

**CLARION COUNTY
SUBDIVISION AND LAND DEVELOPMENT
ORDINANCE, REVISED**

January 17, 2005

**Prepared by the
Clarion County Planning Commission**

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**ARTICLE I
GENERAL PROVISIONS**

Section 101. Short Title - This act shall be known and may be cited as the “Clarion County Subdivision and Land Development Ordinance, Revised.”

Section 102. Effective Date - This act shall take effect on January 17, 2005.

Section 103. Purpose of Act - The purpose of this act, pursuant to powers granted by the Pennsylvania Municipalities Planning Code, is to promote the health, safety, convenience and orderly development of Clarion County by enacting regulations which will:

- A. Accomplish coordinated development.
- B. Provide for the general welfare by guiding and protecting amenity, convenience, future governmental, economic, practical, social, and cultural facilities.
- C. Improve governmental processes and functions.
- D. Guide use of land and structures, type and location of streets, public grounds and other facilities.
- E. Permit other purposes outlined and authorized by the Pennsylvania Municipalities Planning Code.

Section 104. Jurisdiction and Authority of the County - The County shall have the power to enact a subdivision and land development ordinance governing land in all boroughs, incorporated towns and townships wholly or partially within the County which have no subdivision and land development ordinance of their own as vested by law (Act 247 of 1968, P.L. 805), as amended.

- A. Upon adoption of a subdivision and land development ordinance by a municipality, such adoption shall serve as a repeal protanto of the County ordinance within the boundaries of the municipality. A certified copy of such municipal ordinance shall be filed with the Clarion County Planning Commission. Furthermore, applications for subdivision and land development within such a municipality adopting its own subdivision and land development ordinance shall be forwarded to the Clarion County Planning Commission for review and report at County expense provided that:
 - 1. The application shall be deemed not approved until the County Planning Commission report is received by the municipality, or
 - 2. In the absence of a report, the application shall be deemed approved thirty (30) days after the application has been received by the Clarion County Planning Commission.
- B. Any municipality other than a county may adopt, by reference, the subdivision and land development ordinance of the County, and may, by separate ordinance, designate the County Planning Commission as its official administrative agency for review and approval of plans.

Section 105. Severability - If any section, clause, provision or part of this Ordinance is deemed invalid or unconstitutional by a court of competent jurisdiction, the validity of the remainder shall not be affected.

Section 106. Definitions - As used in these Regulations, words in the singular include the plural and those in plural include the singular and words in the present tense include the future. The word “person” includes a corporation, unincorporated association and a partnership, as well as an individual. The word “plat” includes a replat, plan, replan, resubdivision and site development. The word “building” includes structure and shall be construed as if followed by the phrase “or part thereof.” The word “street” includes avenue, boulevard, court, expressway, highway, lane and road. The word “watercourse” includes channel, creek, ditch, drain, dry run, spring and stream.

Accelerated Erosion - The removal of the surface of the land through the combined action of man’s activities and natural processes at a rate greater than would occur because of the natural processes alone.

Alley - A minor right-of-way providing secondary access to the side or rear of two or more properties. No dwellings shall front on an alley.

Available Sewer - A municipal sewer is considered available if it is within distances specified in Section 418 of this Ordinance.

Benchmark - A point of known elevation in or near the subdivision tied in with established benchmarks in the vicinity that is maintained by the United States Coast and Geodetic Survey.

Block - An area bounded by streets, utility, railroad, public facility or other rights-of-way or easement or other definite barrier.

Building Line - The line parallel to the right-of-way across the lot establishing the minimum open space to be provided between the edge of the legal or required right-of-way and the foremost projection of the building.

Cartway - The improved portion of a street or alley used or required for vehicular travel.

Cluster or Group Housing Development - Where two or more residential buildings are constructed on a plot of ground not subdivided into the customary lots and streets.

Commission or Planning Commission - The Clarion County Planning Commission.

Conservation District - The conservation district serving Clarion County.

Contour - A contour is an imaginary line on the surface of the earth connecting all points that are equal height above some reference plane, usually mean sea level.

Contour Map - A contour map is a drawing, which shows the location of the contour lines for a particular parcel of land.

Conversion - A change in the use of land or a structure.

County - The County of Clarion, Pennsylvania.

Court - Court of Common Pleas, Clarion County, Pennsylvania.

Covenant - An agreement or restriction placed on a parcel of land by a previous owner and usually found in the deed or instrument of conveyance.

Cul-De-Sac - A minor street terminating in a vehicular turnaround.

Culvert - A pipe, conduit or similar structure including appurtenant works which carries surface water.

Developer - Any person, individual, firm, partnership, association, corporation, estate, trust or any other group or corporation acting as a unit dividing or developing or proposing to divide or develop land, so as to constitute a subdivision or land development as defined by the Pennsylvania Municipalities Planning Code, or this Ordinance, as amended, and including an agent of the developer.

Easement - A right granted by law to a person or persons or the general public (not inconsistent with the general property rights of the owner) for the use of certain land to include the area over, under or through it.

Engineer and/or Surveyor - Person(s) registered in the Commonwealth of Pennsylvania to practice their respective professions. The phrase is used in circumstances where the expertise of both may be required but in any event the surveyor shall be consulted.

Erosion - The natural process by which the surface of the land is worn away by the action of water, wind or chemicals.

Floodplain - The land surrounding a river, stream, watercourse, ocean, lake or other body of standing water, which has been or may be covered by flood water, as identified by map issued by the U. S. Department of Housing and Urban Development.

Floodway - The channel of a watercourse and portions of the adjoining floodplain which are reasonably required to carry and discharge floodwater of a designated magnitude.

Floodway Fringe - The area adjoining a watercourse, which, although not lying within a floodway, has been or may hereafter be covered by floodwaters up to the regulatory flood.

Forest Management Operations - All activities connected with growing and harvesting of forest products including the site preparation, cultivation and logging of trees, and the construction and maintenance of roads.

Governing Body - The council in cities, boroughs, and incorporated towns; the board of commissioners in townships of the first class, the board of supervisors in townships of the second class; the board of commissioners in counties of the second class A through eighth class or as may be designated in the law providing for the form of government.

Gross Floor Area - The sum of the gross horizontal areas of the several floors of a building or structure from the exterior face of exterior walls or from the centerline of a wall separating two buildings, but excluding any areas where the floor to ceiling height is less than six (6) feet.

Groundwater Recharge - Replenishment of existing natural underground water supplies.

Impervious Surface - A surface which prevents the percolation of water into the ground.

Improvements - Those physical changes to the land, including, but not limited to grading, paving, conversion of land use, curbs, gutters, storm sewers and drains, improvements to existing watercourses, provision of sidewalks, crosswalks, roads and streets street signs, monuments, parking lots, water supply facilities and sewage disposal facilities.

Infiltration Structures - A structure designed to direct runoff into the ground, e.g., French drains, seepage pits, seepage trench.

Land Development:

- (a) Improvement of one (1) lot or two (2) or more contiguous lots, tracts, or parcels for any purpose involving:
 - (i) A group of two (2) 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
 - (ii) The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
- (b) A subdivision of land.
- (c) Pursuant to Section 503(1.1) of the Pennsylvania Municipalities Planning Code, the following are not considered to be land developments:

- (i) The conversion of an existing single-family dwelling into three (3) or fewer residential units.
- (ii) Accessory farm buildings including grain, forage and livestock holding facilities.
- (iii) Accessory buildings for single-family dwellings, including private, non-commercial garages and residential storage.

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, but including the area of any easement.

Lot Depth - The average horizontal distance between the front and rear lines of a lot.

Lot, Double Frontage - A lot, the opposite ends of which both abut streets.

Lot, Reverse Frontage - A lot extending between and having frontage on a major traffic street and a minor street, and with vehicular access solely from the latter.

Lot Width - The distance between sidelines of a lot measured at the building line.

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 erections 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.

Mobile Home Stand - That part of an individual lot, which has been reserved for the placement of the mobile home.

Modification- When the subdivider can show that a provision of these Regulations would cause unnecessary hardship if strictly adhered to because of topographic or other conditions peculiar to the site, and where in the opinion of the Planning Commission a departure may be made without destroying the intent of such provisions or harming the public interest, the

Planning Commission may authorize a modification. Any modification thus authorized shall be entered in the Minutes of the Planning Commission, along with the rationale on which departure from the regulations was justified. Modifications shall observe the procedures from Section 903 of this Ordinance and Section 512.2 of the Pennsylvania Municipalities Planning Code.

Monument - A point of known coordinates, established by a Professional Land Surveyor, and used to locate property lines, building lines, etc. The monument shall be tied in with monuments maintained by the United States Coast and Geodetic Survey, if the monument is within reasonable distance.

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 eighth class, home rule municipality, or any similar general purpose unit of government which shall hereafter be created by the General Assembly.

NRCS - Natural Resource Conservation Service, U.S. Department of Agriculture.

Peak Discharge - The maximum rate of flow of water at a given point and time resulting from a specified storm event.

Percolation Tests - Testing of the subsoil to determine its capacity to absorb septic tank effluent discharge in accordance with the procedure prescribed by the Pennsylvania Department of Environmental Protection.

Plan, Preliminary - A tentative plan showing existing features of the land and proposed street, utility and lot layouts within and adjacent to the subdivision or land development.

Plan, Final - A complete and exact subdivision or land development plan, prepared by a registered Engineer and/or Surveyor for official recording as required by statute, to define property rights and proposed streets and other improvements.

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 sites are located, established, or maintained for occupancy by recreational vehicles 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 shall be designed to serve the short-term placement of recreational vehicles. No recreational vehicle shall be used as a permanent place of abode, dwelling, or business.

Registered Surveyor - A Professional Land Surveyor registered in the State of Pennsylvania.

Regulatory Flood Protection Elevation - The elevation of the regulatory flood plus two (2) feet of freeboard to provide a safety factor.

Replat: Replats involve the transfer of land between adjacent lots where no new building lot is created. No replat may create a lot in violation of this Ordinance or of any local zoning ordinance. Replats will be considered as single-lot subdivisions.

Right-of-Way - A dedicated strip of land between property lines used as a street, alley or crosswalk, or for a public utility or needed public use.

Runoff - That part of precipitation which flows over the land.

Sediment - Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by water.

Seepage Pit/Seepage Trench - An area of excavated earth filled with loose stone or similar material and into which surface water is directed for infiltration into the ground.

Semi-Pervious Surface - A surface such as stone, rock, concrete or other materials which permits some vertical transmission of water.

Sight Distance - The distance at which an object eighteen (18) inches off the pavement (a tail light) is visible from an eye level four-and-one-half (4½) feet above the pavement (average height driver's eyes).

Storm Sewer - A system of pipes or other conduits which carries intercepted surface runoff, street water and other wash waters, or drainage, but excludes domestic sewage and industrial wastes.

Streets - A general term used to describe the right-of-way, municipal or privately owned, serving as a means of vehicular and pedestrian travel, and furnishing space for utilities. Street classifications for new or existing streets shall be made in consistency with the Clarion County Comprehensive Plan.

Arterial Street - A street of considerable continuity and serves, or is to serve, as a major traffic way for travel within the County, and from the County to other places.

Collector Street - A street which serves, or is to serve as a traffic way for a community and as a feeder to an Arterial Street, to facilitate the collection of traffic from minor streets, and to provide circulation around the boundary of the residential neighborhood.

Common Drive - A drive serving two abutting lots or parcels which front on a public street. The common drive shall serve only the two lots fronting on the existing public right-of-way and be designed such that neither property is denied ingress nor

egress. An agreement shall be signed by both parties and include the names of the parties, a consideration and a maintenance agreement and description of the assessment. This agreement shall be acknowledged and recorded.

Local Street - Used primarily for access to abutting properties.

