



**WAYNE TOWNSHIP  
LAWRENCE COUNTY**

**SUBDIVISION AND LAND DEVELOPMENT  
ORDINANCE**

**NOVEMBER 2010**

**WAYNE TOWNSHIP SUBDIVISION REGULATIONS  
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**GENERAL PROVISIONS**

**ORDINANCE NO.**

AN ORDINANCE OF WAYNE TOWNSHIP DEFINING AND REGUALTIONG THE SUBDIVISION OF LAND AND THE DEVELOPMENT THEREOF; ESTABLISHING PROCEDURES FOR THE CONSIDERATION OF MINOR AND MAJOR SUBDIVISIONS AND LAND DEVELOPMENTS; REQUIRING CERTAIN IMPROVEMENTS TO BE MADE OR GUARANTEED TO BE MADE BY THE SUBDIVIDER OR DEVELOPER AND ESTABLISHING DESIGN STANDARDS FOR IMPROVEMENTS; REGULATING SALE OF LOTS, ERECTION OF BUILDINGS, LAYING OUT CONSTRUCTION, OPENING AND DEDICATION OF STREETS, SEWERS, OTHER FACILITIES AND PUBLIC IMPROVEMENTS; PROVIDING FOR THE ADMINISTRATION OF THIS ORDINANCE; AND PRESCRIBING PENALTIES FOR VIOLATION.

**ARTICLE I**  
**GENERAL PROVISIONS**

**Section 101 Short Title**

This Ordinance shall be known as the “Wayne Township, Lawrence County, Pennsylvania Subdivision and Land Development Ordinance.”

**Section 102 Purpose**

This Ordinance is adopted for the following purposes:

- 102.1 To assure sites suitable for building purposes and human habitation.
- 102.2 To provide for the harmonious, orderly, efficient and integrated development of the Township.
- 102.3 To assure new development will be coordinated with existing Township development.
- 102.4 To provide for adequate easements and rights-of-way for drainage and utilities.
- 102.5 To make provisions as needed, for the reservation of land as it may be needed for public grounds.
- 102.6 To accommodate prospective traffic, facilitate fire protection and make such provisions as are necessary for public safety and convenience.
- 102.7 To make provisions for appropriate standards for streets, storm drainage, sanitary sewers, water facilities, curbs, gutters and such other improvements as shall be considered needed by the Township.
- 102.8 To promote the sound layout and design, where appropriate.

102.9 To allow for new and flexible standards of design, where appropriate.

102.10 To secure equitable handling of all subdivision plans by providing uniform procedures and standards.

102.11 To implement the Comprehensive Plan.

102.12 To provide consumer protection for buyers and sellers of land.

### **Section 103 Authority**

The Township of Wayne is vested by law with jurisdiction and control of the subdivision of land within the Township limits in accordance with Article 5, Section 501 and 502, of the Pennsylvania Planning Code, Act 247 of 1968, as amended.

### **Section 104 Jurisdiction**

104.1 This Ordinance shall apply to all land situated in Wayne Township.

104.2 Plans for subdivisions within the Township shall be submitted to, and approved by, the Township before they are recorded. Such approval is in addition to, and does not supersede, those required by other ordinances, resolutions, or regulations of the Township.

104.3 Land Development Control

- a. Land development, as herein defined, must comply with the regulations contained herein. Such compliance shall include, but not be limited to:

The filing of preliminary and final plats, the dedication and improvements of rights-of-way, streets and roads, and the payment of fees and charges as established by resolution of Wayne Township.

- b. Land development plans shall indicate the location of each structure and clearly define each unit and shall indicate public easements, common areas, and improvements, all easements appurtenant to each unit, and improvements to public rights-of-way. Developments are subject to the zoning regulations when a zoning ordinance has been adopted, as they apply to use and density requirements, setbacks, parking and other features, and shall be indicated on the land development plans.

### **Section 105 Municipal Responsibility and Liability**

The provisions within this Ordinance are designed to fulfill the purposes cited in Section 102. The degree of protection sought by the conditions and requirements of this Ordinance for the present and future residents and landowners in the Township is considered reasonable for regulatory purposes. This Ordinance does not imply that compliance with the minimum requirements for subdivisions or land developments will be

free from inconveniences, conflicts, danger or damages. Therefore, this Ordinance shall not create liability on the part of the individual members of the Wayne Board of Supervisors, the Wayne Township Planning Commission or any officer, appointee or employee of the Township for any damages that may result from reliance on this Ordinance or any administrative decision lawfully made there under.

**Section 106 Effective Date and Repealer**

This Ordinance shall become effective immediately upon enactment by the Board of Supervisors of the Township of Wayne and shall remain in effect until modified or rescinded by the Wayne Township Board of Supervisors. This Ordinance shall supersede and replace all other conflicting regulations issued by the Township previous to the approval date of this Ordinance, specifically the Wayne Township Subdivision Regulations adopted\_\_\_\_\_and any amendments thereto.

**Section 107 Copies**

Copies of the Wayne Township Subdivision and Land Development Ordinance shall be made available to the general public at the Wayne Township Municipal Building at a fee adequate to compensate the Township for the cost of reproduction.

## **DEFINITIONS**

**WAYNE TOWNSHIP  
SUBREGULATIONS  
ARTICLE II**

**DEFINITIONS**

**Section 201 General Interpretations**

Unless otherwise expressly stated, the following terms shall, for the purpose of this Ordinance, have the meaning indicated: Words in the singular include the plural, and the words in the plural include the singular. The word “person” includes a corporation, unincorporated association and a partnership as well as an individual or any other legal entity. The words “shall” and “will” are mandatory, the word “may” is permissive. An “agency” shall be construed to include its successors or assigns. Words not defined in this Article or the Pennsylvania Municipalities Planning Code shall have their normal meanings.

**Section 202 Meaning of Words**

**Accessory Building:** A subordinate building, the use of which is customarily incidental to that of the principal building on the same lot.

**Alley:** A minor right of way, publicly owned, primarily for service access to the back and sides of properties.

**Agricultural Operation:** An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aqua cultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.

**Applicant:** A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.

**Application for Development:** Every application, whether preliminary, tentative or final, is required to be filed and approved prior to the start of construction or development including, but not limited to, an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a Land Development Plan.

**Appointing Authority:** The Board of Supervisors.



Authority: A body politic and corporate created pursuant to the act of May 2, 1945, (P.L. 382, No. 164) known as the “Municipality Authorities Act of 1945.”

Block: An area, divided into lots, and usually bounded by streets.

Building or Setback Line: The line within a property defining the required minimum distance between any building and the adjacent right-of-way and/or property lines.

Cart way of Roadway: The improved surface of a street or alley designed for vehicular traffic.

Cleat 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 center lines.

Common Open Space: A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development site, not including streets, off-street parking areas, and areas set aside for public facilities.

Comprehensive Plan: The Lawrence County Comprehensive Plan of December 2004, and any amendments thereto.

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 the 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 departments and other types of space in commercial and industrial buildings or on real property.

Corner Lot: A lot, located at the intersection of two (2) or more existing or proposed street rights-of-way.

County: The County of Lawrence, Pennsylvania.

Cul-de-Sac: A street intersection another street at one end and terminating at the other in a vehicular turn around.

Cut: An excavation. The difference between a point on the original ground and a 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, its bureaus, division, 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: A relatively flat or low land area adjoining a river, stream, or watercourse which is subject to partial or complete inundation in a 100 year flood.

Detention Pond: An area in which surface water runoff is temporarily stored pending its release at a controlled rate.

Developer: Any landowner, agent of such landowner or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

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.

Development Plan: The provisions for development, including a planned residential development, a plat of subdivision, all covenants relating to use, Location and bulk of buildings and other structures. Intensity of use or density of development, streets, ways, and parking facilities, common open space and public facilities. The phrase “provisions of the development plan” when used in this Ordinance shall mean the written and graphic materials referred to in this definition.

Double Frontage Lot: A lot with front and rear street frontage.

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 or development.

Drainage Facilities: 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 Unit: Any structure or part thereof, designed to be occupied as living quarters as a single housekeeping unit.

Easement: A right granted for limited use of private land for public and quasi-public purposes including such things as utilities and drainage.

Erosion: The removal of surface materials by the action of natural elements.

Erosion and Sediment Control Plan: A plan showing all present and proposed grades and facilities for storm water, drainage, erosion and sediment controls, and which is in accordance with Section 1011 of this Ordinance.

**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 and shall include the conditions resulting therefrom.

**Exclusions of Certain Land Development from the Development Definition Only When Such Land Development Involves:**

- (1) The conversion of an existing single-family detached dwelling or single family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium.
- (2) The addition of an accessory building including farm buildings, on a lot or lots subordinate to an existing principal building.
- (3) The addition or conversion of building or rides within the confines of an enterprise, which would be considered an amusement park. For purposes of this sub clause, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired by an amusement park until initial plans for the expanded area have been approved by proper authorities.

**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 and 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 on the final grade. The material used to make a fill.

**Floodplain:** The area along a natural watercourse that may from time to time be overflowed by water there from.

**Floodway:** The channel of a river or other watercourse and the adjacent land area required to carry and discharge a flood of the one hundred (100) year magnitude.

**Grading and Drainage Plan:** A plan showing all existing ground features and proposed grading, including existing and proposed surface and subsurface drainage facilities described by grades, contours, and topography.

**Improvements:** Those physical additions and changes to the land that may be necessary to produce usable and desirable lots.

**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:

- A group of two or more residential or nonresidential 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
  - The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing 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) Exclusion of development in accordance with Section 503 (1.1) of the Pennsylvania Municipalities Planning Code (Act 1968, P.L. No. 247 as reenacted and amended).

Landowner or 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 landowner, or other person having a proprietary interest in land.

Lawrence County Department of Planning: The Department of Planning for the County of Lawrence.

Local Municipality: For the purpose of this Ordinance, the term local municipality shall mean Wayne Township wherein the subdivision under consideration is located. Its meaning also includes any municipal authority or private agency which may be asked to accept improvements required by this Ordinance.

Lot: A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

Lot Area: The area contained within the property lines of the individual parcels of land as shown on a subdivision plan, excluding space within any street right-of-ways, but including the area of any easement.

Lot, Corner: A lot abutting upon two (2) 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 each exceed one hundred fifty (150) feet in length, either frontage may be designed as the “front” of the lot.

Lot, Double Frontage: An interior lot that abuts streets in both the front and rear.

Lot, Interior: A lot having side lot lines that 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 Ordinance, which by reason of area or dimension, does not conform to the requirements of this Ordinance.

**Lot of Record:** A lot described in a deed or shown on a plan of lots that has been recorded in the Department of the Recorder of Deeds of Lawrence 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 Wayne Township for the maintenance of any improvements required by this Ordinance.

**Major Subdivision:** Any subdivision not classified as a minor subdivision.

**Marker:** A metal stake pin 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 facilitate the sale of lots. Wood stakes may be used to identify the location of the metal pins.

**Mediation:** A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.

**Minor Subdivision:** The subdivision of land into not more than ten (10) parcels, including the residual located on an existing improved street that does not involve:

Installation of improvements as required by this Ordinance, extensions of utilities, frontage on an arterial or collector street, adverse effect to adjoins properties, and conflict with Lawrence County's Comprehensive Plan any portion of this Ordinance or other State, County or Municipal ordinances, laws or regulations.

**Mobile Home:** A transportable, single-family dwelling intended for permanent occupancy, contained in one (1) unit or in two (2) or more units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

**Mobile Home Lot:** A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

**Mobile Home Park:** A parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes.

Monument: A concrete, stone, or other permanent object placed to designate boundary lines, corners of property, and rights-of-way of streets and utilities, for the purpose of reference in land and property survey.

Municipal Authority: A body politic and corporate created pursuant to the Act of May 2, 1945, (P.L. 382, No. 164), known as the “Municipalities Authority Act of 1945.”

Municipal Engineer: A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for a municipality, planning agency or joint planning commission.

Municipality: Any city of the second class A or third class, borough, incorporated town, township of the first or second class, county of the second class through eight class, home rule municipality, or any similar general purpose unit of government which shall hereafter be created by the General Assembly.

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.

Performance Guarantee: Any security which may be in lieu of a requirement that certain improvements be made before the County and/or local municipality approves a final subdivision or land development plan, including performance bonds, escrow agreements, and other similarly collateral or surety agreements.

Person: An individual, partnership, corporation, or other legally recognized entity.

Plan, Final: A complete and exact subdivision plan prepared for official recording as required by statute of this Ordinance.

Plan, Preliminary: The preliminary drawing indicating the proposed layout of the subdivision to be submitted to the Township of Wayne for consideration, as required by this Ordinance.

Plan, Sketch: An informal plan not necessarily to scale indicating salient existing features of a tract and its surroundings and general layout of the proposed subdivision.

Plan, Soil Erosion and 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 Code: The Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended by Act 170 of 1988 and such other amendments to same as may be adopted from time to time.

Planning Commission: The Planning Commission of Wayne Township, Pennsylvania.

