shall not be less than one hundred fifty (150) feet unless the streets are directly opposite each other.

   C. Multiple intersections involving the junction of more than tow (2) streets shall be avoided. Where this proves impossible, such intersections shall be designed with extreme care for both pedestrian and vehicular safety.

   D. Streets shall be all laid out to intersect as nearly as possible at right angles. Local streets shall not intersect collector or arterial streets at an angle of less than seventy-five (75) degrees. The intersection of two (2) local streets shall not be at an angle of less than sixty (60) degrees.

E. Minimum curb radius at the intersection of two (2) local streets shall be at least twenty (20) feet; and minimum curve radius at an intersection of a local street and a collector or arterial street shall be at least twenty- five (25) feet.

F. There shall be provided and maintained at all intersections clear sight triangles of seventy-five (75) feet in all directions measured along the centerline from the point of intersection. Nothing which obstructs the vision of a motorist shall be permitted in this area.

G. Intersections shall be designed with a flat grade wherever practical. Where the grade of any street at the approach to an intersection exceeds seven (7%) percent, a leveling area shall be provided having a grade of not greater than four (4%) percent for a distance of twenty-five (25) feet measured from the nearest right-of-way line of the intersecting street.

7. **Pavement Design**

A. All components of the pavement structure shall be designed and constructed in accordance with the Township ordnance number _____ as amended.

8. **Alleys and Driveways**

A. Alleys are prohibited in residential developments.

B. Driveways serving properties located adjacent to an intersection shall be offset from the intersection of the curb line distance not less than the required setback dimension.

505. Curbs and Sidewalks

1. Curbs

A. Curbs shall be provided on all streets and parking compounds located within multi-family and apartment build developments. Curbs shall also be required on new streets in subdivisions or land developments in which the average lot width of interior lots at the required building setback line is one hundred (100) feet or less. Curbs may also be required in any subdivision in which the lot areas or the lot widths exceed the above minimum, when the centerline grade of any street exceeds three (3%) percent. In such cases, curbs or other drainage controls shall be installed to properly control surface drainage and protect the streets from erosion. The requirements of the curbs may be waived at the discretion of the Supervisors.

B. All curbs shall be depressed at intersections to sufficient width to accommodate wheelchairs. Depression shall be in line with sidewalks where provided.

C. Curbs may be either vertical type or rolled gutter type. Rolled curb and gutter shall not be used on collector streets. The transition from one type of curb to another shall occur only at intersections.

3. Sidewalks

A. Sidewalks shall be provided on all streets and parking compounds located within multi-family and apartment building developments. Sidewalks shall also be required on new streets in subdivisions or land developments in which average lot width of interior lots at the required building setback line is ninety (90) feet or less. The requirement of sidewalks may be waived at the discretion of the supervisors.

B. Minimum widths for sidewalks along each type of public street shall be four (4) feet and shall follow Township specifications.

506. Storm Drainage Management

1. Any landowner and any person engaged in the alteration development of land which may affect storm water runoff characteristics shall implement such measures as are reasonably necessary to prevent injury to health, safety or property damage. Measures shall include such actions as are required:

A. To assure that the maximum rate of storm water runoff is no greater after development than prior to development activities; or

B. To manage the quantity, velocity and direction of resulting storm water runoff in a manner which otherwise adequately protects health and property from possible injury.

2. Such water runoff should include any runoff from any portion of any existing surface drainage system into which water from the proposed land use drains, including but not limited to culverts, French drains, pipes, downspouts, swales, ditches. Manholes, inlets, gutters, lowlands, wetlands, water courses, water bodies, hill slope land areas and any other device or method used to control or collect storm water runoff.

3. In calculating the above flows, the "rational formula" or equal must be used in calculating conveyed floe, and "flood routing" or equal must be used in calculating storage and timing.

4. Lots shall be laid out and graded to provide positive drainage away from buildings. Supervisors may require a Grading and Drainage Plan for individual lots indicating a buildable area within each lot, complying with the setback requirements, for which positive drainage is assured.

5. No person, corporation or other entity shall block, impede the flow of, alter, construct any structure or deposit any material or thing, or commit any act which will affect normal or flood flow in any communal stream or water course without having obtained prior approval from the Township and all other administrative agencies.

6. Where a subdivision or land development is traversed by a natural watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural drainage.