Marginal Access - A street parallel and adjacent to arterial or collector streets providing access to abutting properties and control of intersections.

Private Drive - An access route serving only one parcel or lot as access to a public street. A private drive would serve only one lot or parcel and would not serve any other lot or parcel under separate ownership.

Private Street - A street which serves lots or parcels which do not have access to a public street and require access through the private street to a public street. A private street is maintained by the owner of the street or road or through a property owner's agreement.

Subdivider - A person who is the registered owner, or authorized agent of the registered owner, of land proposed for subdivision.

Subdivision - A division or a redivision of a lot, tract, or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, immediate or future, of lease, 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 residential dwellings, shall be exempted.

Major Subdivision - A subdivision containing eleven (11) lots or more (including residual land) requiring the submission of Preliminary and Final Subdivision Plans by the subdivider for approval by the Commission. This includes subdivisions of any size number of lots, involving new or new extensions of streets or roads or the installation of public sewer systems or the extension thereof.

Minor Subdivision - A subdivision containing ten (10) or fewer lots (including residual land) served by an existing public street, wherein the Commission may waive the requirements of submitting a Preliminary Subdivision Plan provided the Final Subdivision Plan meets all the requirements of these Regulations and improvements required.

Single Lot Subdivisions - A minor subdivision which results in the creation of no more than two (2) lots, including residual.

Swale - A low-lying stretch of land which gathers or carries surface water runoff.

Use - The purpose or activity for which land or buildings are designed, arranged, or intended or for which land or buildings are occupied or maintained.

Waiver- A release from a plan processing procedure or plan requirement based upon Section 503(8) of the Pennsylvania Municipalities Planning Code.

Yard, Front - The open space extending across the width of the lot, between the front building line and the street right-of-way.

Yard, Rear - The open space extending from the rear of the main building and along the rear lot line (not a street line) throughout the whole width of the lot.

Yard, Side - A yard between the building and the adjacent side line of the lot extending from the front line of the building to the rear line of the building.

Section 107. Sanctions and Penalties - Any person, partnership or corporation who or which being the owner or agent of any lot, tract or parcel of land shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes or for the common use of occupants of buildings abutting thereon, or who sells or transfers any land in a subdivision or land development whether by reference to or by other use of a plat of such subdivision or land development or erect any building thereon, unless and until a final plat has been prepared in full compliance with the provisions of this act and of the regulations adopted hereunder and has been approved and recorded as provided herein, shall be guilty of a misdemeanor, and upon conviction thereof, such person, or the members of such partnership, or the officers of such corporation, or the agent of any of them, responsible for such violation shall be prosecuted in a civil enforcement proceeding as authorized by Sections 515.1, 515.2, and 513.3 of the Pennsylvania Municipalities Planning Code with the remedy provided. Specifically, any person, partnership or corporation who or which has violated the provisions of this subdivision and land development ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the County, pay a judgment of not more than **five hundred dollars (\$500) plus all court costs, including reasonable attorney fees incurred by the County as a result thereof.** **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.

**ARTICLE II
APPLICATION AND PROCESSING PROCEDURES**

The following procedures shall be observed by all developers:

Section 201. Contents of Application

An application shall be submitted with all subdivision and land developments. Applications for approval of plans shall be in the form specified below. An application packet, original plus nineteen (19) copies, containing the following information and materials shall accompany all applications for plat approval:

- A. Name and signature of applicant.
- B. Municipality, tax map, and parcel number of tract.
- C. Acreage of tract.
- D. Acreage of land and number of lots prepared for:
 - 1. Residential lots
 - 2. Commercial lots
 - 3. Industrial lots
 - 4. Other land use (specify)
 - 5. Streets
 - 6. Easements
 - 7. Open Space
- E. Date of filing of application (to be filled in by the Subdivision Administrator).
- F. Statement of intent and tentative timetable.
- G. An original and nineteen (19) copies of the subdivision plan for major and minor subdivisions. As an alternative, an original, four (4) full size copies (suitable for original signature), and one (1) ledger size (11" x 17") copy may be submitted. Single lot subdivisions may submit only an original and four (4) copies.
- H. All necessary fees.
- I. Copies of any other necessary state, federal, or local permits, pending, approved or unfilled.

Section 202. Submission of Plans

202.1 General Procedure

- A. Applications shall be submitted to the Clarion County Planning Commission Office according to current Planning Commission policy if the application is to be considered at the next meeting. The Planning Commission shall appoint a staff person as Subdivision Administrator for these purposes. The entire application packet shall be subject to a complete review by the Subdivision Administrator. Incomplete applications will not be considered for further review.
- B. The Planning Commission shall review each properly submitted application (either preliminary or final) and shall render its decision and communicate it to the applicant not later than ninety (90) days following the date of its regular meeting, or such time period as may be allowed by the Pennsylvania Municipalities Planning Code, and shall notify the applicant in writing of their decision within fifteen (15) days of such action. Failure on the part of the Planning Commission to comply with these requirements shall constitute approval of the application, unless an extension of time has been mutually agreed upon in writing by the applicant and the Planning Commission.
- C. The Subdivision Administrator shall forward a copy of the application to the County Planning Commission, and other review agencies.
- D. The initial plan filed with the County shall be the preliminary plan. The Planning Commission may, at their discretion, combine their preliminary plan and final plan review if the subdivision contains no new streets, and if the submission meets all preliminary and final plan requirements, for those minor subdivisions or single-lot subdivisions meeting all requirements of this Ordinance.
- E. A conceptual sketch plan is strongly encouraged for all prepared subdivisions. Such plans are for informal discussion only but may avoid subsequent problems during the formal application process. Submission of the sketch plan does not constitute formal filing, does not commence statutory review comments, and is not subject to statutory timeliness.
- F. During the sketch plan process, the applicant is strongly encouraged to meet with the Planning Commission to discuss the applicant's proposal and the County's subdivision and land development regulations. Municipal comment given during this process is advisory only and does not incur liability on any party.

Section 203. Preliminary Plan

203.1 General Procedure

- A. Preliminary plans and supporting data shall comply with the provisions of Article IV of this Ordinance.
- B. An original, and appropriate number of copies of the plan and applications shall be submitted per Section 201 of this Ordinance.
- C. Fees to defray the cost of subdivision and land development review shall be paid to the Subdivision Administrator at the filing of the preliminary plan. The County shall, by resolution, adopt a fee schedule for this purpose.
- D. It is the responsibility of the developer to coordinate his plans with the respective public and private utility and service agencies as set forth in these Regulations prior to the submission of a preliminary plan to the County.
- E. Approval of the preliminary plan subject to conditions, revisions and modifications as stipulated by the Planning Commission and confirmed in writing by the applicant, shall constitute preliminary approval of the subdivision as to the character and intensity of the development and the general layout and approximate dimensions of streets, lots, and other proposed features; but shall not constitute authorization to sell lots. Written agreement by the developer to any condition upon preliminary approval shall be a pre-requisite for application for a final plan.

Section 204. Final Plan

204.1 General Procedure

- A. A final plan with supporting data shall be submitted to the Subdivision Administrator for final approval within five (5) years after the Planning Commission has approved a preliminary plan; provided that an extension of time may be granted by the Planning Commission upon written request. Otherwise, the plan submitted shall be considered as a new preliminary plan.
- B. The final plan shall conform in all respects with the preliminary plan as previously reviewed by the Planning Commission and shall incorporate all modifications and revisions specified by the Planning Commission in its conditional approval of the preliminary plan. Otherwise, the plan shall be considered as a revised preliminary plan.
- C. The Planning Commission may permit submission of the final plan in phases, each covering a portion of the entire proposed subdivision as shown on the preliminary plan.

1. The final plan and supporting data shall comply with the provisions of Article IV of this Ordinance. Failure to do so shall be cause for disapproval of the plan.
 2. An original and nineteen (19) copies of final plan with supporting data shall be submitted to the Subdivision Administrator.
 3. In the case of approval of the final plan, the Chairman and Secretary of the County Planning Commission shall endorse four (4) copies of the final plan to that effect. One (1) copy of the endorsed final plan shall be kept by the Planning Commission, one (1) by the municipality and two (2) returned to the developer or applicant who is responsible for recording one (1) copy.
- D. The developer or applicant shall record the final plan in the office of the Register and Recorder of Clarion County within ninety (90) days after the date of approval by the County. The copy of the final plan filed for recording shall be a clear and legible paper copy bearing the approval of the Planning Commission. No lots shall be sold or transferred prior to recording of the final plan. If the final plan is not recorded within said ninety (90) days, Planning Commission approval becomes null and void.

Section 205. Exceptions for Single Lot Subdivision

- A. Definition of Single Lot Subdivision. In the case of any proposed subdivision, land site or other division of land, certain requirements of this Ordinance may be waived by the County Planning Commission and the proposal deemed to be a single lot subdivision, provided that **all** of the following criteria are met:
1. The proposal does not involve the extension of any public facilities including:
 - a. New streets or any rights-of-way
 - b. Paving or other improvements
 - c. New or improved water lines, sewer lines or storm drainage
 2. The proposal does not adversely affect the development of the remainder of the parcel.
 3. The proposal does not adversely affect the present or future development of the community.
 4. The proposal does not constitute a subdivision, resubdivision or development of any lot, tract, parcel, site or other division of land or portion thereof which had received previous approval as a subdivision or land development within five (5) years prior to the submission of the application. The number of lots receiving prior approval shall be included for purposes of classification as a major, minor, or single lot subdivision.
 5. If a subdivision or land development contains not more than two (2) lots, sites or other divisions of land (including residue land), and such subdivision or land development meets criteria as stated above, then the Planning Commission shall have

the authority, at their discretion, to classify such subdivision or land development as "Single Lot."

B. Plan Requirements – Single Lot Subdivision

1. Plats shall be certified by a registered land surveyor and shall show metes and bounds of the entire new lot created by the single lot subdivision, prepared in a manner acceptable to the Clarion County Recorder's Office on a legal size original.
2. Plats shall be located on a print or photocopy of the most current USGS quadrangle covering the property, either depicted within a portion of the Subdivision Plan or accompanying it.
3. All information or accompanying documentation required, including a new separate proposed deed, shall be submitted as part of the application, along with the specified application fee.

**ARTICLE III
PLAN REQUIREMENTS**

Section 301. Sketch Plan

Sketch plans shall be legibly drawn on a Clarion County Tax Map or similar property line map.

Sketch plans shall include:

1. Proposed development and land uses.
2. Proposed public improvements.

Section 302. Preliminary Plan

A. Scale: The preliminary plan shall be drawn to scale based on the following:

1. If the average size of the proposed lots (not including residue) in the subdivision is five (5) acres or smaller, the plan shall be drawn to a scale of one (1) inch equals one hundred (100) feet (1" = 100').
2. If the average size of the proposed lots (not including residue) in the subdivision is between five (5) acres and fifty (50) acres, the plan shall be drawn to a scale of one inch equals two hundred feet (1" = 200').
3. If the average size of the proposed lots (not including residue) in the subdivision is over fifty (50) acres, the plan shall be drawn to a scale of one inch equals four hundred feet (1" = 400').

B. Plan Size and Legibility

1. The subdivision plan submitted for preliminary approval shall be a clear, legible black or blue line print on white paper, or suitable equivalent.
2. Preliminary plans shall be on sheets no larger than twenty-four (24) by thirty-six (36) inches. For small subdivisions, an alternate standard sheet size will be accepted. Final plans drawn in two (2) or more sections shall be accompanied by a key diagram showing the relative location of the sections.

C. Plan Information: The preliminary plan shall show the following information:

1. Proposed subdivision name or identifying title.
2. Tax Map and Parcel Number of parent tract.
3. North point, scale and date.