Plat: A map or plan of a subdivision or land development, whether preliminary or final.

Public Grounds: Parks, playgrounds, and other public areas, and sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities.

Public Hearing: A formal meeting held pursuant to public notice by the Wayne Township Board of Supervisors or Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance.

Public Infrastructure Area: A designated growth area and all or any portion of a future growth area as described in a county or multi-municipal comprehensive plan where public infrastructure services will be provided and outside of which such public services will not be required to be publicly financed.

Public Infrastructure Services: Services that are provided to areas with densities of one or more units to the acre, which may include sanitary sewers and facilities for the collection and treatment of sewage, water lines and facilities for the pumping and treating of water, parks, and open space, streets and sidewalks, public transportation and other services that may be appropriate within a growth area, but shall exclude fire protection and emergency medical services and any other service required to protect the health and safety of residents.

Public Meeting: A forum held pursuant to notice under 65 PA C.S. Chp.7.

Public Notice: Notice published once each week for two successive 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 not be more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.

Regulatory Flood Elevation: The 100 year flood elevation plus a freeboard safety factor 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 other adjacent properties.

Reserve Frontage Lot: A lot extending between, and having a frontage on an arterial street and a minor street, and with vehicular access solely from the latter.

Re-Subdivision: Any subdivision or transfer of land, laid out on a plan which has been approved by Wayne Township which changes or proposes to change property lines and/or public right-of-way not in strict accordance with the approved plan. (See also Subdivision Replat).

Right-of-Way: Land dedicated for use as a public street, alley, or crosswalk, which may also be used by sewer, water, storm sewer, electric, gas, telephone and cable system(s).

**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.

**Secretary:** the Secretary of the Township of Wayne.

**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 soil, 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 and gutter and the travel way intended for emergency and parking use.

**Sight Distance:** The extent of unobstructed vision, in a horizontal and vertical plane, along a street, as defined in Section 802 of this Ordinance.

**Slope:** The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon.

**Soil Percolation Test:** A field test conducted to determine the absorption capacity of soil to a specified depth in a given location for the purpose of determining suitability of soil for on-lot sewage disposal.

**Street:** Includes street, avenue, boulevard, road, highway, freeway, and parkway. Lane, alley, viaduct, and any other ways or strips of land used or intended to be used by vehicular traffic or pedestrians whether public or private, and including the entire right of way. Particular types of streets are further defined as follows:

**A. Principal Arterial or Expressway**

This class of highway facility is devoted entirely to the task of moving large volumes of traffic and performs little or no land service function. It is generally characterized by some degree of access control. Normally, this classification should be reserved for multi-lane divided roads with few, if any, grade intersections.



**B. Minor Arterials**

Arterials bring traffic to and from the expressway and serve major movements of traffic within or through the areas not served by expressways. They serve primarily to move traffic, but also perform a secondary function of land service.

**C. Collection**

This class of road serves the internal traffic movement within the municipality and connects developed areas with the arterial system. They do not accommodate long, through trips and are not continuous for any appreciable length. The collector system is intended to simultaneously supply abutting property with the same degree of land services as a minor street and accommodate local internal traffic movements.

**D. Commercial**

Commercial roads service areas whose predominant use is commercial. In function, design and specification, they will be considered as a collector street.

**E. Local and Minor**

The minor street sole function is to provide access to immediately adjacent land.

**F. Industrial**

Industrial roads are primarily designed to serve industrial and manufacturing development. These roads will be designed to accommodate extensive truck traffic of all types.

Street Centerline: An imaginary line which passes through the middle of the right-of-way and the cart way simultaneously, or which is in the center of the right-of-way in cases where the cart way is not centered in the right-of-way.

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

Subdivision: The division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other division of land including changes in existing lot lines for the purpose, whether immediate or future, partition by the court for distribution to heirs or devisees, 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 any residential dwelling, shall be exempted.

Subdivision-Major: See Major Subdivision.

Subdivision-Minor: See Minor Subdivision.

Subdivision-Replat: The change of a lot line between two (2) abutting existing parcels not intended to create a new parcel and where such lot line change is in full compliance with

this Ordinance any Wayne Township and related ordinances, rules and regulations of the Township and County. A replat that involves the creation of new lots or involves more than two (2) lots shall be treated as a major or minor subdivision.

Substantially Completed: Where, in the judgment of the municipal engineer, at least ninety percent (90%) (based on the cost of the required improvements for which financial security was posted pursuant to Section 509), of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

Surveyor: A professional surveyor (PLS), licensed as such in the Commonwealth of Pennsylvania.

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

Temporary Turn-around: A temporary circular turn-around at the end of a road that terminates at or near the subdivision boundary bordering undeveloped land.

Top Soil: Surface soils and subsurface soils that normally are fertile soils and soil material, ordinarily rich in organic matter of humus debris. Topsoil is usually found in the uppermost soil layer called the A Horizon.

Township Engineer: A professional engineer licensed as such in Pennsylvania. Duly appointed as the Engineer of Wayne Township.

Township Solicitor: A professional attorney licensed as such in Pennsylvania. Duly appointed as the Solicitor of Wayne Township.

Township Planning Commission: The Planning Commission of Wayne Township.

Undeveloped Land: Any lot, tract, or parcel of land which is not graded or in any other manner prepared for the construction or other improvements.

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

Utility Plan: A plan to show all existing and proposed fire hydrants, water and sewer lines, storm sewer lines, gas and electric lines, and street lighting.

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 Survey: An inventory of the source, quantity, yield, and use of groundwater and surface water resources within the Township.

Watercourse: A permanent stream, intermittent stream, river, brook, creek, or a channel, drain or ditch for water, whether natural or man-made.

**MAJOR SUBDIVISIONS & LAND DEVELOPMENT**

## **ARTICLE III**

### **PROCEDURES-MAJOR SUBDIVISIONS AND LAND DEVELOPMENT**

#### **Section 301 Pre-Application Investigation**

- 301.1 Developers are urged to discuss possible development sites with the Planning Commission prior to submission of the Preliminary Plan. The purpose of the pre-application meeting is to afford the developer an opportunity to avail himself of the advice and assistance of these departments. A second purpose is to determine if the proposed development is in general accordance with this Ordinance. The developer is encouraged to further discuss his proposal with the local municipality, Penn DOT or utility companies as may be appropriate.
- 301.2 A sketch plan may be prepared and presented for review and discussion at the same time. Sketch plans should generally include those items listed under Plan Requirements, Article VII, Section 701 of this Ordinance.
- 301.3 Such discussion and/or sketch plan review will be considered as confidential between the developer and the Planning Commission. Submission of a sketch plan shall not constitute formal filing of a plan.

#### **Section 302 Preliminary Plan Application**

- 302.1 The Preliminary Plan and all information and procedures relating thereto shall, in all respects, be in compliance with the applicable provisions of this Ordinance. It is the responsibility of the developer to coordinate his plans pursuant to the provisions of this Ordinance with all private and public service agencies and utility companies.
- 302.2 Four (4) copies of the Preliminary Plan and all required exhibits shall be received at least two (2) weeks prior to the Planning Commission meeting.
- 302.3 Information to be filed with Preliminary Plans shall generally include those items listed under Plan Requirements, Article VII, Section 702 of this Ordinance, and shall be prepared in accordance with, and submitted with the number of copies as specified herein.
- 302.4 In cases where the subdivision fronts on an existing or proposed State Highway or has proposed streets entering on such highways, the developer shall submit the plans to the Pennsylvania Department of Transportation (Penn DOT), for review and permit(s) if required.

- 302.5 The developer shall deliver a copy of the Preliminary Plan, with all attachments to the local municipality for its formal, written review and comments. (See also Article VII<Design Standards).

### **Section 303 Approval of Preliminary Plan**

- 303.1 Upon the Planning Commission review (and Penn DOT review, if required), and submission to the County, or after forty-five (45) days, whichever comes first, the four (4) copies of the Preliminary Plan and other exhibits required for approval will be submitted to the Wayne Township Board of Supervisors. The Township Supervisors will review the Preliminary Plan to determine its conformity to the design standards and requirements contained in this Ordinance and take into consideration the recommendations of the Wayne Township Planning Commission, utility companies, Penn DOT (if required), and the Lawrence County Planning Commission.
- 303.2 Before acting on the Preliminary Plan, the Township Supervisors may arrange for a public hearing thereon. Adequate public notice shall be given.
- 303.3 The Township Supervisors shall take final action and notify the developer on the Preliminary Plan within ninety (90) days of the Plan being submitted to the Planning Commission. The Township Supervisors shall render its decision during a public meeting. Within fifteen (15) days after the public meeting, the Township Supervisors shall notify the developer, in writing, of the action taken at the public meeting, and specifying what revisions or additions, if any, will be required prior to the approval of the Final Plan.
- 303.4 Any revisions of the Preliminary Plan required, as prerequisite to approval, will be noted on two (2) copies of the Preliminary Plan. One (1) copy of the conditionally approved Preliminary Plan will be returned to the developer and one (1) copy will be retained by the Planning Commission and the Township Supervisors.
- 303.5 Approval of the Preliminary Plan is necessary precedent to approval of the final plan.

### **Section 304 Final Plan Application**

- 304.1 After the developer has received official notification that the Preliminary Plan has been approved and what changes, if any, must be made if the Plan is to proceed to consideration as a Final Plan. If the developer does not do so within five (5) year period, the approval of the Preliminary Plan shall be come null and void unless an

- extension of time is requested by the developer in writing and is granted in writing by the Wayne Township Board of Supervisors before the expiration date.
- 304.2 The information and number of plans to be filed with the Final Plan application shall include those items listed under Plan Requirements, Article VII, Section 703 of this Ordinance, and the submission shall be prepared in accordance with that Article and in the number of copies specified therein. The Final Plan shall be filed at the Lawrence County Planning Department during regular business hours and at least two (2) weeks prior to the Planning Commission meeting.
- 304.3 Assurance of completion where required shall be submitted in accordance with Article V.
- 304.4 The original and four (4) copies of the Final Plan and all other exhibits required for approval shall be filed with Wayne Township. A copy of typical exhibits is found in the Appendix.
- 304.5 When an extension of time is granted for the submission of a Final Plan, the Wayne Township Board of Supervisors shall do one of two things, when the Final Plan is submitted:
- (1) Make a finding that the conditions on which its approval of the Preliminary Plan were based have not changed substantially, or;
  - (2) Require changes in the Plan, prior to final approval that will reflect any substantial changes on the site of the subdivision or in its surrounding that have taken place since the grant of preliminary approval.
- 304.6 It is not necessary for the whole Plan that received preliminary approval to be submitted as a Final Plan. The Final Plan may be submitted in sections, each covering a portion of the entire proposed subdivision shown on the Preliminary Plan. In the case where development is projected over a period of years, the Wayne Township Board of Supervisors may authorize submission of final plans by section or stages of development subject to such requirements or guarantees as to improvements in future section or stages of development as it finds essential for the protection of any finally approved section of the development.
- 304.7 The developer must provide sewerage and water system plans for the entire development site of the Preliminary Plan regardless of the number of sections or stages to be initially developed.
- 304.8 A complete copy of the developer's Final Plan application shall be sent to the Wayne Township Board of Supervisors.

304.9 The Final Plan shall also be submitted to the Lawrence County Planning Commission and allow forty-five (45) days for comment, prior to action by the Wayne Township Supervisors.

### **Section 305 Approval of Final Plan**

- 305.1 If the Township Supervisors find that the Final Plan and Preliminary Plan, where required, is in conformance with this Ordinance, it shall sign the Final Plan. One (1) copy of the Final Plan will be retained by the Township Secretary.
- 305.2 If the Township Supervisors find that the Preliminary Plan, where required, and/or the Final Plan is not in conformance with this Ordinance, it shall not sign the Final Plan, and shall notify the developer as to the section(s) of this Ordinance that is not being complied with.
- 305.3 The developer may wish to seek a modification of certain regulations where, owing to special conditions, a literal enforcement of this Ordinance would result in unnecessary hardship to the developer. All requests for modification shall then be reviewed and considered by the Planning Commission in accordance with Section 1407 of this Ordinance.
- 305.4 The Wayne Township Supervisors shall take final action on the Final Plan and notify the developer within ninety (90) days of the Plan being submitted. The Wayne Township Supervisors shall render its decision during a public meeting. The decision of the Supervisors shall be communicated to the developer in writing no later than fifteen (15) days following the date the decision was made.
- 305.5 No Final Plan shall receive approval by the Township unless then developer shall have filed with the Township an improvement performance bond in favor of the Township or other assurance acceptable to the Township, or shall have completed all required improvements listed in Article IX or as the Township may require in the public interest.
- 305.6 Upon completion of the improvements in accordance with the specifications of this Ordinance or those of the Township the developer shall take steps to dedicate the improvements and have the same accepted by the Township.