7. The Township will assure that all permanent streams, not under the jurisdiction of other official agencies, are maintained open and free flowing.

8. The sub-divider or developer, and each person, corporation or other entity which makes any surface changes shall be required to:

    A. Collect on-site surface runoff and dispose of it to the point of discharge into the common natural watercourse of the drainage area.

    B. Design drainage facilities to handle runoff from upstream areas, assuming full development of those areas, based upon the comprehensive plan for the Township.

    C. Design, construct and/or install such drainage structures and facilities as are necessary to prevent a erosion damage to the subdivision or land development, adjacent property and downstream property. Such structures and facilities shall satisfactorily convey such surface waters to the nearest practical street, storm drain, detention pond or natural watercourse.

9. Storm sewers, culverts and related installations shall be provided to permit unimpeded flow of natural watercourses, to drain all low points along streets and to intercept storm water runoff along streets at intervals reasonably related to the extent and grade of the area drained.

10. Storm sewers, culverts and related installations shall be provided to permit unimpeded flow of natural watercourses, to drain all low points along streets and to intercept storm water runoff along streets at intervals reasonably related to the extent and the grade of the area drained.

11. Street drainage will not be permitted to cross intersections or the crown of the road.

    A. Maximum spacing of street inlets shall not exceed three hundred (300) feet.

    B. All street inlets shall be Penn Dot Type C, S or M. Inlet tops shall be cast in place reinforced concrete or precast concrete.

    C. All culvert ends shall be provided with either reinforced concrete headwalls or pipe end sections.

    D. Minimum pipe size shall be fifteen (15) inch diameter.

    E. All materials and workmanship shall be in accordance with Penn Dot specifications and standards.

12. All springs and sump pump discharges shall be collected so as not to flow in the streets.

13. Storm water roof drains shall not discharge water directly over a sidewalk.

14. Stabilized outlets shall be provided for footer drains, floor drains and downspouts. All outlets shall be extended to the paved gutters of streets and connected to the storm sewer system where accessible.

15. The Soils Cover Complex Method of the Soil Conservation Service of the U.S. Department of Agriculture may be used for estimating storm water runoff.

16. The Rational Method may be used for analysis of storm sewer systems and for storm water management facilities in minor subdivisions.

17. Where the estimated runoff based upon the above methods is doubtful, several recognized methods should be studied and compared.

18. The design criteria shall be a one hundred (100) year storm.

19. Runoff calculations must include <u>complete</u> hydrologic and hydraulic design and analysis of <u>all</u> control facilities.

20. **<u>Control Facilities</u>**

    A. Permanent control measures / facilities shall be designed to assure that the maximum rate of storm water runoff is not greater after development than prior to development.

    B. Control Facilities shall be designed to meet, as a minimum, the design standards and specifications of the "Erosion and Sedimentation Control Handbook for Fayette County.

(1) Detention ponds may be waived by the Supervisors at sites in close proximity to the major streams. This is to facilitate drainage prior to stream flooding.

(2) Ponds shall be limited to the detention (dry) type unless the developer can show a special need for a retention pond.

(3) Any pond shall be fenced with six (6) foot fence with a type subject to the approval of the Township.

B. A maintenance program for control facilities must be included as part of the Grading and Drainage Plan.

(1) Maintenance during development activities of a project shall be the responsibility of the contractor, developer and owner.

(2) Arrangement for maintenance of permanent control facilities after completion of development activities shall be made before approval of final plans to be given by the Supervisors.

(a) In cases where permanent control facilities are owned by an entity, it shall be the responsibility of that entity to maintain control facilities (e.g. Homeowner's Association). In such cases a legally binding agreement between the owner and the Township shall be made providing for maintenance of all permanent erosion control facilities, including the inspection by the Township.

507. **Lot Grading for Subdivisions and Land Developments**

1. Blocks and lots shall be graded to provide proper drainage away from buildings and to prevent the collection of storm water in pools. Minimum two (2%) percent slopes away from structures shall be required.

2. Lot grading shall be of such design as to carry surface waters to the nearest practical street storm drain or natural watercourse. Where drainage swales are used to deliver surface waters away from buildings, their grade shall not be less than one (1%) percent nor more than four (4%) percent. The swales shall be sodded, planted or lined as required. A Grading and Drainage Plan shall be required for all subdivisions and land developments, expect minor subdivisions...