4. A title/certificate block, containing the following:
 - a. Name and address of owner of property and acknowledgement of subdivision.
 - b. Name and seal of registered design professional responsible for the plan.
 - c. Certificate of review and approval by the Clarion County Planning Commission, including signature block for the Chairman, Secretary or Staff, as appropriate.
5. Tract boundaries with bearings and distances and total acreage being subdivided.
6. Existing zoning districts, if any.
7. For major subdivisions, contours at vertical intervals of five (5) feet or, in the case of relatively level tracts, at such lesser intervals as may be necessary for satisfactory study and planning of the tract. Where reasonably practicable, data shall refer to known, established elevations.
8. All existing watercourses, lakes or ponds, floodways, floodplains, identified wetlands, caverns or sinkholes.
9. All existing buildings, sewers, water mains, culverts, petroleum or petroleum product lines, fire hydrants and other significant man-made features.
10. All existing streets, sidewalks, or alleys on or adjacent to the tract, including name, right-of-way width, and pavement width.
11. All existing property lines, easements and rights-of-way, and the purpose for which the easements or rights-of-way have been established.
12. Location, name and width of all proposed streets, alleys, rights-of-way, and easements; proposed lot lines with approximate dimensions; playgrounds, public buildings, public areas and parcels of land proposed to be dedicated or reserved for public use.
13. The names of owners of all adjacent unplotted land and the names of all adjacent subdivisions.
14. Where the preliminary plan covers only a part of the developer's entire abutting lands, a statement on eventual development of those lands, including a sketch of prospective eventual street layout.
15. For major subdivisions, any areas where non-agricultural earth disturbance will

occur, including estimated acreage of disturbance.

16. A map for the purpose of locating the site to be subdivided at a scale of not more than two thousand (2,000) feet to the inch (e.g. drawn on a copy of a 7.5 Minute USGS Quadrangle Map).
17. Notice of the Department of Transportation's requirement for Highway Occupancy Permit.

D. The preliminary plan shall include therein or be accompanied by:

1. All required permits and related documentation from the Department of Environmental Protection, the Pennsylvania Department of Transportation, (particularly as related to Highway Occupancy permits under Section 508 (6) of the Pennsylvania Municipalities Planning Code) and any other Commonwealth Agency, or from the County or municipality where any alteration or relocation of a stream or watercourse is proposed.
2. Documentation indicating that all affected adjacent municipalities, the Pennsylvania Department of Environmental Protection, the Department of Community and Economic Development, and the Federal Insurance Administrator have been notified whenever any alteration or relocation of a stream or watercourse is proposed.
3. Copies of the proposed deed restrictions, if any, shall be attached to the preliminary plan.
4. Proposed cross-sections, profiles and details of any new proposed streets, sewer or waterlines, or storm sewer facilities.

Section 303. Final Plan

A. Plan Size and Legibility

1. The subdivision plan submitted for final approval shall be a clear, legible black or blue line print on white paper, or suitable equivalent.
2. Final plans shall be on sheets no larger than twenty-four (24) by thirty-six (36) inches. For small subdivisions, an alternate standard sheet size will be accepted. Final plans drawn in two (2) or more sections shall be accompanied by a key diagram showing the relative location of the sections.

B. Required Information

1. The final plan shall include the following:
 - a. Subdivision name or identifying title.
 - b. The Tax Map and Parcel Number of the parent tract.
 - c. North point, scale and date.
 - d. Name of the record owner and developer.
2. Name and seal of the registered professional responsible for the plan.
3. Name and seal of the professional surveyor certifying the accuracy of the plan.
4. Boundaries of the tract, along with the location of boundary monuments and markers, of the area being subdivided with accurate distances to hundredths of a foot and bearings to one quarter of a minute. These boundaries shall be determined by an accurate survey in the field, which shall be balanced and closed with an error of closure not to exceed one (1) foot in ten thousand (10,000) feet. Error of closure should be noted.
5. Street lines, lot lines, rights-of-way, easements and areas dedicated or proposed to be dedicated to public use.
6. The length of all straight lines, radii, lengths of curves, deflection angles, and tangent bearings for each street.
7. All dimensions and angles or bearings of the lines of each lot and of each area proposed to be dedicated to public use.
8. The proposed building setback line for each lot.
9. Location, size and invert elevation of all sanitary, storm and combined sewers and location of all manholes, inlets and culverts.
10. All dimensions shall be shown in feet and in hundredths of a foot.
11. Lot numbers.
12. Names of streets within and adjacent to the subdivision.
13. Permanent reference monuments shall be shown.
14. Names of any adjoining subdivisions shall be shown.
15. Names of the owners of any unplotted land shall be shown.

16. Certificates - The final plan shall include thereon or be accompanied by:
- a. Certificate of dedication of streets and other public property, if offered for dedication.
 - b. Certificate for approval by the Clarion County Planning Commission.
 - c. An affidavit that the applicant is the owner or equitable owner of the land proposed to be subdivided.
 - d. An affidavit statement to the effect that the subdivision as shown on the final plan is made with his or their free consent and that it is desired to record the same.
 - e. Certification by the State Department of Environmental Protection or Municipal Sewage Enforcement Officer, as applicable, when individual sewage disposal or water systems are to be installed as required by this Ordinance.
 - f. Written notification from each and every utility provider that the easements, and proposed improvements provided satisfy the requirements of the respective utility company or operating authority, and that there is both a capacity and willingness to serve the development.
 - g. Written notification from each applicable local government that any improvements to be accepted are in accordance with their specifications.
 - h. A letter from the Clarion County Conservation District or the Clarion County Engineer, or applicable Erosion and Sedimentation Control Plan approval agency stating that all requirements of the latest version of the Soil Erosion and Sedimentation Control Manual have been met by the developer/applicant.
 - i. An agreement by the developer to provide a list of applicable specified design standards and regulations to purchasers, builders or their agents.

C. The final plan shall include therein or be accompanied by:

- 1. Construction plans including, but not limited to, typical cross sections, street profiles and drainage details for all streets. Such profiles shall show at least the following: existing (natural) grade along the proposed street centerline; proposed finished centerline grade or proposed finished grade at top of curbs; sanitary sewer mains and manholes; storm sewer mains, inlet, manholes and culverts.
- 2. Protective covenants, if any, in form for recording.

3. Proof of approvals by all appropriate public and governmental authorities or agencies where applicable including, but not limited to, occupancy permits for any planned road entrances onto existing roads or highways and permits or approvals from the Department of Environmental Protection or other Federal, or State agencies relating to sewage facilities, water obstructions, air quality, etc., as applicable.

**ARTICLE IV
DESIGN AND CONSTRUCTION STANDARDS**

Section 401. Application

- A. The following land subdivision principles, standards, and requirements will be applied by the Planning Commission in evaluating plans for proposed subdivisions.
- B. The standards and requirements outlined herein shall be considered minimum standards and requirements for the promotion of the public health, safety, morals and general welfare.
- C. Whenever municipal regulations impose more restrictive standards and requirements than those herein outlined, the local regulations shall control.

Section 402. Land Requirements

- A. Land shall be suited to the purposes for which it is to be subdivided.
- B. Proposed streets shall conform to specifications set forth in this Ordinance.
- C. Streets shall be logically related to the topography so as to produce usable lots and reasonable grades.
- D. Minor streets shall be so laid out as to discourage through traffic, but provision for street connections into and from adjacent areas will generally be required.
- E. If lots resulting from original subdivision are large enough to permit resubdivision, or if a portion of the tract is not subdivided, adequate street rights-of-way of a minimum fifty (50) feet in width to permit further subdivision shall be provided.
- F. Where a subdivision abuts or contains an existing or proposed major traffic street, the Commission may require marginal access streets, rear service alleys, reverse frontage lots or such other treatment as will provide protection for abutting properties, reduction in the number of intersections with the major street, and separation of local and through traffic.
- G. New half or partial streets will not be permitted, except where essential to reasonable subdivision of a tract in conformance with the other requirements and standards of these Regulations and where, in addition, satisfactory assurance for dedication of the remaining part of the street can be secured.
- H. Wherever a tract to be subdivided borders an existing half or partial street, the other part of the street shall be plotted within such a tract.
- I. Dead-end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts, or when designed as cul-de-sacs.

- J. New reserve strips (strips of land remaining in developer's ownership), including those controlling access to streets, shall not be permitted.

Section 403. Cul-De-Sac Streets

- A. Cul-de-sacs, permanently designed as such, shall not exceed five hundred (500) feet in length, unless topography or other factors justify a greater distance or whereby intersecting side streets provide additional access to this cul-de-sac street.
- B. Cul-de-sacs shall be provided at the closed end with a turnaround having a minimum radius to the cartway edge or curb line of fifty (50) feet.
- C. Unless future extension is clearly impractical or undesirable, the turnaround right-of-way shall be placed adjacent to a property line and a right-of-way of the same width as the street shall be carried to the property line in such a way as to permit future extension of the street into the adjoining tract.

Section 404. Street Widths

- A. Minimum street right-of-way and cartway (roadway) widths shall be as follows:
 - 1. Minor Street: Fifty (50) foot right-of-way and twenty-two (22) foot cartway;
 - 2. Collector Street: Sixty (60) foot right-of-way and thirty-two (32) foot cartway;
 - 3. Major Traffic Street: Eighty (80) foot right-of-way and cartway generally as prescribed by the Pennsylvania Department of Transportation standards;
 - 4. Marginal Access Street: Forty (40) foot right-of-way and twenty (20) foot cartway.
- B. Additional right-of-way and cartway widths may be required by the Planning Commission for the following purposes:
 - 1. To promote public safety and convenience; and
 - 2. To provide parking space in commercial districts and in areas of high-density residential development.
- D. Where a subdivision abuts or contains an existing street of inadequate right-of-way, a dedication of additional right-of-way width in conformance with the above standards shall be required.

Section 405. Street Alignment

- A. Whenever street lines are deflected in excess of five (5) degrees, connection shall be made by horizontal curves.
- B. To ensure adequate sight distance, minimum centerline radii for horizontal curves shall be as follows:
 - 1. Minor Streets: One hundred fifty (150) feet;
 - 2. Collector Streets: Three hundred (300) feet; and
 - 3. Major Traffic Streets: Five hundred (500) feet.
- C. Except on minor streets, a tangent of at least one hundred (100) feet shall be required between curves.

Section 406. Street Grades

- A. Centerline grades shall, wherever possible, not be less than one percent (1%). Minimum permissible centerline grades shall be three-quarters of one percent (0.75%) for bituminous concrete cartways and one-half of one percent (0.5%) for cement concrete cartways.
- B. Centerline grades shall, wherever feasible, not exceed the following:
 - 1. Minor Street: Seven percent (7%) for not more than five hundred (500) feet; and
 - 2. Collector and major traffic street: Six percent (6%).
- C. Vertical curves shall be used at changes of grade exceeding one percent (1%) and shall be designed in relation to the extent of the grade change and to provide the following minimum sight distances:
 - 1. Minor Street: One hundred (100) feet;
 - 2. Collector Street: Two hundred (200) feet; and
 - 3. Major Traffic Street: Four hundred (400) feet.
- D. Where the grade of any street, at the approach to an intersection exceeds seven percent (7%), a leveling area shall be provided having not greater than four percent (4%) grades for a distance of fifty (50) feet measured from the nearest right-of-way line of the intersecting street. The grade at actual intersection shall not exceed two percent (2%) in any direction.

Section 407. Street Intersection

- A. Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than sixty (60) degrees.
- B. Multiple intersections involving a junction of more than two streets shall be avoided. Where this proves impossible, such intersections shall be designed with extreme care for both pedestrian and vehicular safety.
- C. Clear sight triangles of seventy-five (75) feet, measured along street center lines from their point of junction, shall be provided at all intersections and no structures or vegetation higher than three (3) feet shall be permitted within such triangles. The three- (3) foot measurement shall begin from the elevation of the road, where the topography within the triangle is higher than the road, the following standards shall be used for measurements:

<u>Topography Elevation</u>	<u>Allowable Structure or Vegetation Height</u>
One foot higher than the road	Two feet
Two feet higher than the road	One foot
Three feet or more higher than the road	There shall be no vegetation or structure allowed within the sight triangle.