### **Section 306 Recording of Plan**

- 306.1 After completion of all procedures and upon approval of the Final Plan, the Plan shall then be immediately recorded in the County Recorder of Deeds. In no case shall the Final Plan be recorded after ninety (90) days from the date of the Final Plan approved by Wayne Township. For plans have not been recorded within ninety (90) days, the Chairman and Secretary of the Wayne Township Supervisors may reinstate their names provided that no major changes have been made.



- Reapproval thereafter may be granted by the Township Supervisors, provided no changes have been made to the Final Plan.
- 306.2 The Final Plan shall be recorded with the County Recorded of Deeds before proceeding with the sale of lots, issuance of building permits or the construction of buildings.
- 306.3 Recording the Final Plan after approval shall have the effect of an irrevocable offer to dedicate all streets and other public ways to public use, and to dedicate or reserve all park reservations, and school sites and other public service areas as hereafter provided. Approval shall not impose any duty upon the County or the Township concerning maintenance or improvement of any such dedicated streets, parks, areas or portions of same until the proper authorities of the local municipality shall have made actual appropriation of the same by ordinance or resolution, or by entry, use or improvement.
- 306.4 The developer may place a notation on the Final Plan to the effect that there is no offer of dedication to the public of certain designated public areas, or streets or alleys, 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 also be noted on the Final Plan.

**MINOR SUBDIVISIONS AND REPLATS**

**ARTICLE IV**  
**PROCEDURES-MINOR SUBDIVISION AND REPLATS**

**Section 401 Pre-Application Investigation**

401.1 The applicable provisions of the pre-application procedure for major subdivisions may be followed, but is not required.

**Section 402 Preliminary Plan Application and Approval**

402.1 A Preliminary Plan is not required, but may be submitted, at the developer's option.

**Section 403 Final Plan Application and Approval**

403.1 All applicable provisions of the Final Plan application and approval procedures shall be followed. All applications shall be complete. Minor subdivisions over three (3) lots shall be filed at the Wayne Township Municipal Building at least two (2) weeks prior to the meeting of the Planning Commission, at which it is to be considered. The County shall receive notice of the filing and shall be given the opportunity to comment upon same.

**Section 404 Recording of Plan**

404.1 Minor Subdivisions and replats shall be recorded in the same manner and with the same responsibilities as other subdivisions.

**Section 405 Replats and Subdivisions of Three (3) Lots or Less**

405.1 The Wayne Township Supervisors are authorized to accept, review and approve replats and minor subdivisions of three (3) lots or less on an as needed basis given all of the following conditions being met:

- a. The surveyor or developer must supply six (6) copies of the plan or pay an additional fee as set by the Supervisors.
- b. The plan review fee must be paid prior to the commencement of the review process.
- c. If a waiver of the literal terms of the Subdivision and Land Development Ordinance is required, then action by the Wayne Township Board of Supervisors is required.

- d. Each member of the Wayne Township Planning Commission shall be afforded an opportunity to review the plan and recommendation. No action shall be taken until five (5) working days have transpired from the date copies of the plan and review have been sent to each Wayne Township Planning Commission member.

The surveyor or developer, at their sole discretion, may request a review by the full commission of such plans.

## ASSURANCE OF COMPLETION

## ARTICLE V ASSURANCES OF COMPLETION

### Section 500 General

The purpose of these regulations is to provide sound Subdivision and Land Development standards for Wayne Township. Therefore, the assurances for completion as set forth in this Article, are intended for the protection of Wayne Township who will be the parties to accept the public improvements required by this Ordinance. For the purpose of this Ordinance, the term Township also means Township authority or private agency which may be asked to accept improvements required by this Ordinance. (See Definitions).

### Section 501 Coordination

It is the intention of this Ordinance that required assurances be provided in such amounts and form as are acceptable to the local municipality, consistent with this Ordinance and the provisions of the Pennsylvania Municipalities Planning Code.

### Section 502 Improvements

502.1 The developer shall, for all major subdivisions, agree to complete all improvements in accordance with these regulations or such other improvements as Wayne Township may require in the public interest as a prerequisite to approval of the Final Plan.

502.2 No plan shall receive Final Plan approval by the Township unless the developer shall have completed all improvements as required by these regulations or shall have filed with the Township appropriate surety or other assurances guaranteeing the completion of such improvements. Survey is as defined in Section 509 of the "Planning Code."

The Township will check final plans for the corrections and to inspect the construction of improvements. In the event the Township does not approve the final construction plans, it shall specify how such plans do not meet applicable specifications, citing the specific deficiencies by reference to said specifications. Likewise, if the Township does not approve construction of the improvements, it shall specify their deficiencies. These requirements are made to insure to the County the ability to communicate any plan or construction deficiencies to the developer in accordance with the provisions of this Ordinance and the Pennsylvania Municipalities Planning Code.

502.3 Upon completion of the improvements in accordance with the specifications of this Ordinance, other local or County Ordinance, and upon final inspection of the improvements by the Township Engineer, the developer shall take the final steps to dedicate the improvements and have the same accepted by the Township.

502.4 Improvements shall include, but not necessarily be limited to, the following:

- a. Monuments or markers
- b. Grading, streets, curbs and walks, as required
- c. Sanitary sewers
- d. Water service, including fire hydrants
- e. Storm drainage, as required
- f. Erosion and sedimentation control measures, as required
- g. Street lighting, where required

502.5 Where grading conditions or other circumstances prohibit the placing of lot markers or street monuments at the time of submission of final plat, a cash deposit shall be made with the local municipality in an amount sufficient to cover the installation at a future date. Should installation of the above monuments and markers not be completed within three (3) months after completion date of subdivision by the subdivider, the Township shall cause such installation to be completed and pay for some from said cash deposits.

502.6 All conditions found in Section 509 and 510 of the "Planning Code" shall apply.

## **DEVELOPMENT STANDARDS**



## ARTICLE VI

### DEVELOPMENT STANDARDS

#### Section 601 General Standards

- 601.1 It is the policy of the Supervisors that these regulations shall state minimum standards for development.
- 601.4 The following requirements and guiding principles for land subdivision shall be observed by all applicant, homeowners, and developers, and the Supervisors shall consider the suitability as to location of any proposed subdivision or land development with respect to the following:
- a. Any development in areas considered by the Supervisors as habitable yet subject to periodic or occasional inundation shall comply with the regulations and standards as established under Section 813 of the Ordinance and any other Federal, State or Township law, rule and regulation, including, but not limited to, the Floodplain Management Act.
  - b. The subdivision or land development plan shall conform to the Official Map of the Township if one has been adopted, and as the same shall have been amended from time to time.
  - c. No subdivision showing reserve strips controlling the access of public ways will be approved.
  - d. The following regulations and/or legislation must also be complied with:
    1. Pennsylvania Sewage Facilities Act
    2. Pennsylvania Stormwater Management Act
    3. Local Land Use Control Ordinances and other local ordinances pertaining to land use or development
    4. Regulations of the Pennsylvania Department of Transportation relating, but not limited to, driveway and street openings
    5. Wetland regulations and restrictions
    6. Fire Protection

## **PLAN REQUIREMENTS**

## ARTICLE VII

### PLAN REQUIREMENTS

#### Section 701 Sketch Plan

- 701.1 A subdivision sketch plan may be submitted by the developer or property owner as a basis for informal and confidential discussion with the Planning Commission or Planning Consultant.
- 701.2 Data furnished in a sketch plan shall be at the discretion of the developer. The sketch plan need not be to scale and the precise dimensions are not required. It is suggested that the following items be included in the sketch plan presentation:
- Subdivision boundary
  - North arrow
  - Streets on and adjacent to the tract
  - General topographical and physical features
  - Proposed general street layout
  - Proposed general lot layout
  - Proposed easements
  - Information relative to and the location of water and sanitary sewer lines in and adjacent to the proposed subdivision
  - Surrounding property and the names of owners
  - Names, address and telephone number of the surveyor, and, if needed, engineer
  - Exiting Zoning District in which subdivision is located (if applicable)

#### Section 702 Preliminary Plan

- 702.1 A Preliminary Plan is required for major subdivisions. Copies of the Preliminary Plan drawing shall consist of an original drawn on stable plastic film and shall be in permanent ink. Accurate, digital CAD reproductions in black, drawn on stable plastic film, will be accepted in lieu of inked drawings. Copies may be either black or white or blue on white diazo prints. Four (4) copies shall be submitted to the Planning Commission.
- 702.2 The Preliminary Plan shall be drawn at a scale of fifty (50) up to two hundred (200) feet to the inch in increments of fifty (50) depending upon the size of overall development and the individual lots therein. In unusual circumstances, other scales may be acceptable. If the Preliminary Plan is drawn in two or more sections, it shall be accompanied by a key map showing the location of the various

sections. The size of the Preliminary Plans shall be consistent with the requirements for Final Plans.

- 702.3 The following information shall be shown on, or included with, all Preliminary Plans when they are submitted to the Planning Commission.
- a. Proposed subdivision name, identifying title and the words "Preliminary Plan".
  - b. Name and address of the owner of the tract or of his agent, if any, and of the developer.
  - c. Date, north arrow, and graphic scale.
  - d. Total acreage of the tract, number of lots, proposed land use, remaining acreage of any unsubdivided land. Subdivisions of land up to ten (10) acres in size must include survey of entire parcel on plot plan.
  - e. Zoning district (if applicable).
  - f. Tract boundaries that shall show distances and bearings.
  - g. A key map, for the purpose of locating the site in the Township, showing the relation of the tract to adjoining property and streets, roads, bodies of water, and municipal boundaries within two thousand (2,000) feet.
  - h. Contours at vertical intervals of five (5) feet. Location of Bench Marks should be shown.
  - i. The names of all owners of all immediately adjacent unplatted land, the names of all platted subdivisions immediately adjacent to the development, and the locations and dimensions of any streets or easements terminating adjacent to the development.
  - j. The locations and dimensions of all existing streets, roads, railroads, public sewers, aqueducts, water mains, and feeder lines, fire hydrants, gas, electric, communication and oil transmission lines, streams, intermittent drainage ways, swales, and other significant features within the property proposed to be subdivided, or within ten (10) feet of said property.

- k. The location of all buildings and approximate location of all tree masses within the property.
- l. A description of the existing vegetative cover.
- m. A full plan of the development, showing the location of all proposed streets, roads, alleys, utility easements, parks, playgrounds, pedestrian ways, and other public areas, sewer and water facilities, proposed lot lines and approximate dimensions of lots; lot number and/or block numbers in consecutive order, and all streets and other areas designed for appurtenant facilities, public use, or future public use, together with the conditions of such dedications or reservations.
- n. Components for Act 537 on-lot sewage disposal system, if applicable. Status of any required DEP sewer system or water system permits (as applicable), including permits or approvals for system line extension.
- o. Preliminary designs of sewerage and water plans. These designs may be submitted on separate sheets.
- p. Typical cross-sections and centerline profiles for each proposed street shall be shown on the Preliminary Plan (see Article VIII). These profiles may be submitted as separate sheets.
- q. Preliminary designs of any bridges or culverts that may be required. These designs may be submitted as separate sheets.
- r. name, address and telephone number of engineer/surveyor.

702.4 The following certificates where applicable, shall appear on the Preliminary Plan:

- a. Certificates for the approval of Wayne Township Planning Commission.
- b. Certificate for approval of the County.
- c. Certificate for surveyor's signature and seal.

702.5 Where the Preliminary Plan submitted covers only a part of the subdivider's entire holding, a sketch plan of the prospective future street system of the unsubmitted part shall be furnished; the street system of the

submitted part will be considered in the light of adjustments and connections with future streets in the part not submitted.

### **Section 703 Final Plan**

- 703.1 A Final Plan is required for all subdivisions and land developments. The original and four (4) prints shall be submitted.
- 703.2 Accurate, digital CAD reproductions in black, drawn on stable plastic film, will be accepted in lieu of inked drawings.
- 703.3 Sheet size for Final Plans shall be eighteen by twenty-four (18x24) inches in size for all subdivisions.
- 703.4 If the Final Plan is drawn in two (2) or more sections, it shall be accompanied by a key map showing the location of the several sections.
- 703.5 The Final Plan shall be drawn at the scale as required of Preliminary Plans unless otherwise approved by the Township.
- 703.6 The following information shall be included on Final Plans where applicable:
- a. Block and lot numbers (in consecutive order), north arrow, identifying title, graphic scale, date.
  - b. Lot lines and tract boundaries with accurate bearings and distances. Distances to be to the nearest hundredth of a foot; bearings to the nearest second. Survey closure shall be 1:10,000 or less. A copy of the closure computations shall also be submitted as a matter of record. Survey closures need not be submitted for lots that are parallelograms.
  - c. Exact acreage of entire subdivision and each individual lot. Acreage to be to the nearest hundredth acre exclusive of rights-of-ways, or other public areas. For subdivisions of land up to ten (10) acres in size must include survey of entire parcel on plot plan.
  - d. Accurate bearings and distances to the nearest established street corners or official monuments where practicable. Reference corners shall be accurately described on the Plan.
  - e. Accurate locations of all existing and recorded streets intersecting the boundaries of the tract.