3. No final grading shall be permitted with a cut face steeper in slope than two (2) horizontal to one (1) vertical except under one or more of the following conditions:

   A. The material in which the excavation is made is sufficiently stable to sustain a slope steeper than two (2) horizontal to one (1) vertical, and a written statement of a civil engineer, licensed by the Commonwealth of Pennsylvania and experienced in erosion control to that effect is submitted to the Supervisors. The statement shall state that the site has been inspected and that the deviation from the slope specified herein before will not result in injury to persons or damage to property.

   B. A concrete or stone masonry wall constructed according to sound engineering standards for which plans are submitted to the Supervisors for review and approval is provided.

4. No final grading shall be permitted which creates any exposed surface steeper in slope than two (2) horizontal to one (1) vertical except under one or more of the following conditions:

   A. The fill is located so that settlement, sliding or erosion will not result in property damage or be hazardous to adjoining property, street alley or buildings.

   B. A written statement from a civil engineer, licensed by the Commonwealth of Pennsylvania and experienced in erosion control, certifying that he has inspected the site and that the proposed deviation from the slope specified above will not endanger any property or result in property damage, is submitted to the Supervisors.

   C. A concrete or stone masonry wall constructed according to sound engineering standards for which plans are submitted to the Supervisors for review and approval is provided.

5. The top or bottom edge of slopes shall be a minimum of three (3) feet from property or right-of-way lines of street or alleys in order to permit the normal rounding of the edge without encroaching on the abutting property. All property lines, where walls or slopes are steeper than one (1) horizontal to one (1) vertical and five (5) feet or more in height shall be protected by a protective fence no less than three (3) feet in height.

6. All lots must be kept free of any debris or nuisances what so ever.

508. Block and Lots

1. The length, width, shape and design of blocks shall be determined with due regard to the provision of adequate sites for buildings of the type proposed, to the land use and/or zoning requirements of the Township, the topography of the land being subdivided, and the requirements for safe and convenient vehicular and pedestrian circulation.

2. Unless the topography of the land being subdivided or the existing pattern of development in the immediately adjacent area shall be otherwise than herein required, the following minimum standards for the design and size of blocks and lots shall prevail:

   A. The length, width, shape and design of blocks shall be determined with due regard to the provision of adequate sites for buildings of the type proposed, to the land use and/or zoning requirements of the Township, the topography of the land being subdivided, and the requirements for safe and convenient vehicular and pedestrian circulation.

   B. Unless the topography of the land being subdivided or the existing pattern of development in the immediately adjacent area shall be otherwise than herein required, the following minimum standards for the design and size of blocks and lots shall prevail:

      (1). Blocks shall not exceed sixteen hundred (1600) feet in length, nor be less than five hundred (500) feet in length.

      (2). Residential blocks shall generally be of sufficient depth to accommodate two (2) tiers of lots, except where reverse frontage lots bordering an arterial or collector street are used, or where due to the contour of the land, or the necessary layout of the subdivision, there is insufficient depth between intersecting streets for such two (2) tier design.

      (3). Blocks for commercial and industrial areas may vary from the elements of design contained in this Section if the nature of the use requires other treatment. In such cases, off-street parking for employees and customers shall be provided along with safe and convenient limited access to the street system. Space for off-street loading shall also be provided with limited access right-of-way, and utilities shall be provided as necessary.

      (4). Lot lines intersecting street lines shall be substantially at right angles or radial to street lines.

(5). Lots shall, in general, front on a street which has already been dedicated to the Township or which the sub-divider or developer proposes to dedicate to the Township in connection with approval of the final plan. In commercial or industrial subdivisions or land developments where access is proposed to be provided by private streets within the subdivision or land development, this requirement may be waived by the Supervisors.

(6). Minimum lot sizes shall be in accordance with the Township Zoning Ordinance.

(7). Remnants of land, smaller than required for a lot, shall not be permitted within any subdivision. Such remnants shall be incorporated in existing or proposed lots, or dedicated to public use if acceptable to the Supervisors.

(8). Double frontage lots are prohibited except in accordance with 508 (2) (B) (3) above.

(9). No residential lots shall be created which front upon an arterial or collector street, as defined in 504 (1) herein.

509. Development on Private Streets Discouraged

All subdivided lands shall have frontage on a public street.