- D. To the fullest extent possible, intersections with major traffic streets shall be located not less than five hundred (500) feet apart, measured from centerline to centerline.
- E. Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of three hundred fifty (350) feet between their centerlines.
- F. Minimum curb radii at street intersections shall be fifteen (15) feet for intersections involving only minor streets, twenty-five (25) feet for intersections including other type streets, or such greater radius as is suitable to the specific intersection.

Section 408. Drainage, Stormwater Management, and Erosion and Sedimentation Controls

- A. Lots shall be laid out and graded to provide positive drainage away from buildings.
- B. Storm drains, culverts and related installations shall be provided:
 - 1. To permit unimpeded flow of natural water courses;
 - 2. To ensure adequate drainage of all low points along the line of streets;
 - 3. To intercept stormwater runoff along streets at intervals reasonably related to the extent and grade of area drained.
- C. In the design of stormwater management facilities special consideration shall be given to avoidance of problems which may arise from concentration of stormwater runoff over adjacent properties and maintenance of the facilities.

D. All major subdivisions shall have approved stormwater management plans and erosion and sedimentation control plans prior to final plan approval. The design of stormwater facilities must be in conformance with the Clarion County Stormwater Design Specifications, adopted by resolution.

E. Erosion and Sedimentation Controls

1. The staging of all earth moving activities must be described in narrative form, including cuts and fills, streets, underground utilities, sewer and waterlines, buildings, driveways, parking areas, recreational areas, other structures, etc.
2. The type, location and extent of all erosion and sedimentation control measures must be shown on a map and described, including all calculations, assumptions and criteria used in designing the controls and a schedule for their implementation.

F. Stormwater Management Controls

1. All stormwater management controls must be shown on a map and described, including:
 - a. Groundwater recharge methods such as seepage pits, beds or trenches. When these structures are used, the locations of septic tank infiltration areas and wells must be shown.
 - b. Other control devices or methods such as rooftop storage, semi-pervious paving materials, grass swales, parking lot ponding, vegetated strips, detention or retention ponds, storm sewers, etc.
 - c. Schedule for installation of the control measures and devices.
2. All calculations, assumptions and criteria used in the design of the control device or method must be shown.

G. Maintenance Program

A maintenance program for all stormwater management control facilities must be included. This program must include the proposed ownership of the control facilities and detail the financial responsibility for any required maintenance.

H. Approval by the Clarion County Planning Commission is required for all Stormwater Management Plans and Erosion Control Plans before any earth disturbance (or construction) commences by developers/applicants or land developers.

Section 409. Blocks

- A. The length, width and shape of blocks shall be determined with due regard to:
 - 1. Provision of adequate sites for buildings of the type proposed;
 - 2. Zoning requirements;
 - 3. Topography; and
 - 4. Requirements for safe and convenient vehicular and pedestrian circulation.
- B. Blocks shall have a maximum length of one thousand six hundred (1,600) feet and so far as practical a minimum length of five hundred (500) feet.
- C. Residential blocks shall be of sufficient depth to accommodate two tiers of lots, except where reverse frontage lots bordering a major traffic street are used.
- D. Pedestrian interior walks may be required where necessary to assist circulation or provide access to community facilities.

Section 410. Lots and Lot Sizes

- A. Lot dimensions and areas shall not be less than specified by provisions of the zoning ordinance for the municipality in which the subdivision is located.
- B. If zoning ordinances are not available in the municipalities, lot size and width shall be controlled by the following minimums, which are designed to prevent unsanitary conditions and hazards to public health:
 - 1. Community Water and Sewer – Seven thousand five hundred (7,500) square feet – Sixty (60) feet wide interior lots; eighty (80) feet wide corner lots. Where community water supply and sewage disposal are to be installed, the lot areas shall not be less than seven thousand five hundred (7,500) square feet and the lot width not less than sixty (60) feet for interior lots and eighty (80) feet for corner lots, and such minimum size lot shall not be used to accommodate more than one family dwelling unit. For lots intended for more than one family, within a single structure, the minimum lot area shall be increased by one thousand five hundred (1,500) square feet for each family dwelling unit more than one.
 - 2. Either Community Water or Sewer – Seventeen thousand five hundred (17,500) square feet – One hundred (100) feet wide interior lots; one hundred twenty (120) feet wide corner lots. Where either the water supply or sewage disposal is handled on the lot, the lot area for single-family dwellings shall not be less than seventeen thousand five hundred (17,500) square feet and the lot width not less than one

hundred (100) feet for interior lots and one hundred twenty (120) feet for corner lots, and such minimum size lot shall not be used to accommodate more than one family dwelling unit. If an approved common sewage disposal or water supply system is utilized, more than one-family dwelling unit, within a single structure, may be accommodated on a lot if the minimum size of the lot is increased by three thousand (3,000) square feet for each family dwelling unit more than one to be accommodated.

3. Water and Sewer on the Lot – Thirty-seven thousand five hundred (37,500) square feet – One hundred fifty (150) feet wide interior lots; one hundred seventy (170) feet wide corner lots. Where both water supply and sewage disposal are provided on the lot by a well and septic tank with tile field respectively or by similar facilities, the lot area shall not be less than thirty-seven thousand five hundred (37,500) square feet and the lot width not less than one hundred fifty (150) feet for interior lots and one hundred seventy (170) feet for corner lots and such minimum size lot shall not be used to accommodate more than one family dwelling unit. If an approved common sewage disposal or water supply system is utilized, more than one family dwelling unit, within a single structure, may be accommodated on a lot if the minimum size of the lot is increased by three thousand (3,000) square feet for each family dwelling unit more than one to be accommodated.
4. The depth of a lot shall not exceed three (3) times the width. Any lot exceeding three hundred (300) feet in width may extend the depth to four times the width. However, when the width of a lot exceeds four hundred fifty (450) feet, there shall be no further regulations in the depth and width ratio.
5. There shall also be a minimum building line in residential areas of twenty-five (25) feet from the right-of-way of local existing or proposed streets, thirty-five (35) feet on secondary streets and fifty (50) feet on major streets, applicable in the case of corner lots to both intersecting streets. The building line for lots used for commercial or industrial purposes shall be at least forty (40) feet from any road right of way. The building line for all lots shall be twenty five (25) feet from any side or rear lot line.
6. Side lot lines shall be substantially at right angles or radial to street lines.
7. Residential lots shall front on a street, existing or proposed.
8. No unusable lot shall exist after subdividing. All portions shall be attached to a lot or residual or dedicated to public use if acceptable to the municipality.
9. Double frontage lots are prohibited, except where employed to prevent vehicular access to major traffic streets.
10. Depth and width of parcels laid out or reserved for nonresidential use shall be adequate for the proposed use and sufficient to provide satisfactory space for off-street parking and unloading.

- C. Flexible Lot Design: Flexible development, including the use of common greenspace or open areas is encouraged for residential subdivisions. Greenspace may be used for a number of purposes, including off-site septic easements, agriculture, recreation, or forestry. If proposed greenspace is dedicated to public ownership or protected from future development by a conservation easement, the County Planning Commission may include it in calculating overall density of housing units. This may be done by calculating the number of lots normally allowed (total land area less right-of-way or other non-developable areas, divided by the applicable minimum lot size). From this, a total number of lots allowed will be determined. Working with the County Planning Commission, the developer may then create some substandard lots in exchange for the protected open space. The use of such flexible design must be approved by the Planning Commission prior to plan submission. In determining the suitability of such flexible development versus conventional development, the Planning Commission shall rely upon standards published by the Pennsylvania Department of Conservation and Natural Resources, Growing Greener: Conservation by Design materials. If developers choose such flexible design, a narrative shall accompany the preliminary plan stating how the plan implements the Growing Greener approach.

Section 411. Alleys, Driveways, and Easements

- A. Alleys are prohibited in developments of single-family detached residences except where employed to avoid direct driveway access to major traffic streets. Alleys may be permitted in other types of residential development.
- B. Where permitted, alleys in residential developments shall have a minimum right-of-way width of twenty (20) feet and a minimum cartway surface of fifteen (15) feet.
- C. Alleys shall be required in commercial and industrial districts, except where other adequate provision is made for off-street loading and parking consistent with the use proposed. Where required, alleys in commercial or industrial districts shall have a minimum paved width of twenty-two (22) feet and conform to specifications set forth in Section 417 for streets.
- D. Dead-end alleys shall be avoided, but where this proves impossible, shall be terminated with a paved “T” or “Y” turnaround of twenty (20) feet per stem minimum.
- E. Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be rounded or cut back sufficiently to permit safe vehicular circulation.
- F. Private driveways, where provided, shall be located not less than forty (40) feet from the intersection corner of corner lots and shall have such grades as to furnish a safe and convenient parking space.
- G. Easements with a minimum width of ten (10) feet shall be provided as necessary for utilities.
- H. To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.

- I. Where a subdivision is traversed by a watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural drainage.
- J. There shall be a minimum distance of twenty-five (25) feet, measured in the shortest distance between each proposed dwelling unit and any petroleum products, or natural gas transmission line, which may traverse the subdivision.

Section 412. Community Facilities

- A. In reviewing subdivision plans, the Commission will consider the adequacy of existing or proposed community facilities to serve the additional dwellings proposed by the subdivision.
- B. Subdividers shall give earnest consideration to the desirability of providing or reserving areas for community facilities normally required in residential sections, including churches, libraries, schools, and other public buildings; parks, playgrounds and playfields; shopping and local business centers.
- C. Areas provided or reserved for such community facilities shall be adequate to provide for building sites, landscaping and off street parking as appropriate to the use proposed. Prior to preparation of final plans, subdividers of large tracts shall review with the Commission staff minimum standards for various community facilities applicable to the tract to be subdivided.

Section 413. Specifications

All improvements shall be constructed in accordance with the specifications of the municipality in which the subdivision is located, or in accordance with the specifications set forth in the standards of this Ordinance, whichever is stricter.

Section 414. Off-Street Parking

- A. Each proposed dwelling unit in a subdivision shall be provided with off-street parking space. Driveways and parking compounds shall provide two (2) useable parking spaces for each dwelling unit. Each parking space shall have a minimum size of two hundred (200) square feet.

Section 415. Lots Abutting Major Highways

- A. Reverse frontage lots or marginal access streets shall be required, wherever practical, along highways with a right-of-way width of one hundred (100) feet or more.
- B. Where reverse frontage lots are so employed, they shall provide a rear yard with a minimum depth of seventy-five (75) feet, measured in the shortest distance from the proposed dwelling unit to the ultimate right-of-way line.

Section 416. Specifications for Opening of New Streets

New streets are required to be built to County or local specifications. In all areas of Clarion County without locally adopted specifications, the Clarion County Street Specifications, adopted by resolution, shall apply. Where County specifications are more strict than the locally adopted specifications, County requirements shall apply. When the township or borough specifications are more strict, such specifications shall govern.

Section 417. Water and/or Sewer Facilities

A. General Water Supply

1. Every dwelling unit, each business, and every public or semi-public building shall be provided with a potable water supply of sufficient quality and quantity. Where available, subdivisions and land developments shall access an available water system. The following table will also be used to determine if a development is required to connect to a water system:

Size of Development	Distance¹
2-4 Equivalent Dwelling Units or Lots	200 Feet
5-14 Equivalent Dwelling Units or Lots	500 Feet
15+ Equivalent Dwelling Units or Lots	1,000 Feet

¹ The distance to be measured shall be from the proposed development to the nearest available public water supply line of sufficient size to provide service following a feasible route for connection.