- f. Complete curve data for all curves included in the Plan, including radius, delta angle, tangent and arc length.
- g. Street centerlines with accurate dimensions in feet and hundredths of feet, with bearings of such street centerlines.
- h. Street names, cart way widths and right-of-way widths.
- i. Location and material of all permanent existing and proposed monuments and lot markers.
- j. Easement for utilities and any limitations on such easements.
- k. Accurate dimensions of existing public land and of any property to be dedicated or reserved for public, semi-public or community use; and all areas to which title is reserved by owner.
- l. Source of title to the land of the subdivision and to all adjoining lots, as shown by the books of the County Recorder of Deeds and names of the owners of all adjoining unsubdivided land. Include date when outtake parcels were recorded.
- m. Any other information required by these regulations. The locations and dimensions of all existing streets, roads, railroads, public sewers, aqueducts, water mains, and feeder lines, fire hydrants, gas, electric, communication and oil transmission lines, streams, intermittent drainage ways, swales and other significant features within the property proposed to be subdivided or within ten (10) feet of said property.
- n. Location of all buildings and approximate location of tree masses within property.
- o. Culverts
- p. A key map for the purpose of locating the site in the Township showing the relation of the tract to adjoining property and streets, roads, bodies of water, and municipal boundaries within two thousand (2,000) feet of said property. Include street names on vicinity sketch.
- q. Names and addresses of owners and developers shall be put on the plan.
- r. Sight distance of all roads and driveways entering State and/or Municipal roads.

- s. Permanent markers shall be placed at all corners of boundary and individual lots unless already marked or referenced by an existing monument or witness to the corner. The preferred marker is a 5/8" x 30" metal pin. However, in extenuating circumstances, such as corners in concrete pavement or sidewalks, a cross cut may be utilized. All permanent markers shall be identified and located on the Plan and shall be installed under the direction of a registered surveyor or engineer.
- t. The name and address of all utility companies that provide service to the subdivision/development.

703.7 The following certificates, where applicable, shall be shown on the Final Plan:

- a. Certificates, with seal, by a registered land surveyor to the effect that the survey and plan are correct.
- b. Certificate for approval by the County of Lawrence Planning Commission.
- c. Certificate for approval by the County of Lawrence Planning Commission.
- d. A statement, duly acknowledged before a Notary Public, with Seal, and signed by the owner or owners of the property, to the effect that the subdivision shown on the Final Plan is the act and deed of the owner, that he/she is the owner of the property shown on the survey and plan, and that he/she desires the same to be subdivided and recorded as shown. Said statement to include an offer of dedicating of public roads, easements or other improvements as needed.
- e. A certificate to provide for the recording of the Subdivision Plan.
- f. A highway occupancy permit notice when so required by Section 508(6) of the Pennsylvania Municipalities Planning Code.
- g. A certification to advise of date plan must be recorded by.

Note: Approved forms of some of these required certificates are set forth in the Appendix of this Ordinance.

703.8 The following information, in addition to that shown on the Final Plan, shall be submitted to the Planning Commission for Final Plan review, when applicable:

- a. Approval of sanitary sewerage services and water.



- b. A detailed narrative of the proposed subdivision/land development explaining the location, nature and intent of the activity. Service by the Township Engineer or letter from the Sewer Authority for tap-in approval. Include DEP Sewage Facilities Planning Modules, components and waivers where applicable.
- c. Draft of any proposed covenants to run with land. (Six (6) copies).
- d. Tentative timetable for the proposed sequence of development for the subdivision, if required. (Two (2) copies).
- e. Forms from the appropriate postmaster and the Coordinator of the Lawrence County Emergency Operation Center stating that the proposed names, (except in the case of the extension of existing or proposed streets) do not duplicate the names of streets now in use. If a "911" system is in use in Lawrence County, the administering body of that system will also be asked, by the developer, to comment upon the proposed street names.
- f. When wetlands exist on property proposed to be subdivided the following note shall be recorded on the plan...NOTE: Wetlands exist Lot(s) No \_\_\_\_\_. Wetlands are protected under Pennsylvania Code Chapter 105. Caution should be exercised to ensure that any development proposed for Lot No. \_\_\_\_\_ does not disturb the wetlands.
- g. Certificate of dedication of streets and other public property. This is the offer of dedication. (Two (2) copies).
- h. Final profiles, cross sections and specifications for street improvements, and sanitary and storm sewerage, and water distribution systems shall be shown on one (1) or more separate sheets. (Two (2) copies).

## DESIGN STANDARDS

## ARTICLE VIII

### DESIGN STANDARDS

#### Section 801 General

The design standards set forth by these regulations are intended to insure proper development in Wayne Township.

- 801.1 The following land subdivision principles, standards, and requirements shall be applied by the Wayne Township Planning Commission in evaluating the plans for proposed subdivisions and shall be considered minimum requirements, except as provided for above.
- 801.2 In reviewing subdivision plans, the Planning Commission will consider the adequacy of existing or proposed community facilities to serve the additional dwelling units proposed by the subdivision. A reservation of land for community facilities may be requested when appropriate.
- 801.3 The subdividing of land shall be done in a manner that will not have the effect of debarring adjacent property owners from access to the streets and ways of the allotment. The Township may require dedicated, improved, or undedicated parcels to be provided for future access to adjacent land.
- 801.4 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 fifteen percent (15%).
  - f. Land, which, because of topography or means of access, is considered hazardous by the Township.
  - g. Land which is subject to ground pollution or contamination.

801.5 Proposed subdivisions of land development shall be coordinated with existing nearby neighborhoods so that the Township as a whole may develop harmoniously.

801.6 Proposed land uses shall conform to the Wayne Township Zoning Ordinance if adopted, as applicable.

### **Section 802 Street**

802.1 Minimum street right-of-way widths and cart way widths shall be as follows:

Type of Street	Cart way with Curbs	Cart way with No Curbs*	Right-of-way
Cul-de-sac	26 feet	22 feet	50 feet
Minor	26 feet	22 feet	50 feet
Collector	36 feet	32 feet	60 feet
Commercial/Industrial	36 feet	30 feet	60 feet
Arterial	As prescribed by	The Pennsylvania Department	Of Transportation

\*Shoulders of eight (8) feet will be required on each side of the cart way.\*

802.2 In cases where a new subdivision is planned to join the street system on an existing subdivision, the above minimum requirements shall apply except where the existing streets and rights-of-way are larger than required. In this event, the Township may require that the new streets and rights-of-ways be as large as those in the existing subdivision. Any street or way that is planned, though not already established, shall be continued at not less than its width as planned.

802.3 Provisions for additional street width (right-of-way), may be required by the Township in specific cases for :

- a. Public safety and convenience.
- b. Parking in commercial and industrial areas and in areas of high density residential development.
- c. Widening existing streets (rights-of-way), where the width does not meet with the requirements of these regulations.

802.4 General design criteria for streets shall be in accordance with specifications as set forth by the Township.

802.5 Dead end streets (cul-de-sacs), may be permitted when it is clear that through traffic is not essential to the street system in that district, and under existing conditions. A dead-end street must have adequate turning space for vehicles, which shall include a minimum right-of-way radius sixty (60) feet and a minimum road edge or curb radius of forty-five (45) feet.

802.6 Street intersections shall comply with the following requirements:

- a. All curbs at intersections shall be rounded by a minimum radius of:
 

Collector, Commercial and Arterial Streets.....	30 feet
Minor Streets.....	25 feet
Industrial Streets.....	50 feet

 Thirty (30) foot radii may be used where minor streets intersect collector and/or arterial streets.
- b. When fences, hedges or other plantings, structures, or walls on any lot corner would create a traffic hazard by limiting clear vision across a corner lot from a height of three (3) feet above the finished paved area, at the centerline of the right-of-way, such structure and/or vegetation shall be removed in conjunction with grading the right-of-way to provide a sight line on one hundred fifty (150) feet along the centerline intersections and one hundred twenty (120) feet at minor street intersections. When an arterial, commercial, industrial or collector and a minor street intersect, each shall retain its respective footage requirements along the centerline to form the sight triangle. No building or structure shall be permitted in this sight triangle. Sight triangles shall be shown on the plan.
- c. Where the grade of any street at the approach to an intersection exceeds two percent (2%), a leveling area shall be provided, if possible, with a transitional grade not to exceed one percent (1%), for a minimum distance of fifty (50) feet from the nearest right-of-way line if the intersection.
- d. Intersections of more than two (2) streets shall be avoided.
- e. Minimum street intersection angles shall be sixty (60) degrees. Right angle intersections shall be used whenever possible.
- f. Intersecting streets shall be separated by three hundred fifty (350) feet or more, measured between centerlines along the centerline of the intersected street.

802.7 Horizontal curves shall be laid on all deflecting angles along the centerline of streets, and the degree of curvature shall be set to assure the proper sight distance as required by Table A.

802.8 Vertical curves shall be used in changes of grade exceeding one percent (1%), and shall be designed for maximum visibility as set forth in Table A.

802.9 In general, minor and collector streets shall not adjoin into the same side of arterial streets at intervals of less than five hundred (500) feet.

802.10 Half streets shall be prohibited. If circumstances render this impractical, adequate provisions for the concurrent dedication of the remaining half of the street must be

- furnished by the developer. Where there exists a half street in an adjoining subdivision, the remaining half shall be provided in the proposed development. The uses of reserve strips are prohibited.
- 802.11 The provisions for the extension and continuation of major streets into and from adjoining areas is required. Where a subdivision abuts or contains an existing or proposed major street, the Township may require reverse frontage lots or such treatments as will provide protection for abutting properties, reduction in number of intersections with the major traffic streets, and separation of local and through traffic.
- 802.12 When the subdivision adjoins unsubdivided acreage, new streets or reserved right-of-ways shall be provided through the boundary lines of the development.
- 802.13 Proposed streets shall be properly related to the official map of the Township, (if applicable), and shall be logically related to the topography so as to produce usable lots and reasonable grades.
- 802.14 Where a subdivision borders on, or contains a railroad right-of-way, an arterial highway right-of-way or a stream, ravine, steep hill, or swamp, the Township may require a street approximately parallel to and on each side of such right-of-way or other obstruction at a distance suitable for the appropriate use of the intervening land. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separation, and for non-residential uses of land, where permitted.
- 802.15 If the lots in a development are large enough for resubdivision, or if a portion of the tract is not subdivided, suitable access and street openings for such resubdivision shall be provided. Such access and/or street openings shall not be less than fifty (50) feet in width.
- 802.16 In those instances where a private street is proposed the following conditions shall be met:
- a. No more than three (3) lots shall have access to the road.
  - b. A maintenance agreement holding harmless the Township and County shall be executed and recorded with the subdivision or land development plan.
  - c. A private road shall be considered a minor road and shall meet the standards established for a minor road.
  - d. The surface of the road shall be dust and mud free.

**TABLE I**  
**DESIGN CRITERIA FOR STREETS**  
 (NOT TO INCLUDE INTERSECTIONS)

	TYPE OF STREET			
Item	Arterial	Collector	Minor	Cul-de-Sac (1)
Maximum Grade *	6.0%	6.0%	8.0%	8.0%
Minimum Grade	0.5%	0.5%	0.5%	0.5%
Minimum Centerline Radius	500 feet	300 feet	150 feet	150 feet
Minimum Sight Distance **	450 feet	250 feet	200 feet	200 feet
Tangent between Curves	300 feet	150 feet	100 feet	0

\* Grades in excess of the allowable percentage may be approved by the Township Engineer where it is clear that it is necessary and that no traffic hazard is or will be created thereby.

\*\* Sight distance shall be measured along the centerline of the street between points where a driver's eye at 3'6" in height can see an object 6" high.

(1) Please see cul-de-sac definitions, a cul-de-sac is the entire street not merely the vehicular turn-around.

802.17 Alleys are prohibited.

### **Section 803 Curbs and Sidewalks**

#### 803.1 Curbs

- a. Curbs shall be provided on all streets and parking compounds located within multi-family and apartment building 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 lot widths exceed the above minimum. When the centerline street grade of any street exceeds three percent (3%). 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 Township.

- 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 the vertical type or rolled curb and 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 street intersections.
- d. All curbs shall be constructed of Portland cement concrete with expansion joints every twenty (20) feet, and shall follow Penn Dot standards where applicable.

### 803.2 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 the average lot width of interior lots at the required building setback line is one hundred (100) feet or less. The requirements of sidewalks may be waived at the discretion of the Planning Commission or Supervisors.
- b. Minimum widths for sidewalks along each type of public street shall be four (4) feet, and shall follow Penn Dot Specifications where applicable.