510. Open Space, Lot Sitting, Planting and Beautification

1. In order to promote the highest environmental quality possible, the degree to which the applicant of a subdivision or land development plan has preserved existing salient natural features and land forms intrinsic to the site, shall be assessed. Terms of approval of a plat maybe subject to the manner in which the layout or design of the plan has preserved existing natural features, such as, but not limited to, trees, wooded areas and water course.

2. **Open Space** Where the applicant is offering for dedication, or is required by ordinance to establish a reservation of open space or preserve an area of scenic or historic import, a "limit of work", which will confine excavation, earth moving procedures and other changes to the landscape, may be required to ensure preservation and prevent despoliation of the character of the area in open space.

3. **Tree Preservation** Wherever possible, trees shall not be removed unless they are located within the proposed street right-of-way, within the proposed building area, or within utility locations and equipment access areas. In areas where trees are retained, the original grade level shall be maintained, if possible, so as not to disturb the trees.

4. **Topsoil Preservation** All of the topsoil from areas where cuts and fills have been made should be stockpiled and redistributed uniformly after grading. All areas off the site shall be stabilized by seeding or planting on slopes of less than ten (10%) percent and shall be stabilized by seeding on slopes ten (10%) percent or more and planted in ground cover on slopes twenty (20%) percent or greater.

5. **Landscaping** For all multi-family, apartment, office, commercial and industrial subdivisions or land developments, a landscaping plan should be provided and shall include sufficient plantings for the required open space, planting strips, screenings, formal gardens, shade trees and natural barriers.

6. **Buffer Planting Requirements** Buffer yard requirements should be as specified in the Township Zoning Chapter.

7. **Preserved Landscaping** When there is a conscientious effort to preserve the existing natural integrity and character of a site and where such preservation effectuates areas of woodland and trees comparable to required planting improvements, i.e., landscaping and buffer screening, the plan may be received in lieu of additional landscaping requirements.

8. **Trees** The planting of trees within the street right-of-way line shall not be permitted. The planting of any trees within the private property of each residential lot shall be at the discretion of the property owner or developer.

9. **Watercourse Protection** Where a subdivision or land development is traversed by a natural watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural drainage. Such easement shall be in addition to the open space required in Section 510(2).

510. Erosion and Sediment Control

1. General Purpose

A. Supervisors find that the minimization of erosion and control of sedimentation in connection with land development and subdivision are in the public interest, affecting public health, safety and welfare, and, therefore, those regulations governing erosion control and sedimentation control are necessary for the Township.

B. No changes shall be made in the contour of the land, no grading, excavating, removal or destruction to the topsoil, trees or other vegetative cover of the land shall be commenced until such time that a plan for minimizing erosion and sedimentation has been processed with and reviewed by the Fayette County Soil and Water Conservation District, or there has been a determination by the above entities that such plans are not necessary.

C. No subdivision or land development plan shall be approved unless:

(1) There has been an Erosion and Sedimentation Control Plan approved by the Supervisors and the Township Engineer that provides for minimizing erosion and sedimentation consistent with this Section 511, and an improvement bond or other acceptable securities are deposited with the Township in the form of an escrow guarantee which will ensure installation and completion of the required improvements; or

(2) There has been a determination by the Supervisors and Township Engineer that a plan for minimizing erosion and sedimentation is not necessary

D. Where not specified in this Chapter, measures used to control erosion and reduce sedimentation as a minimum, meet the standards and specifications of the Fayette County Soil and Water Conversation District.

2. **Performance Principals** The following measures are effective in minimizing erosion and sedimentation, and shall be included where applicable in the control plan:

A. Stripping of vegetation, regarding, or other development shall be done in such a way that will prevent all but minor erosion.

B. Development plans shall preserve salient natural features, keep cut-fill operations to a minimum and insure conformity with topography, so as to create the least potential and adequately handle the volume and velocity of surface water runoff.

C. Whenever feasible, natural vegetation shall be retained, protected and supplemented.

D. The disturbed area and the duration of exposure shall be kept to a practical minimum.

E. Disturbed soils shall be stabilized as quickly as possible.

F. Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.

G. The permanent final vegetation and structural erosion control and drainage measures shall be installed as soon as practical in the development.

H. Provisions shall be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development. Where necessary, the rate of surface water runoff will be structurally retarded.