2. Connection shall not be required in the following circumstances:
 - a. Inability or lack of capacity of the public system to serve the development.
 - b. Topographic changes of more than fifteen percent (15%) between the proposed development and existing service area if the existing service area lies at the lower elevation.
 - c. Intervening environmental conditions that would preclude service, including perennial streams, Agricultural Security Areas, and wetlands.
3. For subdivisions and developments with more than fifteen (15) units and located within two thousand (2,000) feet of an existing public water system, adequate justification shall be provided as to why they shall not provide a connection to the existing public water supply system.
4. Where a development of more than fifteen (15) residential lots is proposed and individual wells are proposed, a hydrological study may be required to determine the

feasibility of the water supply.

- 5. In areas where a public water supply system is proposed by a municipality within three years, installation of dry lines or a capped system may be required by the Planning Commission.
- 6. All proposals for new public water supplies, extensions to existing public water systems, installation of dry lines (a capped system), or use of wells and other water sources shall be approved by the provider prior to approval by the Planning Commission.

B. General Sanitary Sewers

- 1. All sanitary sewer installations in any subdivision, land development plan, mobile home park or recreational vehicle park shall be properly connected to an approved and functioning sanitary sewer system approved by the Municipal Sewage Enforcement Officer and/or the local public sewer operating department/authority.
- 2. Subdivisions and land developments, mobile home parks and recreational vehicle parks shall be required to connect to an existing public or community sewer system
- 3. If public service is available within the following distances:

Size of Development	Distance¹
2-4 Units	200 Feet
5-14 Units	500 Feet
15+ Units	1,000 Feet
¹ The distance to be measured shall be from the proposed development to the nearest available public sewer line of sufficient size to provide service following a feasible route for connection.	

- 4. Connection shall not be required in the following circumstances:
 - a. Inability or lack of capacity of the public system to serve.
 - b. Topographic changes of more than fifteen percent (15%) between the proposed development and existing service area if the existing service area lies at the higher elevation.
 - c. Intervening environmental conditions that would preclude service, including

perennial streams, wetlands or Agricultural Security Areas.

5. For subdivisions and developments with more than fifteen (15) units and located within two thousand (2,000) feet of an existing public sanitary sewer system, adequate justification shall be provided as to why they should not provide a connection to the exiting public sewer system.
6. In areas where a public sewer system is proposed by a municipality within three years, installation of dry lines or a capped system may be required by the Planning Commission.
7. All proposals for new public sanitary sewer systems, extensions to existing public sewer systems, installation of dry lines (capped systems), or the use of individual subsurface disposal systems shall be approved by the officially designated agency of local, state or other unit of government. Development that would connect to public systems shall include approval of the plans or a letter from the sewage treatment provider that they can and will serve the development prior to Planning Commission approval.
8. If a public sewer system is not in place or cannot be extended, the developer must provide an individual on-lot sewage disposal system as approved by the Municipal Sewage Enforcement Officer and/or DEP. Final plan approval shall not be given until the County Planning Commission has received written evidence that the system is in compliance with the Pennsylvania Sewage Facilities Act 537, as amended.

C. Preliminary Plan Approval

1. Where community or municipal water supply and/or community or municipal sewage treatment facilities are required or intended by the developer, such facilities shall be properly shown on the preliminary plan.
2. In addition to showing all related facilities on the plans, the developer shall indicate by letter his anticipated schedule for installation of such facilities.
3. Approval of all plans of water and/or sewer facilities shall have been given by the Pennsylvania Department of Environmental Protection or applicable municipal sewage enforcement officer prior to the preliminary plan approval by the County Planning Commission. This approval by the Department of Environmental Protection or applicable municipal sewage enforcement officer shall constitute approval of the sewer and/or water facilities plans only.

D. Final Plan Approval

1. Prior to the approval of the final plan where such water and/or sewer facilities are intended or required, the facilities shall have been installed and given final approval

by the Pennsylvania Department of Environmental Protection and any applicable operating authority.

2. Certification of the installation shall be made by a professional engineer and submitted with the final plan.

Section 418. Monuments and Markers

- A. The developer shall place permanent reference monuments in all subdivisions as required herein. Any monuments or markers that are removed during construction and/or grading of the site shall be placed in original locations by a registered engineer or surveyor, at the expense of the person removing them.
- B. Monuments: Monuments for major subdivisions shall be made of pre-cast or site-poured concrete with a minimum diameter of six (6) inches and a minimum length of thirty-six (36) inches, and shall be set flush with the finished grade. A brass or steel pin shall be set in the top of each monument and scored or marked to indicate the exact point of crossing of the intersecting lines. Monuments shall be set permanently at the intersection of all lines forming angles in the boundary of a minor or major subdivision or land development.
- C. Markers: Markers shall consist of magnetic metal pipes or bars at least thirty-six (36) inches long and not less than one-half (1/2) inch in diameter, and shall be set flush with the finished grade. They shall be scored to indicate the exact point of crossing of intersecting lines. Markers shall be set permanently at all lot corners.

ARTICLE V
LAND DEVELOPMENT STANDARDS

Section 501. Jurisdiction

- A. Certain physical developments are classified as land developments in the Pennsylvania Municipalities Planning Code and are subject to regulation under this Ordinance. The design and construction standards in this Ordinance are applicable to land development as such standards are appropriate. In land development there is not necessarily a 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 without complying with these additional requirements. Specific alternative land development types are covered in subsequent articles.

Section 502. Procedures for All Land Developments

- A. In processing a land development, the procedure established in this Ordinance for land subdivisions shall be used: Sketch Plan (not mandatory), Preliminary Site Plan, and Final Site Plan stages. Unless stated otherwise in general design standards under this Article, or standards for particular alternative land development types, the land development shall be processed, and submission requirements shall be the same as that required for a major subdivision.
- B. Unless otherwise noted, the processing requirements, drawing size, certifications, acknowledgments, number of copies, etc. for submission of Land Development Site Plans shall be the same as for a major subdivision, and the Final Site Plan shall be recorded in the Clarion County Register Recorder's Office.

Section 503. Final Plan Review

- A. In addition to other final plan requirements for a major subdivision, the following items shall be included for Final Plan review for all land developments, as applicable:
1. Site plans, as required in this Article, engineering plans detailing the construction of all required improvements, and plans, other data information establishing compliance with the design standards of this Article.
 2. Proof of approvals by all appropriate public and governmental authorities or agencies where applicable including, but not limited to, occupancy permits for any planned road entrances onto existing roads or highways and permits or approvals from the Department of Environmental Protection or other State agencies relating to sewage facilities, water obstructions, air quality, etc., as applicable.
 3. In case of multi-owner or multi-tenant developments, proof of the organization and means for management and maintenance of common open space, parking and other common utilities or improvements. Instruments demonstrating creation of an

association or entity or other means of assuring continuing maintenance shall be required.

Section 504. Site Plan

In lieu of a plot plan, the developer shall submit a Site Plan. Such plan shall be at a scale determined as follows:

- A. If the average size of the proposed land development is five (5) acres or smaller, (including buildings, parking and nonagricultural earth disturbance areas), the plan shall be drawn to a scale of one (1) inch equals one hundred (100) feet (1" = 100').
- B. If the average size of the proposed land development is between five (5) acres and fifty (50) acres (including buildings, parking and nonagricultural earth disturbance areas), the plan shall be drawn to a scale of one (a) inch equals two (200) hundred feet (1" = 200').
- C. If the average size of the proposed land development is over fifty (50) acres (including buildings, parking and nonagricultural earth disturbance areas), the plan shall be drawn to a scale of one (1) inch equals four (400) hundred feet (1" = 400').

Where it is planned that building, parking lot, and earth disturbance of the land development will be over an area in excess of five (5) acres, combined topographic data at two (2) foot contour intervals shall be required.

In addition to the other requirements for Preliminary and Final Subdivision and Land Development Plans set forth, as applicable, each land development site plan shall, through one or more pages, show:

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

Section 505. Design Standards

Land developments, and where applicable, commercial or industrial subdivisions, shall meet the following design requirements. It is recognized by the County that the design process shall be somewhat flexible, pursuant to Section 503.2(5) of the Pennsylvania Municipalities Planning Code. Generally, the criteria for facilities for transportation and parking shall be based upon an accepted source, such as The Dimensions of Parking (Washington, D.C.: Urban Land Institute and National Parking Association) or Transportation and Land Development or Traffic Impact Studies For Site Development: A Recommended Practice (both Washington, D.C.: Institute of Transportation Engineers) or the reasonable application of design standards for major subdivisions. Unless stated otherwise in Alternative Land Development Regulations, the following standards shall be met:

- A. Vehicular access connections to the surrounding existing street network shall be safe, shall have adequate sight distances, and shall have the capacity to handle the projected traffic.
- B. The developer shall make satisfactory provision for the improvements necessary to the proper functioning of the development, including but not limited to, street access signs, water supply facilities, sewage disposal facilities and stormwater management devices.
- C. The Development Plan shall provide for adequate privacy, light, air and protection from noise through building design, street layout, screening, plantings and special siting of buildings.
- D. Streets may be planned for dedication to the public or may be planned as private streets to be maintained by the developer or other association or entity. Private streets shall meet any applicable municipal standards regarding sub-grade preparation, base and surfacing construction. Off-street parking areas may be integrated with public street design and construction provided maintenance responsibilities are mutually agreed upon.
- E. Service and waste storage and disposal areas for the land development shall be planned and constructed such that they are not visible from adjacent uses.
- F. Building locations and areas, roadways and driveways shall be sufficient for reasonably anticipated vehicular traffic, use and circulation.
- G. A parking interior traffic control 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, based upon standard parking capacity measurements, including number of spaces per anticipated development type. References to any standard parking and access documents shall be included.
 - 1. Number of parking spaces required: The number of off-street parking spaces provided shall be based upon standards references, such as those set forth in Parking by Weant and Levinson (Westport: ENO Foundation for Transportation). Where the use of the premises is not specifically known, the parking requirements shall be one (1) space for each two (2) proposed patrons/occupants plus one (1) space per employee on each major shift of that structure or one (1) space per one thousand (1,000) square feet of gross floor area. Multi-family dwellings shall provide one (1) space per bedroom. Where more than one (1) use exists on a lot, parking regulations for each use must be met, unless it can be shown that peak times will differ.
 - 2. Space Size and Access: Off-street parking spaces shall have an area determined by their use. In the case of multi-family dwellings, mobile home parks, industrial and manufacturing establishments, warehouses, wholesale, and truck terminals, each space shall be not less than one hundred forty-four (144) square feet. For all other uses, each space shall have a minimum uniform area of being at least ten (10) feet wide and twenty (20) feet long. These uniform sizes shall be exclusive of access drives or aisles, and shall be in usable shape and condition. Except in the case of

single-family dwellings, no parking area shall contain less than three (3) spaces. Parking areas shall be designed to provide sufficient turnaround area so that vehicles are not required to back onto public streets. Where an existing lot does not abut on a public or private street, alley or easement of access, there shall be provided an access drive leading to the parking or storage areas or loading spaces. Such access drives shall be consistent with requirements for private streets or access drive rights-of-way in this Ordinance. Access to off-street parking areas shall be limited to well-defined locations, and in no case shall there be unrestricted access along a street.