## **Section 804 Blocks**

- 804.1 Blocks shall be designed to insure proper fire safety.
- 804.2 In general all blocks in a subdivision shall have a maximum length of eight hundred (800) feet. Blocks subdivided into lot shall be approximately two (2) lot depths in width, except lots along a major thoroughfare that fronts on an interior street. Block lengths shall not be less than five hundred thirty (530) feet.
- 804.3 In commercial areas, the block layout shall conform with due consideration to site conditions, to the best possible layout to serve the buying public, to permit good traffic circulation and the parking of cars, to make delivery and pickup efficient, and to reinforce the best design of the units in the commercial areas.
- 804.4 The block layout in industrial areas shall be governed by the most efficient arrangement of space for present use and future expansion, with due regard for worker and customer access parking. Of special interest will be in accommodation of truck traffic.

## **Section 805 Lots and Building Lines**

- 805.1 Double frontage and reverse frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to



- overcome specific disadvantages of topography and orientation. The lot size, width, depth, shape, orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated. A planting screen easement across which there shall be no right of access may be required by the township along the line of lots abutting such a traffic artery or other disadvantageous use.
- 805.2 Side line of lots, so far as practical, shall be at right angles or radial to street lines.
- 805.3 Corner lots shall be increased in size whenever necessary so as to conform to the Township's Zoning Ordinance when such is adopted, so that any structure to be placed thereon shall conform to minimum building setback line requirements.
- 805.4 Lots abutting local streets shall front upon the streets that parallel the long dimension of the block, if possible.
- 805.5 Every lot of a subdivision shall abut a publicly-dedicated street with at least fifty (50) feet of frontage, or greater if required by zoning, except as provided in 805.6
- a. Upon written request by the subdivider, the Township may grant a waiver from this requirement and permit access to no more than three (3) single-family residential lots on a private road, based on the following:
    - (1) An agreement shall be recorded with the plan that releases Wayne Township from all maintenance and legal liability. The agreement shall also require that each property owner participate in the maintenance of the private road.
    - (2) The local emergency service providers shall submit evidence that they can access the lot(s).
    - (3) The minimum cart way width of the private road shall be twelve feet (12') for access to a single lot and twenty feet (20') to two or three lots. The cart way shall meet all other applicable standards of this Ordinance.
- 805.6 The use of flag lots shall be discouraged, as a matter of policy, by the Township. However, the Township recognizes this in certain circumstances, a flag lot may be the only practical method to develop road frontage. All proposed flag lots must comply with the following:
- a. The flag lot shall access a public street.
  - b. For residential development, the minimum width of the frontage shall be fifty (50) feet.
  - c. For non-residential development, the minimum width of the frontage shall be sixty (60) feet.

## **REQUIRED IMPROVEMENTS**

## ARTICLE IX

### REQUIRED IMPROVEMENTS

#### Section 901 General

- 901.1 The construction of subdivision improvements is the responsibility of the developer in so much as it is his property that is being developed. Adequate streets, utilities and other improvements are essential elements in the creation and preservation of stable residential, commercial and industrial areas, and must be completed by the developer.
- 901.2 All of the following improvements, as required by the Township pursuant to the authority granted in the Pennsylvania Planning Code, Act 247, as amended, shall be completed in accordance with the requirements established by this Ordinance prior to final approval of the Plan, except as otherwise provided herein.
- 901.3 Final Plan approval, except for minor subdivisions and replats, shall not be given prior to the completion and acceptance of all subdivision improvements.
- 901.4 All the requirements in this Ordinance concerning street paving, curbing, and sidewalks shall be followed, except where the Township has adopted other criteria and standards.

#### Section 902 Improvements

- 902.1 Utility and street improvements shall be provided, where required, in each new subdivision as follows, except that improvements are not required in existing public streets which may be incorporated into, or be adjacent to m the subdivision.
- a. Survey monumentation.
  - b. Water supply.
  - c. Sanitary sewage conveyance.
  - d. Storm sewers outside of public streets.
  - e. Streets, including required grading, sub grade, preparation, underdrains, base and paving.
  - f. Sub grade drains where necessary.
  - g. Curbing on streets.
  - h. Sidewalks (if required).

- i. Seeding between the sidewalk and curb.
- j. Required utilities, street lighting, street name signs and required grading.
- k. Erosion control, as needed.
- l. Curbing on streets.
- m. Sidewalks (if required).
- n. Seeding between the sidewalk and curb.
- o. Required utilities, street lighting, street name signs and required grading.
- p. Erosion control, as needed.

## **CONSTRUCTION REQUIREMENTS**

## ARTICLE X

### CONSTRUCTION REQUIREMENTS

#### Section 1001 General

- 1001.1 The construction of improvements shall be in accordance with the requirements of this section. It is the intent of these regulations that these construction requirements shall be for the purpose of establishing a standard of quality and durability. If the Township has established other construction standards, and if their governing body shall so require, in writing, they shall be used in lieu of ones set forth in the article.

#### Section 1002 Monuments

- 1002.1 Survey monuments and markers shall be placed at all points as determined by the following criteria:

Monuments shall be concrete with a 3/8" metal dowel in the center at the top. Monument size shall be no less than 4"x4"x30". Where double monuments are used, the top monument shall be as described in the preceding sentence; the bottom monument shall be concrete with a 3/8" metal dowel in the center at the top. A bottom monument shall be no less than 6"x6"x6" in size.

Marker shall be ferrous metal pipe or rods, one half (1/2) inch minimum diameter by eighteen (18) inches minimum length, or may be standard manufactured steel survey markers of a similar length.

Monument shall be placed so that the center point shall coincide exactly with the intersection of lines to be marked.

Monuments shall be placed so that they protrude approximately two (2) inches above grade in areas that are not paved, at grade if in a paved area not subject to vehicle traffic, and four (4) inches to eight (8) inches below grade if in a paved area subject to vehicle traffic. Monuments set in areas subject to traffic shall be protected with a cast iron frame and access cover of adequate design for truck traffic, or may have double monuments, one above the other, with the top monuments flush with the pavement.

Markers shall be set at the intersection of all lines forming angles in the boundaries of major subdivisions and at all street angle points, and at their intersection of all street centerlines.

Markers shall be set at all lot angles and corners, and at the beginning and end of all curves in lot and street lines. Curves for corner radii at intersection need not be marked if the intersection is monumented.

### **Section 1003 Water Supply**

- 1003.1 The developer shall contact the Township and/or public utility for the specifications of a water supply system. Prior to the approval of the Preliminary Plan, the developer shall provide documentation to the Planning Commission that arrangements for the provision of the water system are proceeding satisfactorily.
- 1003.2 Fire hydrants shall be provided concurrently with the water supply.
- 1003.3 If a development requires such additional water supply as to require changes to the Township's water distribution system, the developer will be requested to pay a share of the costs consistent with the provisions of Act 203 of 1990. It is the purpose of these regulations that developments that occur under this Ordinance shall pay their fair share toward needed improvements as set forth by Act 103 of 1990.
- 1003.4 When the Township's water supply system is reasonably available (within five hundred (500) feet), each lot in the subdivision or land development application shall be capable of being provided with an individual water supply system in accordance with the minimum standards approved by the Pennsylvania Department of Environmental Protection Standards.

### **Section 1004 Sanitary Sewer Conveyance**

- 1004.1 Where required, the developer shall construct a sanitary sewer system and provide lateral connections for each lot in accordance with the specifications of the Township.
- 1004.2 Prior to the approval of the Final Plan, the developer shall supply documentation attesting to the installation of the sanitary sewer collection system and its approval/acceptance by the Township. The developer may also offer an acceptable financial surety in lieu of this arrangement.
- 1004.3 If a development generates such additional sanitary sewer flows as to require changes to the Township's sanitary sewer collection system, the developer will be requested to pay a share of the costs consistent with the provisions of Act 203 of 1990. It is the purpose of these regulations that developments that occur under this Ordinance shall pay their fare share toward needed improvements as set forth by Act 203 of 1990.

#### 1004.4 Private Sewer System

When a completed private sanitary sewer 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.

#### 1004.5 On-Lot Sewage Disposal

In subdivisions where public sewers are not available and a complete private sanitary sewer system is not required, on-lot sewage disposal systems shall be provided. In such instances, the developer shall provide evidence that the planning module required for on-lot disposal by DEP has been approved. The developer must show compliance with Act 537, and other state, county and local law and/or regulation governing on-lot sewage disposal.

#### 1004.6 Capped Sewer System

Where the sanitary sewer system is not yet accessible, but is planned for extension to the subdivision or development, the subdivider shall install sewer lines, including lateral connections, in order to provide service to each lot. The sewer mains shall be suitably 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 internal plumbing system shall be constructed to accommodate them as well as any septic system required.

### **Section 1005 Storm Sewers**

- 1005.1 A drainage system adequate to serve the needs of the proposed natural waterways, and overland flow will be required in new subdivisions. The developer shall construct a storm sewer system and connect the drainage system with the existing Township storm sewer system if one exists.
- 1005.2 If a development generates such additional storm drainage sewer flows as to require changes to the Township's storm sewer collection system, the developer will be requested to pay a share of the costs consistent with the provisions of Act 203 of 1990. It is the purpose of these regulations that developments that occur under this Ordinance shall pay their fair share toward needed improvements as set forth by Act 203 of 1990.
- 1005.3 Bridges or culverts shall be designed to support and carry loads according to the requirements of the Township Engineer, but not less than AASHTO Loading HS-20 and shall be constructed the full width of the cart way plus additional length as necessary to provide a proper installation.



- 1005.4 Where open watercourses are planned, adequate safety, erosion control, drainage, protection of capacity and appearance measures shall be taken by the developer to insure proper, safe, healthful disposal of storm water. All open watercourses must be approved by the Township Engineer.
- 1005.5 Minimum grade of drainage courses shall be designed to create a minimum cleaning effect (velocity of two (2) feet per second). Lesser grades may be permitted by the Township Engineer where such required grades cannot be achieved.
- 1005.6 Storm sewers shall have a minimum diameter of fifteen (15) inches and a minimum grade of one-half (1/2) of one (1) percent. Lesser grades may be permitted when substantiated with calculations that prove that cleaning velocities will be maintained.
- 1005.7 Manholes shall normally be spaced at three (300) hundred feet maximum spacing where pipe sizes of twenty-four (24) inches or less are used, and not over four (400) hundred feet where larger sizes are installed. Inlets may, if approved by the Township Engineer, be substituted for manholes.
- 1005.8 All phases of construction of open ditches, gutters or storm sewers including width, depth, shapes, erosion control, minimum grade, size and area shall be in accordance with the requirements of these regulations and all storm drainage facilities shall be inspected and certified by the Township Engineer.

**Section 1006 Streets, Sub grade, Sub drains, Pavement, Curbs and Sidewalks**

- 1006.1 Streets shall be graded to the full width of the right-of-way, surfaced, curbed (if required), and improved to the grades and dimensions shown on plans, with profiles and typical cross sections submitted by the developer and approved by the Township Engineer.
- 1006.2 Side slopes shall be graded to blend with the natural lay of the land, or in accordance with cross sections approved by the Township Engineer. Where fill material is necessary to establish uniform grades, compacting shall be required in accordance with Pennsylvania Department of Transportation Form 408 Specifications for embankment. A slope of two (2) horizontal feet to one (1) vertical foot beyond the right-of-way line in cut or fill shall ordinarily be required.
- 1006.3 The sub grade shall be shaped to rough lines and elevations equal to the width of the pavement plus two (2) feet. Adequate drainage facilities shall be installed to provide for the disposition of underground seepage and the percolation of surface water. The sub grade shall be thoroughly compacted by power rollers as required by the Township Engineer. It shall be compacted at optimum moisture content. The finish surface shall be

uniformly shaped to facilitate drainage, and any irregularities from planned grade shall be corrected prior to placing the sub base. Where material encountered in the normal excavation has a C.B.R. value of 2.5 or less and will not develop the required stability and provide for adequate drainage, the area shall be undercut and granular material added to a depth of at least twelve (12) inches.

- 1006.4 Sub drains shall be designed and installed per the specifications of the Township Engineer.
- 1006.5 All pavement, base, sub base (where required), and sidewalks shall conform to the requirements of the Township Engineer.
- 1006.6 Areas between the sidewalk and curb (if required), shall be seeded as required by the Township Engineer.
- 1006.7 See Section 803 for Curb and Sidewalk Specifications.

#### **Section 1007 Utilities**

Gas, electric and telephone utilities shall be located in subdivisions in accordance with utility company practice and in accordance with agreements with, or as approved by the Township Engineer.

#### **Section 1008 Street Trees**

Street trees of a deciduous hardwood type with a minimum caliper of one-an-one-half (1-1/2) inches shall, when provided, be planted between the curb and the sidewalk (if required), provided the planting strip as possible, but at no instance shall a tree be planted closer than three (3) feet to the curb, sidewalk or any other utility above or below the ground.

#### **Section 1009 Street Lighting**

Street lighting shall be provided, if required, by the Township Ordinance.

#### **Section 1010 Existing Natural Areas**

In wooded areas, floodplains, wetlands, areas having slopes of fifteen (15) percent or greater or where other natural conditions exist in such a manner that development would be hazardous to the safety of life and property or would cause permanent ecologic instability, the Township may require that the developer preserve as much of the original natural conditions as is economically feasible and ecologically practicable and may limit the amount of grading and excavating to the minimum improvement standards included herein.