I. Sediment in the runoff water shall be trapped until the disturbed area is stabilized by the use of debris basins, sediment basins, silt traps or similar measures.

3. **Grading for Erosion and Other Environmental Controls** In order to provide suitable sites for building and other uses, to improve surface drainage and to control erosion, the following requirements shall be met:

A. Streets shall be improved to a mud-free or otherwise permanently passable condition as one of the first items of work done on a subdivision or development. The wearing surface shall be installed in accordance with Section 504(7) and as approved in the Final Plan.

B. Provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surfaces of fills, by installation of temporary or permanent drainage across or above these areas.

C. Fill shall be placed and compacted so as to minimize sliding or erosion of the soil.

D. Fills placed adjacent to watercourses shall have suitable protection against erosion during periods of flooding.

E. During grading operations, necessary measures for dust control will be exercised.

F. Grading equipment will not be allowed to enter into flowing streams. Provisions will be made for the installation of temporary or permanent culverts or bridges.

5. **Compliance with Regulations and Procedures**

A. Supervisors in their consideration of all preliminary plans of subdivision and land development shall condition its approval upon the execution of erosion and sediment control measures as contained in Section 511(2) and 511(3) hereof.

B. The installation and design of the required erosion and sediment control measurer shall be in accordance with standards and specifications of the Fayette County Soil and Conservation District.

6. **Stream Channel Construction**

A. Stream channel construction and reconstruction will conform to criteria established by the Pennsylvania Department of Environmental Protection.

512. Flood Plain Area Regulations

This Ordinance shall be subject to all the terms, conditions and provisions of the Washington Township Flood Plain Ordinance.

PART 6

Required Improvement

601. General Requirements

The sub-divider shall install required improvements. The final plan shall not be approved until final detailed design of the improvements is approved and the improvements are installed or security to the Supervisors is provided.

602. Streets

Streets shall be brought to the grades and dimensions drawn on plans, profiles and cross- sections submitted by the sub-divider. The sub-divider must install the required utilities and provide, where necessary, adequate subsurface drainage for the streets. The streets shall be designed and constructed to the standards set forth in sections 503 and 504 of this Chapter and in accordance with Township street construction ordinances, as the same may be amended or supplemented from time to time.

603. Curbs and Sidewalks

Curbs and sidewalks shall be provided in accordance with the standards set forth in Section 505 of this Chapter.

604. Sewers

1. Public Sewer Systems When the subdivision or land development is to be provided with a complete sanitary sewer system connected to a public sanitary sewer system. a statement of approval from the engineer of the sewerage system to which it will be connected shall be submitted to the Supervisors. Where required, DEP Planning Module approval shall be obtained for final plan approval.

2. Private Sewer Systems When a complete private sanitary sewer system using a treatment plant is to be provided, a statement shall be submitted to the Township from the Pennsylvania Department of Environmental Protection certifying that a permit has been issued by the appropriate agency approving the proposed facilities. Adequate security for the maintenance of such plant shall be furnished to the Township.

3. On-Lot Sewage Disposal In a subdivision, where public sewers are not available and a complete private sanitary sewer system is not required, on-lot sewage disposal systems shall be provided.

4. Capped Sewer System Where the sanitary sewer system is not yet accessible, but is planned for extension to the subdivision of development, the sub-divider shall install new sewer lines, including lateral connections, in order to provide service to each lot. The sewer mains shall be suitably capped at the limits of the subdivision and laterals capped at the street right-of-way line when not extended to houses or other structures. When laterals are extended to houses or other structures, the same shall be constructed in accordance with the plans and specifications provided by the engineer of the sewage system. The internal plumbing system shall be constructed to accommodate them and **no** downspouts, roof drains, french drains, basement floor drains or any other drain or pipe carrying or being designed to **eliminate or carry rain or ground water** shall be connected to the sewer system.

605. Water

1. Provision of System The subdivision or land development shall be provided with a complete water main supply system which shall be connected to a municipal water supply or with a community water supply approved by the engineer of the applicable water utility company and the Pennsylvania Department of Environmental Protection with satisfactory provision for the maintenance thereof; except that, when such municipal or community water supply system is available, each lot in a subdivision shall be capable of being provided with an individual water supply system in accordance with minimum standards approved by the Pennsylvania Department of Environmental Protection.