3. Drainage and Storm Water Control: With the exception of single-family and two-family dwellings, all parking and loading areas and access drives shall have either:
 - a. A dust-free surface, graded with positive drainage, and using pervious material to prevent the flow of surface water onto neighboring properties.
 - b. A paved surface, graded with positive drainage to prevent the flow of surface water onto neighboring properties. Paved off-street parking lots in excess of twenty thousand (20,000) square feet shall meet the following standards for stormwater management: Minimum planting strips of ten (10) feet between the parking lot and all lot lines to be planted with one (1) hardwood or coniferous tree or combination thereof per each two (2) parking spaces. Trees, which die, shall be replaced annually. Eight percent (8%) of the total interior parking area shall be devoted to interior planting strips to be maintained in trees, shrubbery, annual plants or similar pervious dust- and mud-free material. Drainage plans shall take full advantage of pervious material areas.
 - c. Screening, Landscaping and Setbacks: Off-street parking areas for more than five (5) vehicles, and off-street loading areas, shall be effectively screened on any side which adjoins a dwelling, residential district or platted residential lots. In addition, there shall be a planting strip of at least five (5) feet between the front lot line and the parking lot. Such planting strip shall be suitably landscaped and maintained. No off-street loading or parking area for more than five (5) vehicles shall be closer than ten (10) feet to any adjoining property line containing a dwelling, residential district or platted residential lots.
- H. A Stormwater Management Plan meeting the requirements this Ordinance and the principle of no net increase in off-site runoff shall be provided.
- I. For multi-building land developments, a complete landscaping plan shall be submitted that includes a complete interior landscape plan in addition to a landscaped transition to adjoining properties. Landscape treatment shall be provided to enhance architectural features, manage stormwater runoff and/or provide energy conservation through climate control.

- J. For multi-building land developments, a complete interior pedestrian circulation plan shall be submitted by all developers indicating the safe and efficient movement of people within and through the site. All traffic, parking, and pedestrian plans shall be completed using such standard resource criteria as provided by the American Planning Association or the Institute for Traffic Engineers.
- K. Exterior lighting, when used, shall be of a design and size compatible with adjacent areas and in accordance with the standards of the Illuminating Engineer Society. Specifically, lighting shall be designed to reduce glare and excessive illumination to surrounding properties while providing for public safety.
- L. Water and sanitary sewer service shall be provided in accordance with local standards and requirements as specified in Article IV of this Ordinance, substituting equivalent dwelling unit (EDU) based information for lot-based information as applicable.
- M. Gas, electric, telephone and cable utilities shall be located in land developments in accordance with utility company standards and requirements, unless not permitted by the applicable utility. In this case, a letter shall be provided from the utility to that effect.
- N. All land developments required to submit plans for approval by the Pennsylvania Department of Labor and Industry shall show evidence of approval by the Department.

Section 506. Assurance for Completion and Maintenance of Improvements

Insofar as the land development involves the lease or rental of buildings and/or space on the site and site improvements (such as streets, parking areas and stormwater drainage devices), which are to be privately maintained or maintained by a private (non-public) organization or entity created by the developer, there is no need for municipal acceptance of the site improvements. However, in these instances, streets and stormwater drainage shall be designed and built to the standards established in this Ordinance, and the County 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, one clearly establishing maintenance responsibility. It must be approved by the County and the applicable municipality or accepting authority with a letter of acceptance, pending inspection of completed improvements, as a pre-requisite for final plan approval. Any proposed improvement to be offered for public declaration shall follow the requirements as specified by these Regulations. Among other remedies to enforce this section, the County may advise the municipality to refuse to issue building permits.

Section 507. Alternative Land Development

Commercial and Industrial Subdivision or Land Development Design Standards

- A. Application: All commercial and industrial subdivisions or land development shall conform with the provisions of this section.
- B. Street System
 - 1. Traffic movements in and out of commercial and industrial areas shall not interfere with external traffic, nor shall it create hazards for adjacent residential areas.
 - 2. The design of streets, service drives and pedestrian ways shall provide for safe and hazard-free internal circulation.
- C. Setbacks: Building setback lines shall be as specified by the local zoning ordinance. Where no local ordinance is in effect, the following shall apply. All setback lines shall be measured from the edge of abutting right-of-way or property lines, as applicable.
 - 1. Front yard setback lines shall be not less than forty (40) feet.
- D. Side/Rear Yard Setback
 - 1. Building setback lines shall be as specified by the local zoning ordinance. If no such ordinance is in force, setback lines shall be not less than forty (40) feet. Setback lines shall increase three (3) feet for every one thousand (1,000) square feet Gross Floor Area above forty thousand (40,000) square feet.
- E. Location/Screening: Based upon size, commercial or industrial land developments which abut pre-existing residential development or platted residential lots shall employ the following screening: To consist of a triple row of Norway spruces planted at oblique lines to one another so that a continuous screen is provided. All trees shall be a minimum height of six (6) feet at the time of planting. Trees, which die, shall be replaced within six (6) months. As an alternative to the triple row of Norway spruces, the developer shall maintain a fifty (50) foot wide buffer yard of natural vegetation sufficient for screening. This buffer area shall not be used for parking or other uses. This buffer yard shall maintain natural vegetation unless such vegetation is considered insufficient for shade screening, stormwater management, or erosion control. In such case, the planting standards shall be twenty-eight (28) conifer and eight (8) deciduous trees per each one hundred (100) lineal feet of yard area. Trees shall be a minimum height of six (6) feet at planting and replaced within six (6) months of death.

To further provide for the natural management of stormwater runoff within the context of land development, fifty percent (50%) of all hardwood trees of a minimum caliper of four (4) inches, which do not lie in buildable lot footprints or parking areas shall be preserved.
- F. Parking areas in excess of twenty thousand (20,000) square feet shall maintain easements to connect to existing or potential future lots.

Section 508. Alternative Land Development: Multi-Family Dwellings

- A. Jurisdiction Exception: As authorized by the Pennsylvania Municipalities Planning Code, the conversion of an existing single-family, detached dwelling into not more than three (3) residential units (unless such units are intended to be a condominium) shall be exempt from the requirements of this Article.

- B. Exception For Minor Alternative: For the purpose of this Article, a multi-family dwelling development involving not more than nine (9) dwelling units shall be considered a minor land development. Ten (10) or more dwelling units shall be considered a major land development.

- C. Density: All multiple-family dwelling land developments shall comply with the following standards:
 - 1. With Public Sewer

Minimum Lot Area: 12,000 square feet for first unit, plus 4,000 square feet for each unit thereafter.

Minimum Lot Width: 100 feet

Minimum Front Yard: 40 feet

Minimum Side Yard: 40 feet

Minimum Rear Yard: 40 feet

Maximum Height: 35 feet

Maximum Coverage: 25%

 - 2. With Approved On-Lot Sewer Systems

Minimum Lot Area: 1 Acre for the first 3 units, plus 10,000 square feet per unit thereafter

Minimum Lot Width: 150 feet

Minimum Front Yard: 40 feet

Minimum Side Yard: 40 feet for the first 3 units plus 1 foot per unit thereafter

Minimum Rear Yard: 40 feet

Maximum Height: 35 feet

Maximum Coverage: 20%

- D. Location/Screening: Multi-family land developments containing a total of more than six (6) dwelling units, and which abut pre-existing residential development or platted residential lots shall employ the following screening: To consist of a triple row of Norway spruces planted at oblique lines to one another so that a continuous screen is provided. All trees shall be a minimum height of six (6) feet at the time of planting. Trees, which die, shall be replaced within six (6) months. As an alternative to the triple row of Norway spruces, the developer shall maintain a fifty (50) foot buffer yard of natural vegetation sufficient for screening. This buffer yard shall not be used for parking or other uses. This buffer yard shall maintain natural vegetation unless such vegetation is considered insufficient for shade screening, stormwater management, or erosion control. In such case, the planting standards shall be twenty-eight (28) conifer and eight (8) deciduous trees per each one hundred (100) lineal feet of yard area. Trees shall be a minimum height of six (6) feet at planting and replaced within six (6) months of death.

Section 509. Alternative Land Development: Sanitary Landfill

Plans for sanitary landfills shall be approved and controlled by the Pennsylvania Department of Environmental Protection (PA DEP), the laws and regulations of the Commonwealth and appropriate laws and regulations of the United States of America. Operators of sanitary landfills shall file with the County written proof that they have met all permit requirements of the State and/or Federal government as they may apply to a specific development.

- A. Local requirements which must be met prior to approval by the County include:
1. A setback of two hundred fifty (250) feet from all public rights-of-way and four hundred (400) feet from all dwellings, platted residential lots, schools, churches, hospitals and similar residential uses.
 2. To prevent unauthorized access, and windblown debris, the following barriers shall surround the development:
 - a. An opaque fence at least six (6) feet in height.
 - b. A barrier fence at least eight (8) feet in height.

On the outside perimeter of the fence, a ten (10) foot wide planting strip shall be maintained at a planting standard of ten (10) coniferous and ten (10) deciduous trees, per one hundred (100) feet. Trees shall be a minimum of six (6) feet tall at planting and replaced within six (6) months of death.
 3. To further shield surrounding areas, one of the two following buffer yards shall be

employed. These shall be in addition to required setbacks:

- a. A fifty (50) foot wide buffer yard of vegetation sufficient to provide opaque screening during six (6) months of the year. This buffer yard shall maintain the existing natural vegetation unless insufficient for screening or of species generally recognized as inferior for shade, erosion control, or screening. If deemed so, the developer shall maintain a planting standard of eight (8) deciduous trees and twenty-eight (28) coniferous trees per each one hundred (100) lineal feet of buffer yard.
 - b. A screening yard of Norway spruces, white spruces, blue spruces, or similar species proven to withstand high-density plantation, planted to the following standards: An initial row of trees to follow a lineal centerline with additional rows planted at oblique angles on each side of the centerline row, sufficient to provide complete and constant opaque screening from the time of planting.
4. The landfill shall have no more than two (2) access routes, unless the landfill property borders three (3) or more public rights-of-way. In such an event, approval by the County will be necessary to secure an additional access route.
 5. A bond will be filed with the applicable municipality, at an amount deemed necessary by the governing body, to provide for protection of roads which may be used for access to this landfill.
 6. The operator shall submit to the County for approval a plan for the restoration of the landfill area which shall include anticipated future use of the restored land.
 7. All such proposed uses shall be on a lot of no less than fifty (50) acres.

Section 510. Alternative Land Development: Communication Towers

- A. Exception to Jurisdiction: Communications towers shall comply with this Ordinance unless they are an applicable accessory structure, clearly incidental to the operation of a Transportation business, Emergency services provider, or similar entity for the exclusive, non-commercial use of its agents in directly providing such service.
- B. The applicant shall demonstrate that it is licensed by the Federal Communications Commission to operate a communications tower, if applicable, and communication antennas.
- C. The applicant shall demonstrate that the proposed communications tower and communications antennas proposed to be mounted thereon comply with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.

- D. Communication towers shall comply with all applicable Federal Aviation Administration, Commonwealth Bureau of Aviation and applicable Airport Zoning Regulations. Towers must comply with this Ordinance as a subdivision for lease or land development.
- E. Any applicant proposing construction of a new communications tower shall demonstrate that written evidence that a good faith effort has been made to obtain permission to mount the communications antennas on an existing building, structure or communications tower. A good faith effort shall require that all owners of potentially suitable structures within a one-quarter (1/4) mile radius of the proposed communications tower site be contacted and that one (1) or more of the following reasons for not selecting such structure apply:
1. The proposed antennas and related equipment would exceed the structural capacity of the existing structure and its reinforcement cannot be accomplished at a reasonable cost.
 2. The proposed antennas and related equipment would cause radio frequency interference with other existing equipment for that existing structure and the interference cannot be prevented at a reasonable cost.
 3. Such existing structures do not have adequate location, space, access or height to accommodate the proposed equipment or to allow it to perform its intended function.
 4. Addition of the proposed antennas and related equipment would result in electromagnetic radiation from such structure exceeding applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.
 5. A commercially reasonable agreement could not be reached with the owners of the structure.
 6. Access shall be provided to the communications tower and communications equipment building by means of a public street or easement to a public street. The easement shall be a minimum of twenty (20) feet in width and shall be improved to a width of at least ten (10) feet with a dust-free, all weather surface for its entire length.
 7. A communications tower may be located on a lot occupied by other principal structures and may occupy a leased parcel within a lot meeting the minimum lot size requirements for the applicable zoning ordinance or these Regulations.
 8. Applicant shall demonstrate that the proposed height of the communications tower is the minimum height necessary to perform its function.
 9. The maximum height of any communications tower shall be two hundred fifty (250) feet; provided, however, that such height may be increased to no more than three

hundred (300) feet, provided the required setbacks from adjoining property lines (not lease lines) are increased by one (1) foot for each one (1) foot of height in excess of two hundred fifty (250) feet.