**Section 1011 Erosion Control**

It shall be a requirement of all major subdivisions that the developer shall have a Soil Erosion and Sedimentation Control Plan and/or permit, prepared in accordance with current state law (Erosion and Sedimentation Control, Chapter 102, Pennsylvania Rules and Regulations, as amended), and reviewed by the Lawrence Conservation District. The Township may also require a like plan for any minor subdivision. The Plan shall be fully implemented during the construction of the development.

**MOBILE HOME PARK REGULATIONS**

## ARTICLE XI

### MOBILE HOME PARK REGULATIONS

#### Section 1101 Applicability

- a. The standards set forth under this section are intended for those mobile home parks where lots within the park are for occupancy, rental or lease
- b. Where it is intended by the owner or developer to offer mobile home lots for sale, the development shall be treated as a regular subdivision and subject to the regulations concurring same.

#### Section 1102 Plan Requirements

- a. No person, firm or corporation proposing to open a mobile home park shall proceed with any construction work on the proposed park until they have obtained from the township, written approval of the final plan of the proposed park, according to procedures herein outlined.
- b. Preliminary and final plans are required, shall comply in form and content to Article III of these regulations in-so-far as applicable and the standards set forth herein.
- c. **Stormwater Management Plan**  
The owner shall prepare and submit for review and approval to the Township, a stormwater management plan. Such plan shall indicate the proposed stormwater handling system, proposed water retention and release schedule to eliminate the effects of uncontrolled water runoff on adjacent properties. Such plan shall conform to any locally adopted stormwater management plan and any other applicable regulations. The plan shall be referred to the Lawrence County Conservation District for review and comment prior to the plan approval.

#### Section 1103 Preliminary Plan

- a. **Pre-Application Procedure**  
The mobile home park developer shall meet with the Planning Commission, prior to formal application, to discuss his plans and shall prepare a suitable sketch and plan sufficient to give a general understanding of his purposes. The Planning Commission shall inform the developer as to the general suitability of the plans and of any modifications required by these regulations, if deemed advisable.

- b. **Application**  
The developer shall then prepare and submit a preliminary plan, together with improvement plans and other supplementary material, as required.
- c. **Planning Commission Action**  
The Planning Commission shall review the park plan as submitted and take action as required in Article III.

#### **Section 1104 Final Plan Approval**

- a. **Upon completion of any modifications required by the Township and/or upon completion of required improvements or the alternate posting of acceptable surety, the developer may apply for approval of final plans.**
- b. **Planning Commission Review**  
The Planning Commission shall review the final plans for conformance with the approved preliminary plans and all requirements of these rules and regulations. They shall require a written statement from the Township or Township Secretary that appropriate bond has been posted or that required improvements have been installed, according to specifications. Within forty-five (45) days of receipt of complete information, the Township shall approve or disapprove such plan, stating in writing, its reasons for disapproval.
- c. **Filing**  
Following approval, the developer shall file one (1) copy of the approved plan with the Lawrence County Recorder's Office within ninety (90) days. Should the developer fail to file such plan within said period, the approved shall be null and void.

#### **Section 1105 Design Requirements**

- a. **Minimum Area of Tract or Park**  
The minimum area of the tract or park shall be five (5) acres. The site shall be so located that soil conditions, groundwater level, drainage and topography shall not create hazards to the property, health or safety of the occupants or adjacent property owners.
- b. **Length of Residual Occupancy**  
Parks shall be designed to serve the long-term placement of mobile homes.
- c. **Individual Lots**  
The planning and location of individual lots shall be guided by the following requirements:

1. Access  
Each lot shall be directly accessible from an approved internal street without necessity of crossing any other space.
  2. Size  
Each mobile home lot shall have a minimum lot width of fifty (50) feet and a minimum of five thousand (5,000) square feet in area.
- d. Yard Requirements
1. Mobile Homes shall be parked on each lot so that there will be a minimum of ten (10) feet between the mobile home, appurtenant structures, and any adjacent side or rear lot line.
  2. There shall be a minimum of twenty (20) feet between an individual mobile home, attached structure, and accessory structure and the pavement of a park street or common parking areas.
  3. The setback from the right-of-way of any public street or highway shall be thirty-five (35) feet or comply with the Wayne Township Zoning Ordinance, (where applicable), whichever is more restrictive.
  4. Mobile homes shall be located a minimum of twenty (20) feet from any common building or structure.
  5. Secondary entrance ways may utilize stoops, landings, patios, or awnings, which may extend a width of five (5) feet within the ten (10) foot yard requirements.
- e. Identification  
Each lot shall have a number placed on the lot in the form of a sign or directly on the mobile home. It shall be arranged in such a way so that it is visible from the road on which the mobile home or lot is fronting.
- f. Skirting  
The plans shall specify that skirting shall be provided on all mobile homes.
- g. Drainage  
Drainage plans shall be submitted with the preliminary plan.
- h. Mobile Home Stands
1. The location of each mobile home stand shall be at such elevation, distance and angle in relation to the access street so that the removal of the mobile home is practical.

2. The size of each mobile home stand shall be suitable for the general market to be served by the individual park, be sufficient to fit the dimensions of mobile homes anticipated, and sufficient to handle any appurtenant structures and appendages, including prefabricated “Florida rooms”, car ports and storage structures.
  3. A one percent (1%) to five percent (5%) gradient longitudinal crown or cross gradient for surface drainage shall be provided.
  4. Mobile home stands shall either be concrete pads or piers. The piers shall be set at least thirty-six (36) inches deep, with spread footing.
  5. Each mobile home stand shall provide adequate tie downs, able to withstand a wind pressure of fifteen (15) pounds per square foot on an exposed vertical surface. Both “over-the-top” and frame “tie-downs” shall be required. The strapping for any “over-the-top” tie downs shall be of four thousand seven hundred (4,700) tensile strength.
- i. **Internal Street System**  
The internal street system in privately owned mobile home parks shall be privately owned, constructed and maintained in accordance with the applicable sections set forth in Article VIII, Design Standards, and Article X, Construction Requirements of the Wayne Township Subdivision and Land Development Regulations.
  - j. **Street Widths at Access Points**  
At points where general traffic enters or leaves the park, streets shall be thirty-five (35) feet in width within twenty (20) feet of the existing public street to permit free movement from or to the stream of traffic on the public street, and no parking shall be permitted which in any way interferes with such free movement.
  - k. **Parking Spaces**  
Car parking spaces, at a minimum size of ten (10) by twenty (20) feet, shall be provided in sufficient number to meet the needs of the occupants of the property and their guests, without interference with normal movement of traffic. Such facilities shall be provided at the rate of at least two (2) parking spaces for each mobile home lot, located in adjacent parking bays. If no on-street parking is permitted, then one (1) parking space for each four (4) lots shall be provided. Required car parking spaces shall be located for convenient access to the mobile home stands.
  - l. **Recreation**  
For a proposed park of fifteen (15) acres or more, at least ten (10) percent shall be reserved or dedicated for recreation purposes with appropriate location, dimensions and topographic characteristics which, in the judgment of the Township, lend themselves to recreational uses.



## Section 1106 Utility and Fire Requirements

- a. General  
In accordance with the Rules and Regulations, Commonwealth of Pennsylvania, Department of Environmental Protection, provisions for all sewerage disposal and treatment of water supply and such other information required by the Department of Environmental Protection shall be shown on plans and submitted to and approved by the Department of Environmental Protection. All required permits and inspections must be performed in accordance with the UCC.
- b. Electric  
All electrical facilities shall be installed and inspected according to the standards set forth in the latest edition of the National Electrical Code and the local Power Company regulations. All electrical facilities shall be inspected as required by the Uniform Construction Code.
- c. Fire
  1. General  
For the safety and welfare of the residents and future residents of the mobile home park, the following fire regulations shall be incorporated into the park. All fire safety plans shall be approved by the local designated Fire Chief of Wayne Township.
  2. Fire hydrants shall hereafter be required on any new mobile home park of ten (10) lots or more, where the extension of central water lines, whether public or private, are proposed for the mobile home park development.  
  
Hydrant size and type of all hydrants installed shall be of a standard size and type as specified by the Fire Chief of Wayne Township.
    - a. Spacing  
Hydrant spacing shall be adequate to serve all lots within the mobile home park. Hydrant shall be arranged not more than one thousand (1,000) feet apart from one another. Where an existing hydrant is at least one thousand (1,000) feet from the park, the existing hydrant shall be deemed satisfactory and spacing can be determined and shown, taking the existing hydrant into consideration.
    - b. Location  
Hydrants shall be located within dedicated easements.

c. Design

The proposed locations of fire hydrants shall be shown on the submitted plans. Any existing fire hydrants less than one thousand (1,000) feet from the proposed park, shall be shown in the vicinity sketch with an exact distance in feet from the hydrant to the nearest lot line of the mobile home park.

3. In areas where there are no central water line extensions proposed, the following standards for fire safety shall be incorporated into the park. The developer retains the option of installing either the tank or pond system.

a. Tank System

An approved underground, static water tank of not less than three thousand (3,000) gallons suitably arranged for fire department drafting at a spacing of five hundred (500) feet. In addition:

[1] The tank shall be designed to permit a discharge of no less than five hundred (500) gallons per minute.

[2] Each tank shall have two (2) combination vent pipe and dump valve openings above ground. The openings shall be twenty-four (24) inches square covered by either a removable type lid or a hinged type lid.

[3] Each tank shall have an approved outlet above ground, no less than four and one half (4-1/2) inches in diameter. This outlet shall be encased in a hydrant for drafting, with at least two-two and one half (2-2 1/2) inch outlets.

b. Pond System

A water pond shall be located in such a way as to serve all park lots. The pond shall be utilized by a "dry Hydrant" type of outlet. The volume of water within the pond shall be sufficient, as determined by the Fire Chief of Wayne Township, to adequately serve all park lots.

In addition, a cyclone fence at a minimum height of six (6) feet with single strand barbed wire shall enclose the pond.

4. Exterior Lighting

Adequate lights shall be provided to illuminate streets, driveways and walkways for the safe movement of vehicle and pedestrians at night. Lighting fixtures shall be no less than two-tenths (2/10) of a foot candle power per pole.

5. No mobile home, whether installed on a single lot or in a mobile home park shall be removed from the Township without first obtaining a permit from the Wayne Township tax collector charged with the collection of Wayne Township real estate taxes. Such permit for the removal of the mobile home shall be issued upon payment of a fee and payment of all real estate taxes and personal tax owed by anyone having occupied the mobile home.

**RECREATIONAL VEHICLE PARK REGULATIONS**

## ARTICLE XII

### RECREATIONAL VEHICLE PARK REGULATIONS

#### Section 1201 Applicability

For the purpose of this article, recreation vehicles and recreational vehicle parks shall be defined as follows:

##### Recreational Vehicle

A vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are:

Travel trailer, camping, trailer, truck camper and motor home.

##### Recreational Vehicle Park

A plot of land upon which two (2) or more recreational vehicle sties are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes. No residential uses shall be permitted and mobile units shall not exceed three hundred fifty (350) square feet in floor area. Recreational Vehicle Parks (RV) shall be designed to serve the placement of recreational vehicles. No recreational vehicle shall be used as a permanent place of abode, dwelling or business.

The standards set fourth under this section are intended for those recreational vehicle parks where lots within the park are for rental, sale or lease and are to serve the short-term placement of recreational vehicles as outlined above.

#### Section 1202 Permits

In conjunction with the rules and regulations as herein specified, the recreational vehicle park developer shall submit properly prepared plans and specifications to the Department of Environmental Protection. Such submission shall be in accordance with Title 25, Rules and Regulations Park 1; Department of Environmental Protection, Subpart D Environmental Health and Safety, Article III, Recreational Facilities, Chapter 191, Organized Camps and Campgrounds, as amended. Prior to final approval of development Plans by the Township Planning Commission, the developer shall forward a copy of such Permit or evidence of same to the Township Planning Commission.

#### 1203 Plan Requirements

- A. Persons, firms, or corporations proposing to open a recreational vehicle park shall not proceed with any construction on the proposed park until they have obtained, from the Township, written approval of the final plan of the proposed park, according to procedures herein outlined, and has received the necessary approval

of the plans from the Pennsylvania Department of Environmental Protection as indicated in Section 1202.

**B. Pre-Application Procedure**

The recreational vehicle park developer shall meet with the Township Planning Commission, prior to formal application to discuss his plans and shall prepare a suitable sketch and plans sufficient to give a general understanding of his proposal. The Township Planning Commission shall inform the developer as to the general suitability of the plans and of any modifications required by these regulations, if deemed advisable.

**C. Preliminary Plan**

The developer shall then prepare and submit a preliminary plan, together with improvement plans and other supplementary material, as required.

Where a recreational vehicle park is proposed for construction in a series of stages, a preliminary plan for the development of the entire tract of land shall be submitted along with the detailed plans and specifications for the initial stage as well as any subsequent stages.