2. Plans The plans for the installation of the mains of a water supply system shall be prepared for the subdivision or land development with cooperation of the applicable water supply agency and approved by its engineer. A statement of approval from the engineer of the water supply agency to which the subdivision or land development will be connected, shall be submitted to the Supervisors. Upon the completion of the water supply system, one (1) copy of each of the plans for such system shall be filed with the Township.

3. Fire Hydrants Fire hydrants shall be provided as an integral part of any public water supply system. The Township Fire Chief shall be consulted to determine the location of proposed fire hydrants.

606. Storm Drainage A storm drainage system shall be provided in accordance with the standards as set forth in Section 506 of this Chapter and in accordance with Township Storm Water Management Ordinance, as the same may be amended or supplemented from time to time.

607. Utilities

1. Easements for utilities shall have a minimum width of twenty (20) feet.

2. To the fullest extent possible, easements for public utilities shall be centered on or adjacent to rear or side lot lines.

3. Telephone, electric, television, cable and such other utilities shall be installed underground and shall be provided within the street right-of-way or easements to be dedicated for such utilities, and in accordance with plans approved by the Supervisors and the applicable utility company. Underground installation of the utility distribution and service lines shall be completed prior to the street paving, gutter, curbing and sidewalk installation.

608. Monuments and Markers

1. Monuments shall be of concrete or stone at least six (6) inches by thirty (30) inches and marked on top with a copper or brass dowel. They shall be set at the intersection of lines forming angles in the boundaries of the subdivision and at the intersection of street lines. Markers shall be iron pipes or brass thirty (30) inches by three-fourths (3/4) inch diameter and set at all points where lines or curves and lines intersect.

2. Monument replacement-Any monuments or markers that are removed must be replaced by a registered land surveyor at the expense of the person responsible for the removal.

609. **Other Improvements**

1. Shade trees shall be provided as specified in section 510(8) of this Chapter.

2. Street name signs conforming to Township specifications shall be provided and installed by the sub-divider or developer at all street intersections.

3. Open space shall be provided as specified in Section 510(2) of this Chapter.

4. Other improvements to promote public safety and health as required by the Township Board of Supervisors as a condition of approval.

610. **Time Limits** All improvements shall be installed according to a time schedule, which shall be, approved by the Supervisors.

611. **Inspection** At the time each improvement is to be installed and upon its completion, the sub-divider shall notify the Supervisors so that adequate inspections can be made. All costs of undertaking the inspection will be borne by the sub-divider.

612. **Guarantees**

1. The applicant shall agree in writing, in a form provided by the Township, that he will constructor install and maintain until dedication all of the improvements required herein or required as a condition of approval, of the plan in accordance with the governing specifications and within the specified time limits.

2. As a condition for approval of a Final Plan, the applicant shall deposit with the Township Financial Secretary, an amount sufficient to cover the costs of the required improvements in accordance with Section 509 of the Municipalities Planning Code. In cases where development is projected over a period of years, the Township Board of Supervisors may authorize submission of Final Plan by sections or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development, as it finds essential for the protection of any finally approved section of development.

3. Release from Improvement Bond- The security for improvements deposited as aforesaid may be released in accordance with section 509 of the Municipalities Planning Code.

4. If the sub-divider or developer does not satisfactorily construct or install all of the improvements included within the agreement referred to in Section 612(1) hereof, shall institute appropriate legal or equitable proceedings to enforce the bond or other security referred to in Section 612(2) hereof, or if no bond or other security is enforceable or if the proceeds thereof are insufficient to pay the cost of completing the construction or installation of such improvements or the cost of making repairs or corrections there to, to collect the same from the sub-divider or developer. The Township Board of Supervisors, at its option, may also proceed to complete such improvements or make repairs and corrections thereto prior to receiving the cost thereof from the surety on the bond, from the other security or from the sub-divider or developer. All funds recovered from the surety, from other security or from the sub-divider or developer shall be used solely for such improvements and not any other purpose.

PART 7

Mobile Home Parks

701. Grant of Power Provisions regulating mobile home parks as set forth in this Part are pursuant to Section 501 of the Municipalities Planning Code.

702. Purpose, Authority and Jurisdiction The purpose, authority and jurisdiction for land development as a mobile home park are the same as contained in Part 1 of this Chapter.

703. General Procedure and Plan Requirements The General Procedure and Plan Requirements for land developments as a mobile home park shall be in accordance with the requirements contained in Parts 3 and 4 of this Chapter.

