

WEST MEAD TOWNSHIP
CRAWFORD COUNTY, PENNSYLVANIA

Ordinance No. 2013-1

AN ORDINANCE TO AMEND THE WEST MEAD TOWNSHIP SUBDIVISION AND
LAND DEVELOPMENT ORDINANCE (ORDINANCE NO. 2008-1) TO MODIFY
CERTAIN LAND DEVELOPMENT REGULATIONS.

Whereas, the Board of Supervisors has determined that certain standards for land development review under the Township's Subdivision and Land Development Ordinance should be modified so that the standards are consistent with standards under the Stormwater Management Ordinance and with other regulatory requirements; and has determined that these changes will not have an adverse impact on the public safety and welfare.

Now Therefore, be it Ordained and Enacted by the Board of Supervisors of West Mead Township, Crawford County, Pennsylvania, and it is hereby Ordained and Enacted by the authority of same as follows:

Section 1. *Addition of New Section 116 to Exempt Certain Developments from Review Requirements.* Article I entitled "General Provisions" of the West Mead Township Subdivision and Land Development Ordinance, Ordinance No. 2008-1, is amended by adding a new Section 116, which shall read as follows:

Section 116. *Exemptions from Review Requirements.*

- (a) Land Developments involving construction of a single story building or structure (whether separate or attached) (1) covering an area at ground level of less than 2,500 square feet and (2) involving associated development that together with the new structure creates new impervious area of less than 5,000 square feet, and involving no plans for additional buildings or structures on the subject property or contiguous properties within the next 5 years shall be exempt from review under and from compliance with the requirements of this ordinance; provided that there is compliance with the applicable requirements of the Stormwater Management Ordinance and other applicable ordinances; provided the Township Board of Supervisors determines there is no likelihood of a substantial impact on the community or public interests as a result of the proposed

development; and provided there has been no prior development on the subject property within the previous 5 years.

Section 2. *Amendment to Definition of Land Development.* The definition of "land development" found in Section 200 of Article II, "Definitions", of the West Mead Township Ordinance, Ordinance No. 2008-1, is hereby amended to read as follows:

Land Development. Any of the following activities:

- (a) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (1) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively; or
 - (2) a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
 - (3) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of roadways, common areas, leaseholds, condominiums, building groups or other features.
- (b) A subdivision of land.
- (c) Land developments as defined herein, excluding, however, the following:
 - (1) The conversion of an existing single family detached dwelling or a single family semi-detached dwelling into not more than 3 residential units, unless such units are intended to be a condominium; and
 - (2) The addition of an accessory structure, including farm buildings, on a lot or lots subordinate to an existing principal building.

Section 3. *Addition of New Section 303.5 to Add New Review Standards for Final Plans.* There is hereby added a new Section 303.5 – to replace existing Section 303.5 entitled "Action by Township Supervisors" – to read as follows:

Section 303.5. *Compliance with Other Governmental Regulations.*

- (a) Prior to issuing approval of a final plan for subdivision or land development, it shall be determined whether all other necessary government permits required by state and federal laws have been obtained or will be obtained, such as those required by the Pennsylvania Sewage Facilities Act (Act 537 of 1965, P.L. 1535, as amended; 35 P.S. § 750.1, *et seq.*); the Pennsylvania Dam Safety and Encroachments Act (Act 325 of 1978, P.L. 1375, as amended; 32 P.S. § 693.1, *et seq.*); The Clean Streams Law (Act 394 of 1937, P.L. 1987, as amended; 35 P.S. § 691.1, *et seq.*); the U.S. Clean Water Act, 33 U.S.C.S. § 1344; then Pennsylvania Uniform Construction Code; Zoning; Floodplain and Stormwater Management Regulations. No Approvals shall be issued until this determination has been made.
- (b) Where development involves earth disturbance activities requiring a Pennsylvania Department of Environmental Protection (DEP) permit, no final approval shall be issued until the DEP or the Crawford County Conservation District office has issued the E & S (Erosion and Sedimentation) or individual NPDES (National Pollutant Discharge Elimination System) permit or approval, or approved coverage under a general NPDES permit for stormwater discharges associated with construction activities. (*See* 25 Pa. Code § 102.43).

Section 4. *Revise Section Numbers.* Subsections 303.5, 303.6, and 303.7 of Section 303, the Final Plan Stage section of Article III entitled Procedures for Application Review Approval and Recording of the West Mead Township Subdivision and Land Development Ordinance are hereby renumbered so that

- Existing Section 303.5 "Action by Township Supervisors" shall be renumbered Section 303.6
- Existing Sections 303.6 and 303.7 shall be renumbered Sections 303.7 and 303.8, respectively.

Section 5. *Severability.*

Should any section, part or provision of this Ordinance be declared by appropriate authority to be unlawful or unconstitutional, all other terms, conditions, provisions and parts hereof, and of any Code of which this Ordinance may be or may be considered to be part, shall continue in full force and effect as if the provision declared to be unlawful or unconstitutional had been omitted as of the date of final enactment hereof.

Section 6. Repealer.

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

Section 7. Effective Date.

The provisions of this Ordinance shall become effective five (5) days after the date of enactment.

Ordained and Enacted this 12TH day of FEBRUARY, 2013.

WEST MEAD TOWNSHIP BOARD OF SUPERVISORS

By: William J. Rosenberger
Chairman

By: Michael J. Jordan
Vice Chairman

By: John A. Shartte
Supervisor

ATTEST:

[Signature]
Secretary