Preliminary plans as required, shall comply in form and content as follows, in so far as applicable and the standards set forth herein.

Name, mailing address, legal address and telephone number of applicant.

Interest of the applicant in the proposed travel park.

Location, address and legal description of the entire proposed travel park site.

If a Zoning Ordinance is adopted, existing zoning of subject property and all adjacent properties.

Complete engineering plans and specifications of the proposed travel park showing:

1. The area and dimensions of the entire tract of land.
2. The land uses occupying the adjacent properties.
3. The number, size and location of the proposed vehicle sites and other parking areas.
4. The location, right-of-way and surfaced roadway width, roadway design data and walkways.
5. The proposed interior vehicular and pedestrian circulation patterns.

6. The location of service buildings, sanitary stations and any other existing or proposed structures.
7. The location of water and sewer lines and riser pipes.
8. Plans and specifications of the water supply, sewage disposal and refuse facilities.
9. Plans and specifications of all buildings constructed or to be constructed within the travel park.
10. The location and details of area lighting, electric and gas systems as related to all applicable codes and sound engineering practice.
11. The location of all drainage easements to comply with Township drainage plans.
12. The location of prominent existing landscape features and proposed landscape features.

**D. Soil Erosion and Sedimentation Control Plan**

The owner shall submit to the Lawrence County Conservation District a soil erosion and sedimentation control plan. Such plan shall be prepared by a registered professional engineer and shall be as per Soil Conservation Service guidelines as may be applicable. Such plan shall be approved prior to commencement of site preparation and construction.

**E. Stormwater Management Plan**

The owner shall prepare and submit for review and approval to the Township a stormwater management plan. Such plan shall indicate the proposed storm water handling system, proposed water retention and release schedule to eliminate the effects of uncontrolled water runoff on adjacent properties. Such plan shall conform to any locally adopted stormwater management plan and any other applicable regulations. The plan shall be referred to the Lawrence County Conservation District for review and comment prior to plan approval.

**F. Township Action**

The Township Supervisors shall review the preliminary park plan as submitted to the Township within ninety (90) days of submission and shall take formal action on the plan and in writing give approval, conditional approval (giving conditions), or disapproval (giving reasons).

**G. Nature of Approval**

Approval of a preliminary plan by the Township Planning Commission shall not constitute approval of the final plan or of roads or other improvements therein but it is rather an expression of approval of layout submitted on the preliminary plan as a guide to the preparation of the final plan, which final plan shall be submitted for

approval by the Township, in that order, upon fulfillment of the requirements of these regulations.

H. Final Plan

Upon completion of any modifications required by the Township Supervisors and/or upon completion of required improvements or the alternate posting of acceptable surety, the developer may apply for approval of final plans.

I. Township Review

The Township Supervisors/Planning Commission shall review the final plan for conformance with the approved preliminary plans and all requirements of these rules and regulations. They shall require a written statement from the Township or Township Secretary that appropriate bond has been posted or that required improvements have been installed, according to the specifications. Within ninety (90) days of receipt of complete information, the Township shall approve or disapprove such plan, stating in writing its reasons for disapproval.

**Section 1204 Design Requirements**

A. Lot Area Requirements

The planning and location of individual recreational vehicle lots shall be governed by the following minimum requirements.

1. Lot Area

Recreational vehicle lots shall have a minimum width of thirty (30) feet and shall not be less than one thousand five hundred (1,500) square feet in total area. Such size is considered to accommodate parking for one (1) recreational vehicle and one (1) automobile parking space, an accessory structure and related outdoor facilities, (grill, picnic tables, benches, etc.). Maximum density per acre, however, shall not exceed eighteen (18) units/gross acres.

2. Setback Requirements

Front setback for recreational vehicle units shall be fifteen (15) feet from the front and side lot line of any internal road or street. However, structures, such as bathhouses, administration departments, recreation centers and other ancillary facilities of a permanent nature shall be set back from adjacent or access streets seventy-five (75) feet as measured from the centerline of such street. In no case shall a recreational vehicle be closer than fifteen (15) feet from another recreational vehicle.

B. Perimeter Requirements

1. When abutting residential districts, a setback buffer area shall be fifty (50) feet as measured from the park property line or zoning boundary line whichever may be applicable. When abutting any other zoning district, the



setback shall be twenty-five (25) feet as measured from the property line or zoning boundary line as may be applicable.

2. When abutting an existing dedicated public right-of-way, the setback shall be seventy-five (75) feet as measured from the street centerline, or twenty-five (25) feet from the existing right-of-way whichever results in the greater setback.
3. In no case shall a recreational vehicle be closer than fifteen (15) feet from another recreational vehicle.

#### C. Roadway Design Standards

Recreational vehicle park roads shall be designed for the safe and convenient movement of recreational vehicles minimizing disturbance of the natural environment.

The internal street system shall be generally as outlined in Article VIII, Design standards of the Township Subdivision and Land Development Ordinance and specifically as follows:

1. **Collector Street**  
Thirty six (36) feet as per Article VIII Lawrence County Subdivision and Land Development Ordinance. All requirements for a public street shall be applicable, including a fifty (50) foot right-of-way. Such street shall serve as collector internal to the development and provide access to park lots, administrative and ancillary facilities. Such collector streets shall be improved as outlined-Articles VIII and X of the Subdivision and Land Development Ordinance.
2. **Minor Streets**  
One way-12 feet  
Two way-20 feet  
Minor streets shall be constructed of selected material surfacing as per Section 677 Form 408 Penn DOT Highway Specifications or approved equal. Materials shall be identified as no. 2 R.C. aggregate. It shall be made from stone, slag or gravel and meet the following gradation:

Passing # 1-1/2 sieve	100%
Passing # 4 sieve	15-60%
Passing # 100 sieve	0-20%

#### D. Construction Requirements

The aggregate shall be uniformly spread upon the graded area, without segregation of coarse and fine material, in loose layers not exceeding five (5) inches in depth, and compacted with a ten ton roller meeting the requirements of Section 108.05 [c] a or 3.b, Form 408 Specifications Commonwealth of Pennsylvania Department of Transportation.

The surfacing shall be crowned or sloped as indicated, and the final compacted depth shall comply with the depth shown on the drawings.

Satisfactory compaction will be determined by the stability of the material under the specified compaction equipment; if the material used does not contain sufficient fines to properly lock under the roller, additional fines of the same material or limestone fines shall be added as necessary to secure the desired compaction and stability.

E. Cul-de-Sac Streets

Shall be provided with a turnaround having an outside roadway diameter of at least eighty (80) feet.

F. Parking Spaces

Car parking spaces, at a minimum size of ten (10) by twenty (20) feet, shall be provided in sufficient number to meet the needs of the occupants of the property and their guests, without interference with normal movement of traffic. Such facilities shall be provided at the rate of at least one and one half (1-1/2) parking spaces for each recreational vehicle lot or in designated parking areas, no on-street parking shall be permitted for safety reasons.

G. Recreation

At least ten percent (10) of the park area shall be reserved for active and passive recreation purposes with appropriate location, dimensions and topographic characteristics that lend themselves to recreational use. Such area shall exclude required buffer and setbacks.

H. Ancillary Services

The developer may include certain ancillary services such as Laundromat, camp, store, grocery store, bathhouse, caretaker's residence, etc., provided that such uses shall be strictly for the use and convenience of those persons utilizing the recreational vehicle park and does not violate any other local regulations.

I. Plans and Compliance

No person shall construct, open or dedicate any road or any drainage facilities in connection therewith, for public use or travel in Wayne Township, without first submitting plans thereof to the Township for their approval. Such plans shall be submitted for review and approval by the Township shall be accompanied by a certified report as prescribed in Article III.

Said plans shall show the profiles, course, structure of such roads, the capacity of any drainage facilities and the method of drainage of the adjacent or contiguous territory. Also, said plans shall show any other details that may be required by the Township. Construction shall be in strict accordance with street specifications and the final plans as approved.

Subsequent to final plan approval where new streets are to be constructed, the starters shall be installed and a certified report, prepared by a registered professional engineer as outlined in Section 1203 shall be submitted. Such street shall also be reviewed and approved by the Township Engineer.

J. Excavation and Grading

Streets shall be excavated and graded as indicated on the approved plans. This shall include excavation of the street to the lines, grades and limits indicated on the drawings or as may be revised by the Township to meet conditions encountered during construction, the excavation for intersecting roadways, stream channel, and culverts within the approved right-of-way limits; and shall also include the widening of cuts, flattening and rounding of slopes outside the right-of-way as called for an approved plans, removal of the top soil and excavating of ditches and the construction of fill. Inspection shall be performed and approval granted by the Township prior to further work.

All drainage structures shown on the approved plans shall be installed to current State standards. Culverts may be corrugated metal pipes, concrete or reinforced concrete as specified and prepared according to State standards.

K. Fire

General

For the safety and welfare of the occupants of the recreational vehicle park, the following fire regulations shall be incorporated into the park. All fire safety plans shall be approved by the Fire Chief of the Township.

1. Fire hydrants shall hereafter be required in any new recreational vehicle park where the extensions of central water lines, whether public or private, are proposed for the recreational vehicle park development.
2. Hydrant size and type of all hydrants installed shall be of standard size and type as specified by the Township and the designated Fire Chief of the Township
3. Spacing  
Hydrant spacing shall be adequate to serve all lots within the recreational vehicle park. Hydrants shall be arranged not more than one thousand (1,000) feet apart from one another. Where an existing hydrant is less than one thousand (1,000) feet from the park, the existing hydrant shall be deemed satisfactory and spacing can be determined and shown, taking the existing hydrant into consideration.
4. Location  
Hydrants shall be located within dedicated easements.
5. Design

The proposed locations of fire hydrants shall be shown on the submitted plans. Any existing fire hydrants less than one thousand (1,000) feet from the proposed park shall be shown in the vicinity sketch with an exact distance in feet from the hydrant to the nearest lot line of the recreational vehicle park.

- L. In areas where there are no central water line extensions proposed, the following standards for fire safety shall be incorporated into the park. The developer retains the option of installing either the tank or pond system.

1. The Tank System

An approved underground, static water tank of not less than three thousand (3,000) gallons suitably arranged for fire department drafting at a spacing of five hundred (500) feet. In addition:

- a. The tank shall be designed to permit a discharge of no less than five hundred (500) gallons per minute.
- b. Each tank shall have two (2) combination vent pipe and dump valve openings above ground. The openings shall be twenty-four (24) inches square covered by either a removable type lid or a hinged type lid.
- c. Each tank shall have an approved outlet above ground, no less than four and one half (4-1/2) inches in diameter. This outlet shall be encased in a hydrant for drafting, with at least two-two and one half (2-2 ½) inch outlets.

2. Pond System

A water pond shall be located in such a way as to serve all park lots. The pond shall be utilized by a "dry Hydrant" type of outlet. The volume of water within the pond shall be sufficient, as determined by the Fire Chief of Wayne Township, to adequately serve all park lots.

In addition, a cyclone fence at a minimum height of six (6) feet with single strand barbed wire shall enclose the pond.

**LAND DEVELOPMENT STANDARDS AND  
REQUIREMENTS**

## ARTICLE XIII

### LAND DEVELOPMENT STANDARDS AND REQUIREMENTS

#### Section 1301 Jurisdiction

Certain physical developments are classified as land developments in the Pennsylvania Municipalities Code, Act 247 and as such, are subject to regulation. Land developments include, but are not limited to, mobile home parks, recreational vehicle parks, apartment complexes, and shopping centers. Of these examples, both mobile home parks and recreational vehicle parks are covered elsewhere in this Ordinance. Other types of land development will be governed by this article. Land development is characterized by the fact that the development site is in a single ownership and the buildings and/or use area are rented or leased to prospective users. There is no division of land typical of land subdivision actions, although buildings and/or use areas may be sold at the time of development or at some future time. It shall be unlawful for an applicant to construct land developments as defined herein until:

- 1301.1           The final plan has been approved by the Planning Commission and recorded as required by this Ordinance.
  
- 1301.2           A valid permit from the Pennsylvania Department of Environmental Protection, where applicable, has been approved for issue to the applicant.
  
- 1301.3           A valid Occupancy Permit has been secured from the Township or from the Pennsylvania Department of Transportation for highway right-of-way occupancy for the purposes of constructing access facilities.

#### Section 1302 Procedures

In processing a land development, the three stage procedure established in this Ordinance for land subdivisions shall be used:

- Sketch Plan (not mandatory)
- Preliminary Site Plan
- Final Site Plan

The land development shall be processed, and submission requirements shall be the same as that required for subdivisions. The Final Site Plan shall be recorded in the Recorder's Office. Submission requirements where they relate to the drawing of a plat need not be observed unless the land development proposal intends to convey the land as in the case of a condominium arrangement.