704. Design Standards The arrangements and other design standards of streets, easements, blocks, lots, storm water management , erosion and sedimentation control and flood plain regulations shall be in accordance with the requirements contained in Part 5 of this Chapter, and the Township Zoning Ordinance, as the same may be supplemented or amended from time to time.

705. Improvements and Construction Requirements In a mobile home park, all improvements, construction requirements and engineering specifications for the improvements required, shall be provided in accordance with Part 4 and Part 6 of this Chapter.

706. Fees The fee schedule for filing, inspection and engineering fees for land development as a mobile home park shall be in accordance with the requirements in Part 3, Section 302, of this Chapter.

PART 8

Administration

801. Waiver of Provisions

1. Where, owing to special conditions, a literal enforcement of the provisions of this Chapter will result in unreasonable hardship, the Supervisors may make such reasonable waiver thereof in accordance with modern and evolving principles of site planning and land development which are not contrary to the public interest and so that the spirit of this Chapter shall be observed and substantial justice done.

2. Application for any waiver shall be submitted in writing by the applicant at the time the preliminary plat is filed with the Township. The application shall state fully the ground and all facts relied upon by the applicant.

3. Wherever a waiver is requested by the applicant, the Township Supervisors shall refer the matter to the Planning Commission for its review. The Planning Commission shall study the request, make findings, record the findings in its minutes and submit the findings to the Supervisors.

802. Reconsideration Any sub-divider aggrieved by a finding, decision or recommendation of the Supervisors, may request and receive opportunity to appear and present additional relevant information and request reconsideration of he original finding, decision or recommendation.

802. Records

1. The Township Planning Commission shall keep a record of its findings, decisions and recommendations relative to all subdivision plans filed with it for review.

2. All such records shall be public records.

PART 9

Enforcement Remedies

1. Any person, partnership or corporation who or which has violated the provisions of any subdivision or land development ordinance enacted under this act or prior enabling laws shall, upon being found liable therefore in a civil enforcement proceeding commenced by a municipality, pay a judgment of not more than $500 plus all court costs, including reasonable attorney fees incurred by the municipality as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the municipality may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

2. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

3. Nothing contained in this section shall be construed or interpreted to grant any person or entity other than the municipality the right to commence any action for enforcement pursuant to this section.

PART 10

Repealer, Severability and Effective Date

1001. Repealer All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

1002. Severability If any sentence, clause, section or part of this Chapter is for any reason found to be unconstitutional, illegal or invalid; such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, sections or parts of this Chapter. It is hereby declared as the intent of the Supervisors of Washington Township that this Chapter would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

1003. Effective Date

This Chapter shall become effective on the 18th day of October, 2006.

ORDAINED AND ENACTED By the Supervisors of Washington Township, Fayette County, Pennsylvania, at a regular meeting, a full quorum present, this 18th day of October, 2006.

WASHINGTON TOWNSHIP

By: _____ Chairman

By: _____ Vice Chairman

By: _____ Treasurer

ATTEST:

_____ Secretary

SEAL

CERTIFICATION

I,_____ . certify that I am a registered surveyor in compliance with the laws of the Commonwealth of Pennsylvania, and that this plot correctly represents a survey completed by me on _____ _____and that all monuments shown thereon actually exist, and that their location, size, type, and material are accurately shown.

_____

Reg. No.

APPROVED by the Board of Supervisors of Washington Township on this the_____ day of _____, 20___.

ATTEST: _____ _____

Secretary Chairperson

APPROVED by the Planning Commission of Washington Township on this the _____day of _____20_____.

ATTEST: _____ _____

Secretary Chairperson

APPROVED by the Fayette County Planning Commission on this the _____ day of _____ 20 _____

ATTEST: _____ _____

Secretary Chairperson

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF FAYETTE

Recorded in the Recorders Office, for the recording of deeds, plans, etc.. in Plan Book Volume_____, page_____

Given under my hand and seal this _____day of _____. 20_____

_____

Recorder of Deeds

CERTIFICATION OF TITLE

Real estate shown is recorded in the name of the aforementioned owner in Deed Book Volume _____,page_____, in the Office of the Recorder for the County of Fayette.

Dated: _____ _____

ADDRESS OF SUBDIVIDER

_____

_____

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