10. The foundation and base of any communications tower shall be set back from a property line (not lease line) with any residential use at least one hundred (100) feet and shall be set back from any other property line (not lease line) at least fifty (50) feet.
11. The base of a communications tower shall be landscaped so as to screen the foundation and base and communications equipment building from abutting properties.
12. The communications equipment building shall comply with the required yards and height requirements of any applicable zoning ordinance for an accessory structure.
13. The applicant shall submit certification from a Pennsylvania registered professional engineer that a proposed communications tower will be designed and constructed in accordance with the current Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, published by the Electrical Industrial Association/Telecommunications Industry Association.
14. The applicant shall submit a copy of its current Federal Communications Commission license; the name, address and emergency telephone number for the operator of the communications tower; and a Certificate of Insurance evidencing general liability coverage in the minimum amount of one million dollars (\$1,000,000) per occurrence and property damage coverage in the minimum amount of one million dollars (\$1,000,000) per occurrence covering the communications tower and communications antennas.
15. All guy wires associated with guyed communication towers shall be clearly marked so as to be visible at all times and shall be located within a fenced enclosure.
16. The site of a communications tower shall be secured by a fence with a minimum height of eight (8) feet to limit accessibility by the general public.
17. No signs or lights shall be mounted on a communications tower, except as may be required by the Federal Communications Commission, Federal Aviation Administration or other governmental agency that has jurisdiction.
18. If a communications tower remains unused for a period of twelve (12) consecutive months, the owner or operator shall dismantle and remove the communications tower within six (6) months of the expiration of such twelve (12) month period.
19. One (1) off-street parking space shall be provided within the fenced area.

20. A statement that, upon conclusion of the lease or removal of the tower, the land shall revert to the parent tract.

**ARTICLE VI
MOBILE HOME PARKS**

Section 601. Applicability

Mobile home parks shall be permitted in any township or borough, which is regulated by the Clarion County Subdivision and Land Development Ordinance. In any municipality which has a locally adopted ordinance which governs mobile home parks with greater restrictions, the ordinance whose standards are more strict shall apply. Except where specified in this Article, the standards for plan submission and plan requirements shall be the same as for a subdivision.

- A. Where it is intended by the owner or developer to offer mobile home lots for sale, standards set forth under Article III Design Standards shall be applicable.

Section 602. Park Design Requirements

- A. Minimum Park Area - A mobile home park shall have a gross area of at least five (5) contiguous acres of land, unless each individual mobile home lot meets the lot size and yard criteria of Section 411 of this Ordinance.
- B. 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 the 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 seven thousand five hundred (7,500) square feet in area, unless the mobile home park is less than five (5) acres, whereupon the alternative standard of Section 411 shall apply as the minimum.
- C. Site Location - The location of all mobile home parks shall comply with the following minimum requirements:
1. Free from adverse influence by swamps, marshes, garbage or rubbish disposal areas or other potential breeding places for insects and rodents;
 2. Not subject to flooding or subsidence;
 3. Not subject to hazard or nuisance, such as excessive noise, vibration, smoke, toxic matter, radiation, heat, odor or glare; and
 4. Parks shall be designed to serve the long-term placement of mobile homes.

D. Foundations/Standards

1. Each mobile home lot shall be improved to provide an adequate foundation for the placement of the mobile home in a fixed position following installation guides for each unit as specified by the manufacturer.
2. 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.
3. 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.
4. A one percent (1%) to five percent (5%) gradient longitudinal crown or cross gradient for surface drainage shall be provided.
5. Mobile home stands shall be either concrete pads or piers. The piers shall be set at least thirty-six (36) inches deep.
6. Each mobile home stand shall provide adequate tie downs, able to withstand 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) pound tensile strength.

E. Grading Requirements

1. All mobile home parks shall be graded in order to provide drainage of water away from buildings, patios, and mobile home stands and to provide safe and convenient access to lot acres and structures thereon.
2. Natural features of the tract such as trees and streams shall be preserved whenever possible.
3. Slopes of unpaved areas around walls and foundations of structures, stands, patios and water supply wells shall be graded downward from such structures at a minimum of one-fourth (1/4) inch per foot or two percent (2%) to adequate outfalls or to drainage swales discharging to adequate outfalls.
4. Maximum slope of usable yard area shall be twenty-one percent (21%) away from structures, patios, and stands for a minimum of four (4) feet, except as limited by lot lines.
5. Slopes of other unpaved areas shall have a minimum gradient of one-fourth (1/4)

inch per foot and a maximum ratio of two (2) feet horizontal to one (1) foot vertical.

F. Site Drainage Requirements

1. All areas shall slope to lower elevations off-site or drainage structures on site.
2. Places for collection and disposal of surface and subsurface water shall be provided; drainage structures shall include splash blocks in addition to any other drainage structures (paved gutters, drain lines, etc.) deemed necessary by the Commission.
3. Emergency surface drainage overflow for drain inlets or catch basins shall be provided to prevent flood in the case of failure of the underground drainage structure.
4. Permanence of off-site drainage ways shall be assured by public rights-of-way, easements, or other means.

G. Soil and Ground Requirements

1. Exposed ground surfaces in all parts of every park shall be paved or covered with stone screenings or other solid material or protected with a vegetative growth that is capable of preventing soil erosion and emanation of dust during dry weather.
2. Park grounds shall be maintained free of vegetative growth which is poisonous or may harbor rodents, insects or other pests harmful to man.

H. Park Areas for Non-Residential Uses

No part of any park shall be used for non-residential purposes except such uses that are required for the direct servicing and well being of park residents and for the management and maintenance of the park.

I. 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 area.
3. The setback from the right-of-way of any public street or highway shall conform to Section 310 (2)(e) or the local zoning ordinance (where applicable), whichever is

more restrictive.

4. Mobile homes shall be located a minimum of twenty (20) feet away from any common building or structure.
 5. Secondary entranceways may utilize stoops, landings, patios or awnings, which may extend a width of five (5) feet within the ten (10) foot yard requirements.
 6. Corners of mobile home lots shall be marked with permanent flush stakes, markers or other suitable means.
- J. 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.
- K. Skirting - The plans shall specify that skirting shall be provided on all mobile homes.
- L. Drainage - A stormwater management and drainage plan shall be submitted for the entire tract submitted for preliminary approval, meeting the requirements of Section 409 and other applicable parts of this Ordinance.
- M. A sedimentation and erosion control plan shall be developed for the site, conforming to Clarion County standards.
- N. 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 III, Design Standards of the Clarion County Subdivision Regulations, excepting street widths, which shall be governed by the following minimum requirements:

Street widths for surfaced roadways shall be adequate to accommodate anticipated traffic, and in any case, shall meet the following minimum requirements:

	<u>Surface Width</u>
One or two-way, with no parking	22 feet
One or two-way, with parking on one side only	28 feet
One or two-way, with parking on both sides	34 feet

O. Street Width 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.

P. Cul-De-Sac Streets

These shall be provided with a turn-around having an outside roadway diameter of at least eighty (80) feet.

Q. Parking Spaces

Car parking spaces, at minimum size of 10 x 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 an additional parking space for each four (4) lots shall be provided for guest parking and for delivery and service vehicles. Required car parking spaces shall be located for convenient access to mobile home stands.

R. Recreation

For each proposed park at least five percent (5%) shall be reserved or dedicated for recreation purposes with appropriate location, dimensions and topographic characteristics, which, in the judgment of the Planning Commission, lend themselves to recreational use.

S. Fee Schedule: To be adopted by resolution.

Section 603. 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, including plumbing, refuse disposal, 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.

B. Water Supply - The developer must provide a safe and adequate water supply for all lots in the development, including sufficient water for fire protection.

1. Constructing a system of water mains to connect with a public water supply system if one is within one thousand (1,000 feet) of the development and has capacity to allow additional tap-ins.

2. Drilling wells or tapping springs and providing water systems to convey water from these wells or springs to the park lots. Such drilling or tapping shall be subject to the regulations and restrictions of the Department of Environmental Protection.

3. Water mains shall be placed in the internal street system right-of-way where

possible.

4. All phases of construction and excavation shall be in accordance with approved construction drawings and PennDOT requirements.

C. Sanitary Sewers - Sewerage connections must be supplied for all lots by the developer. They must conform with the regulations and restrictions of the Department of Environmental Protection or the local sewage enforcement agency or the sewer enforcement officer. Storm sewers and sanitary sewers must be separate.

1. Sewage connection with a public sewage system shall be made if economically feasible [within one thousand (1,000) feet of the park].
2. Alternatives are septic tanks, a community sewage plant or other satisfactory method consistent with Act 537, known as the Pennsylvania Sewage Facilities Act of the General Assembly of Pennsylvania, as amended.
3. In no case shall any method of sewage disposal constitute a threat to public health. If an adequate method of sewage disposal is not found, development of the plan will not be permitted.
4. Any sewage system must be designed to serve the maximum number of mobile home units feasible for the site as prescribed by the Pennsylvania Department of Environmental Protection.

D. Storm Sewers

1. Shall be separate from sanitary sewers;
2. Shall lie in the street right-of-way, not necessarily under the pavement; and
3. Shall meet the requirements in Sections 408 and 409 of this Ordinance.

E. 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 Commonwealth, through an approved agency.

F. Utility Lines

1. Lines shall be buried underground if economically feasible or in keeping with the

regulations of the Pennsylvania Utility Commission.

2. Easements shall be a minimum width of twelve (12) feet. Where they are along adjoining properties, the easement shall be six (6) feet on either side of the property line.

Streets, curbs, base and pavement shall conform to the regulations already existing for conventional residential subdivisions (Section 316).

G. Sidewalks - Individual walks to mobile home stands from paved and parallel to streets or parking spaces shall be provided by the developer. Sidewalks shall be built in mobile home parks where the size of the park exceeds thirty-five (35) mobile homes, or where sidewalks would be extensions of existing sidewalks in a contiguous area. In the event that sidewalks are built, they shall conform to the following regulations:

1. Be built on both sides of the street except where for sufficient cause the Planning Commission authorizes otherwise;
2. Be three (3) foot minimum for common walks, one-and-one-half (1-1/2) feet for individual walks;
3. Shall begin two-and-one-half (2-1/2) feet from the edge of the road right-of-way;
4. Be between one percent (1%) and five percent (5%) gradient wherever possible;
5. Consist of four (4) inch thick Portland cement concrete; and
6. Shall be inspected after pouring by the municipality.

H. 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 the municipality in which the park is located.
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.
 - a. Hydrant size and type of all hydrants installed shall be of a standard size and type as specified by the municipality and the designated Fire Chief of the municipality in which the mobile home park is proposed to be located.
 - b. Spacing - Hydrant spacing shall be adequate to serve all lots within the

mobile home 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.

- c. Location - Hydrants shall be located within dedicated easements.
 - d. 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. 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:
 - (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-combination vent pipe and dump valve openings above ground. The openings shall be twenty-four (24) inch 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 inches (4-1/2") in diameter. This outlet shall be encased in a hydrant for drafting, with at least two (2), two-and-one-half-inch (2-1/2") outlets.
 - b. The Pond System - A water pond shall be located in such a way as to service 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 the municipality, to adequately serve all park lots.