#### Section 1303 Assurance for Completion and Maintenance of Improvements

In so far as the land development involves the lease or rental of buildings and/or space on the site and site improvements (such as roads, parking areas and stormwater drainage devices), which are to be privately maintained or maintained by a private (non public) organization created by the developer, there is no need for Township acceptance of the site improvements (roads, stormwater drainage devices). However, in these instances roads and stormwater drainage shall be designed and built to the standards established in this Ordinance and the Township shall ascertain that these improvements are, in fact, built to such standards. Where the developer does not intend to maintain the improvement and where a homeowner's association or similar organization will not be organized for these responsibilities, the developer will submit a plan for maintenance of such facilities. This document will be legally enforceable, once clearly establishing maintenance responsibility. It must be approved by the Township.

In lieu of a plot plan, the developer shall submit a Site Plan. Such plan shall be at a scale of 1" to 10'. Where building development and parking lot development is in excess of twenty-five thousand (25,000) square feet combined topographic data at two (2) foot contour intervals shall be required. Each site plan shall through one, or more, pages show:

- a. Existing site conditions (topography, as needed, drainage, tree clusters, buildings, utility, roads and nearby properties).
- b. Proposed development, including buildings (with frontal elevation), parking, vehicular, and pedestrian access areas, storm drainage, landscaping, utility location and size.

**Section 1304 Design Standards for Apartment Complexes, Shopping Centers and Industrial Complexes**

- 1304.1 Vehicular access connections to the surrounding existing road network shall be safe, shall have adequate site distances, and shall have the capacity to handle the projected traffic.
- 1304.2 For apartment complexes for the elderly there shall be a minimum of .75 parking spaces per dwelling unit. For all other apartment complexes there shall be a minimum of 2.0 parking spaces per dwelling unit.
- 1304.3 For shopping centers there shall be a minimum of two thousand five hundred (2,500) square feet of off-street parking space for each one thousand (1,000) square feet of building area including storage areas but excluding basement areas.
- 1304.4 For apartment complexes the maximum density in dwelling units per gross acres shall be 12.0
- 1304.5 Service areas for the land development shall be planned and constructed such that they are not visible from adjacent uses.

- 1304.6 The site plan shall demonstrate building locations and areas for vehicular circulation.
- 1304.7 A parking and access plan shall be submitted along with estimated traffic flows. The developer shall demonstrate that the proposed parking/access layout is adequate for the proposed development. For retail developments of seventy thousand (70,000) square feet of building area or more, such plan must be prepared by an engineer,
- 1304.8 For all developments in excess of two thousand five hundred (2,500) square feet in building size and 43,650 square feet in parking lot size a storm drainage plan shall be submitted. It shall follow the criteria for such plans set forth by this Ordinance and shall be reviewed by the Lawrence County Conservation District.
- 1304.9 A complete landscaping plan shall be submitted by all developers that does not include a complete interior landscape plan in addition to a landscaped transition to adjoining properties. Landscape treatment shall be provided to enhance architectural features, strengthen vistas and important axis, or provide shade.
- 1304.10 Complete interior circulation plan shall be submitted by all developers indicating the safe and efficient movement of people within and through the site.
- 1304.11 Exterior lighting, when use, shall be of a design and size compatible with adjacent areas.
- 1304.12 The Township shall be provided with information on the availability water that is in conformance with Section 1003 Water Supply.
- 1304.13 For industrial complexes, all individual tenants must have access to interior circulation roadway, maintained in common, that leads to a municipal street.
- 1304.14 For industrial complexes all buildings must be screened from all noncompatible adjacent land uses.
- 1304.15 For commercial and industrial complexes, size and configuration of lots, blocks and buildings shall be adequate to provide for loading facilities for large vehicles.
- 1304.16 Environmentally sensitive areas should be avoided to the maximum extent possible.

### **Section 1305 Signs**



- 1305.1 Signs may advertise a business, office or other legitimate use. Such signs shall be on-premises signs and shall be erected on the site where such use is located.
- a. The computation of the area of a sign shall include incidental decorative trim and the framework in addition to the portion devoted to the message and lettering.
  - b. For projecting or freestanding double faced signs, only one (1) display face shall be measured in computing the total sign area where the sign faces are parallel or where the interior angle formed by the faces is forty-five (45) degrees or less. Signs with sides forming an interior angle of more than forty-five (45) degrees shall not exceed the maximum area permitted for such signs for all sides combined.
  - c. The are measure of each freestanding sign shall include all separate components, which shall not exceed three (3) in number. Freestanding signs shall not exceed a height of seven (7) feet from the ground level to the top of the sign and shall not exceed a height of nine (9) feet to the top of the sign support.
  - d. Wall signs which are part of the architectural design of a building shall be restricted to an area not more than fifteen (15) percent of the wall area, including windows and doors, of the wall upon which such sign is affixed or attached, and such signs shall not protrude above the structural wall of which it is a part. Where such sign consists of individual lettering or symbols attached to a building, wall or window, the area of the sign shall be considered to be that of the smallest rectangle or other regular geometric shape that encompasses all of the letters and symbols.
- 1305.2 For all office, commercial and consumer service uses, a sign or signs may be erected in accordance with one (1) of the following:
- a. One (1) freestanding sign up to ten (10) square feet, plus one (1) of the following:  
  
One (1) wall sign mounted flush on wall up to eight (8) square feet;  
or  
  
One (1) wall sign (when part of the architectural design of the building), consisting of individual letters or symbols not to exceed fifteen (15) percent of wall areas; or

One (1) window sign consisting of individual letters or symbols not to exceed thirty (30) percent of the total glass area of the building front.

**OR**

One (1) projecting sign projecting not more than five (5) feet from the wall up to ten (10) square feet in size, plus one (1) of the following:

1. One (1) wall sign mounted flush on wall up to eight (8) square feet; or
2. One (1) wall sign (when part of the architectural design of the building) consisting of individual letters or symbols not to exceed fifteen (15) percent of wall area; or
3. One (1) window sign consisting of individual letters or symbols not to exceed thirty (30) percent of the total glass area of the building front.

If a building fronts upon more than one (1) street, one (1) additional sign in conformity with either subsection (1), (2), or (3) above may be permitted on each street frontage.

1305.3

**Directional Signs**

Directional signs of three (3) square feet or less are permitted for traffic control purposes, provided such signs do not contain advertising copy.

1305.4

**Temporary Signs**

Exterior temporary signs, including all moveable signs such as those advertising a commercial sale, when located on the site where such use is conducted, may be permitted for a period not to exceed thirty (30) days in any one calendar year for any premises or commercial use.

- a. The size of such sign may not exceed twelve (12) square feet per side.
- b. Application for a temporary sign permit shall be made to the Township Code/Zoning Officer as applicable, accompanied by the required permit fee and an escrow deposit to be set from time to time by resolution of the Board of Supervisors, as a guarantee that the temporary signs shall be promptly and completely removed at the end of the authorized period. If such signs are not promptly removed at the end of the authorized period, the Township will have them removed and forfeit the sum deposit to reimburse the expense incurred in removal.

## 1305.5 Prohibited Signs

- a. Flashing, rotating or revolving signs, with the exception of barber poles.
- b. Roof signs.
- c. Any sign suspended between poles and illuminated by a series of lights.
- d. Any sign erected on a tree or utility pole, or painted or drawn on a rock or other natural feature.
- e. Any banner sign or sign of any other type across a public street or on any private property, except for such signs which are approved by the Township Supervisors to be of general benefit to the Township or for public convenience, necessity or welfare.
- f. Any sign suspended between poles that is either a pennant that blows in the wind or a spinner that spins in the wind.
- g. Signs which contain include or are illuminated by any flashing, intermittent, or moving light or light, except those giving public service information such as time, date, temperature, weather or similar information.

## ADMINISTRATION AND MODIFICATION

## ARTICLE XIV

### ADMINISTRATION AND MODIFICATION

#### Section 1401 Amendments

The Wayne Township Supervisors may, from time to time, modify and amend this Ordinance by appropriate action in accordance with the Pennsylvania Planning Code, Act 247, as amended.

#### Section 1402 Filing Fee

The filing fee shall be as fixed by the Township Supervisors by resolution. Any additional costs of review, design, inspection or maintenance by Township officials shall be borne by the applicant.

#### Section 1403 Records

The Township shall maintain an accurate public record of all plans upon which it takes action and of its findings, decisions, and recommendations in relation thereto.

#### Section 1404 Validity

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decisions shall not affect the validity of the remainder of this Ordinance as a whole, or any individual part thereof.

#### Section 1405 Preventive Remedies

- a. In addition to other remedies, the Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by meters and bounds in the instrument of transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.
- b. The Township may refuse to issue any permit or grant approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of the Ordinance or

preceding regulations of the County of Lawrence. This authority to deny such a permit or approval shall apply to any of the following applicants:

The owner of record at the time of such violation.

The vendee or lessee or the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.

The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the County may require compliance with the condition that would have been applicable to the property at the time the applicant acquired an interest in such real property.

#### **Section 1406 Enforcement Remedies**

Any person, partnership or corporation who or which has violated the provisions of this Subdivision or Land Development Ordinance enacted under the Pennsylvania Planning Code or prior enabling laws shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township of Wayne, pay a judgment of not more than five hundred (\$500) plus all costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or be 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 Township may enforce the judgment pursuant to the applicable rule 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.

#### **Section 1407 Modification of Regulations**

1407.1           The Township may grant a modification of the requirements of one (1) or more provisions of this Ordinance, if the literal enforcement will enact

undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of this Ordinance is observed.

- 1407.2 All requests for a modification shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the ordinance involved and the minimum modification necessary.
- 1407.3 The Planning Commission shall make recommendation on all requests for modification.
- 1407.4 The Township Supervisors may approve, or deny the request for modification. If the Township approves the request for modification, it shall authorize the minimum modification from this Ordinance that will afford relief. Approved modifications must be recorded on the plan.

#### **Section 1408 Conflict**

Whenever there is a difference between the minimum standards or dimensions specified herein, and those contained in other regulations, resolutions or ordinances of the Township, the highest standard shall govern.

#### **Section 1409 Mediation**

In accordance with Section 502.1 of the Pennsylvania Municipalities Planning Code (Act of 1968, P.L. 805, No. 247 as reenacted and amended), the Lawrence County Planning Commission shall mediate any conflict arising from adjacent municipalities which believe that it's citizens will experience harm as a result of an applicant's proposed subdivision or development of land in Wayne Township. Should the municipalities involved agree to such mediation, the procedure's as set forth in Article IX and Section 502.1 of the Pennsylvania Municipalities Planning Code shall apply.

#### **Section 1410 Provisions of the Pennsylvania Municipalities Code Disclaimer**

When the provisions of this Ordinance are on conflict with the Pennsylvania Municipalities Code (Act 1968, P.L. No. 247 as reenacted and amended), the Pennsylvania Municipalities Code shall prevail.

#### **Section 1411 Appeals**

In any case where the Township disapproves a subdivision plan, any person aggrieved thereby may, within thirty (30) days thereafter, appeal to the Court of Common Pleas of Lawrence County, Pennsylvania in accordance with Article X-A of the Pennsylvania Planning Code.

APPENDIX

RECOMMENDED STATEMENTS AND ACKNOWLEDGEMENTS TO APPEAR ON THE PRELIMINARY PLAN OR THE FINAL PLAN AS APPLICABLE

- 1. I do hereby certify that I have surveyed the above area and prepared the plat shown hereon that said plat is correct and that all iron pins and monuments are located and installed as shown.

\_\_\_\_\_Engineers/Surveyor’s Signature and Date

- 2. Approved/Reviewed by the Lawrence County Planning Commission.

\_\_\_\_\_Date \_\_\_\_\_  
Chairperson

\_\_\_\_\_Secretary

- 3. Before me the subscriber a Notary Public in and for said State and County personally appeared the above and acknowledged the above to be their own free act and deed.

\_\_\_\_\_Owner’s Name

Witness my hand and seal this \_\_\_\_\_day of \_\_\_\_\_2\_\_\_\_\_

My commission expires \_\_\_\_\_date \_\_\_\_\_  
Notary Public Signature

- 4. Know all men by these present that: \_\_\_\_\_Owner’s Name

\_\_\_\_\_Lawrence County, Pennsylvania  
Wayne Township

For themselves, their heirs, executors, administrators, and assigns do hereby adopt this plan of lots of their property situated in: \_\_\_\_\_

Wayne Township, Lawrence County, Pennsylvania and do hereby dedicate the streets, right-of-ways and other improvements shown hereon to the public forever.

This \_\_\_\_\_day of \_\_\_\_\_20\_\_\_\_\_



\_\_\_\_\_ Owner's Name

5. Approved by the: \_\_\_\_\_ Wayne Township

\_\_\_\_\_ Date \_\_\_\_\_ Signature \_\_\_\_\_ Secretary

Approved by the Wayne Township Planning Commission

\_\_\_\_\_ Date \_\_\_\_\_ Chairman

\_\_\_\_\_ Secretary

6. If Applicable: Access to the State highway shall be only as authorized by a highway occupancy permit.

Parcels \_\_\_\_\_ cannot obtain building permits until a PennDOT highway occupancy permit is secured.