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

I. Exterior Lighting

Adequate lights shall be provided to illuminate streets, driveways and walkways for the safe

movement of vehicles and pedestrians at night. Lighting fixtures shall be not less than two-tenths ($2/10$) of a foot-candle power per pole, but generally consistent with standards developed by the Pennsylvania Chapter of the Society of Illuminating Engineers.

**ARTICLE VII
RECREATIONAL VEHICLE PARK REGULATIONS**

Section 701. Applicability

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

- A. 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.

- B. Recreational Vehicle Park - A plot of land upon which two (2) or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles 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 (RV) Parks shall be designed to serve the short-term placement of recreational vehicles. No recreation vehicle shall be used as a permanent place of abode, dwelling or business.

The standards set forth under this Article shall apply to recreational vehicle parks where lots within the park are for rent, sale or lease and are to serve the short-term placement of recreational vehicles as outlined above.

Section 702. Plan Requirements:

Except as specified here, the plan requirements and submission procedures shall be the same as for a subdivision.

- A. Plan Preparation Requirements - All applications to the Clarion County Planning Commission shall contain the following:
 - 1. Name, mailing address, legal address and telephone number of applicant;
 - 2. Interest of the applicant in the proposed recreational vehicle park;
 - 3. Location, address and legal description of the entire proposed recreational vehicle park site;
 - 4. Existing zoning of subject property and all adjacent properties;
 - 5. Complete engineering plans and specifications of the proposed recreational vehicle

park showing;

- a. The area and dimensions of the entire tract of land;
 - b. The land uses occupying the adjacent properties;
 - c. The number, size and location of the proposed vehicle sites and other parking areas;
 - d. The location, right-of-way and surfaced roadway width, roadway design data and walkways;
 - e. The proposed interior vehicular and pedestrian circulation patterns;
 - f. The location of service buildings, sanitary stations and any other existing or proposed structures;
 - g. The location of water and sewer lines and riser pipes;
 - h. Plans and specifications of the water supply, sewage disposal and refuse facilities;
 - i. Plans and specifications of all buildings constructed or to be constructed within the recreational vehicle park;
 - j. The locations and details of area lighting, electric and gas systems as related to all applicable codes and sound engineering practice; and
 - k. The location of all drainage easements to comply with County drainage plans.
6. Sediment and erosion control plans shall be developed for the site. It shall adhere to the principles and guidelines of published reports available from the Clarion County Conservation District and this Ordinance.
7. A stormwater management and drainage plan shall be submitted for the entire tract submitted for preliminary approval. Such plan shall indicate the proposed stormwater handling system, proposed water retention and release schedule to eliminate the effect of uncontrolled water runoff on adjacent properties. Lots shall be laid out and graded to provide positive drainage away from the buildings. Storm drains, culverts and related installations shall be provided:
- a. To permit unimpeded flow of natural water courses; and
 - b. To ensure adequate drainage of all low points along streets at intervals

reasonable related to the extent and grade of area drained.

In the design of storm drains, special consideration shall be given to avoidance of problems which may arise from concentration of stormwater runoff over adjacent properties. Runoff discharged by the site shall be no greater in volume or at no greater velocity than prior to the development based on the twenty-five (25) year storm frequency (4.4 inches in 24 hours).

- B. Commission Action - The Clarion County Planning Commission shall review the preliminary park plan as submitted and within ninety (90) days of submission shall take formal action on the plan and in writing give approval, conditional approval (giving conditions) or disapproval (giving reasons).
- C. Nature of Approval - Approval of a preliminary plan by the Clarion County Planning Commission and the municipality 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 municipality and the Clarion County Planning Commission, in that order, upon fulfillment of the requirements of these Regulations.
- D. Final Plan - Upon completion of any modifications required by the Clarion County Planning Commission and/or upon completion of required improvements of the alternate posting of acceptable surety, the developer may apply for approval of final plans.
- E. Commission Review - The Clarion County 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 borough secretary that appropriate bond has been posted or that required improvements have been installed, according to specifications. Within ninety (90) days of receipt of complete information, the Clarion County Planning Commission shall approve or disapprove such plan, stating in writing its reasons for disapproval.

Section 703. 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, one automobile parking space, and accessory structure and related outdoor facilities (grill, picnic tables, benches, etc.). Maximum density per acre, however, shall not exceed eighteen (18) units/gross acre.
 - 2. Setback Requirements - Front setback for recreational vehicle units shall be fifteen (15) feet from the front and side lot lines of any road or street. However, structures

such as bathhouses, administration offices, 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.

Side Setback – 5-foot minimum
Rear Setback – 5-foot minimum

B. Perimeter Requirements

- 1. When abutting residential areas a setback buffer area shall be fifty (50) feet as measured from the park property line. When abutting any other use of land, the setback shall be twenty-five (25) feet as measured from the property line.
- 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.

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 IV, Design Standards of the Clarion County Subdivision and Land Development Ordinance and specifically as follows:

- 1. Collector Street – Thirty-two (32) feet as per Article IV of the Clarion County Subdivision and Land Development Ordinance. All requirements for a public street shall be applicable, including a sixty- (60) 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 street shall be improved as outlined in Article IV of the Subdivision and Land Development Ordinance.

2. Minor Streets

One-Way – 12 foot cartway
Two-Way – 22 foot cartway

Minor streets shall be constructed of select material surfacing as per Section 677, Form 408 PennDOT 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%

3. Construction Requirements - The aggregate shall be uniformly spread upon the graded areas, with 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.

4. Cul-De-Sac Streets - Shall be provided with a turnaround having an outside roadway diameter of at least eighty (80) feet.
5. Parking Spaces - Car parking spaces, at a minimum size of 10 feet x 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, and shall be on the recreational vehicle lot or in designated parking area - no on-street parking shall be permitted for safety reasons.
6. Recreation - At least ten percent (10%) of the park area shall be preserved for active and passive recreation purposes with appropriate location, dimensions and topographic characteristics, which lend themselves to recreational use. Such area excludes required buffer and setbacks.
7. Ancillary Services - The developer may include certain ancillary services such as laundromat, camp store, grocery store, office, 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.
8. 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 Clarion County without first submitting plans thereof to the municipality and the Clarion County Planning Commission for their approval. Such plans shall be prepared in four (4) copies in accordance with such rules or regulations as may be prescribed by the Clarion County Subdivision and Land Development Ordinance and any additional requirements of the municipality. Plans submitted for review and approval by the Clarion County Planning Commission shall be accompanied by a certified report as prescribed in Section 316a.

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 municipality or the Clarion County Planning Commission. 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 streets shall be installed and a certified report, prepared by a registered professional engineer as outlined in Section 316a shall be submitted. Such street shall also be inspected by the municipality and notice of approval forwarded to the Clarion County Planning Commission.

- 9. 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 Commission and the municipality for intersecting roadways, stream channels 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 on approved plans, removal of top soil and excavating of ditches and the construction of fill. Inspection shall be performed and approval granted by the municipality prior to further work.

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

10. Fire

- a. 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 local designated fire chief of the municipality in which the park is located.

- b. Fire hydrants shall hereafter be required in any new recreational vehicle park where the extension of central water lines, whether public or private, are proposed for the recreational vehicle park development.

- (1) Hydrant size and type of all hydrants installed shall be of a standard size and type as specified by the municipality and the designated fire chief of the municipality in which the recreational vehicle park is proposed to be located.

- (2) 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.

- (3) Location - Hydrants shall be located within dedicated easements.
- (4) Design - The proposed location of fire hydrants shall be shown on the submitted plans. Any existing free 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.

11. 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. 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:

- (1) The tank shall be designed to permit a discharge of not less than five hundred (500) gallons per minute.
- (2) Each tank shall have two-combination vent pipe and dump valve openings above ground. The openings shall be a twenty-four (24) 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 inched (4-1/2) in diameter. This outlet shall be encased in a hydrant for drafting with at least two, two-and-one-half inch (2, 2-1/2) outlets.

b. The 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 the municipality, 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.

**ARTICLE VIII
IMPROVEMENT GUARANTEES**

Section 801. Improvement Guarantees

- A. Purpose. Improvement guarantees may be provided by the developer or subdivider to ensure the proper installation and maintenance of required street, utility and other public improvements. The nature and duration of the guarantee shall be structured to achieve this goal without adding unnecessary costs to the developer. These guarantees shall comply with Section 509 of the Pennsylvania Municipalities Planning Code.
- B. Completion of Improvements.
1. Before the recording or approval of final subdivision plans, the Planning Commission may require and shall accept in accordance with the standards adopted by Ordinance the following guarantees:
 - a. The furnishing of a performance guarantee to the municipality in an amount not to exceed one hundred and ten percent (110%) of the cost of installation for improvements.
 - b. Provision for a maintenance guarantee in the form of financial security for a period not exceed eighteen (18) months after final acceptance of the improvement, in an amount not to exceed fifteen percent (15%) of the cost of the improvement. In the event that other governmental agencies or public utilities automatically will own the utilities to be installed, or the improvements are covered by a performance or maintenance guarantee to another governmental agency, and such guarantees are satisfactory to such agencies, no performance or maintenance guarantee, as the case may be, shall be required by the Planning Commission for such utilities or improvements.
 2. The time allowed for installation of the improvements for which the performance guarantee has been provided may be extended for not more than five (5) years by the Planning Commission and/or local municipality by resolution (see Section 509 of the MPC).
- C. Release from Improvement Surety:
1. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the local municipality, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Municipal Engineer and Clarion County Engineer. The local municipality shall, within ten (10) days after receipt of such notice, direct and authorize the Municipal Engineer to inspect all of the aforesaid improvements. The Municipal Engineer shall thereupon file a report, in writing, with the local

municipality, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Municipal Engineer of the aforesaid authorization from the municipality; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Municipal Engineer, said report shall contain a statement of reasons for such non-approval or rejection.

2. The municipality shall notify the developer within fifteen (15) days of receipt of the Engineer's report, in writing, by certified or registered mail or the action of said municipality with relation thereto.
3. If the municipality or the Municipal Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from a liability, pursuant to its performance guaranty bond or other security agreement.
4. If any portion of the said improvements shall not be approved or shall be rejected by the municipality, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed. Upon acceptance of the public improvements, one set of as-built construction drawings shall be delivered to the Municipal Secretary.
5. Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the municipality or the Municipal Engineer.
6. Where herein reference is made to the Municipal Engineer, he shall be a duly registered professional engineer employed by the local municipality or engaged as a consultant thereto.
7. The municipality may prescribe that the applicant shall reimburse the municipality for the reasonable and necessary expense incurred for the inspection of improvements. Such reimbursement shall be based upon a schedule established by ordinance or resolution. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Municipal Engineer or consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the engineer or consultant to the municipality when fees are not reimbursed or otherwise imposed on applicants.
 - a. In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, within ten (10) working days of the date of billing, notify the municipality that such expenses are disputed as unreasonable or unnecessary, in which case the municipality shall not delay or disapprove a subdivision or land development

application or any approval or permit related to development due to the applicant's request over disputed engineer expenses.

- b. If, within twenty (20) days from the date of billing, the municipality and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant and municipality shall jointly, by mutual agreement, appoint another professional engineer licensed as such in the Commonwealth of Pennsylvania to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.
- c. The professional engineer so appointed shall hear such evidence and review such documentation as the professional engineer in his or her sole opinion deems necessary and render a decision within fifty (50) days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.
- d. In the event that the municipality and applicant cannot agree upon the professional engineer to be appointed within twenty (20) days of the billing date, then, upon application of either party, the President Judge of the Court of Common Pleas of the judicial district in which the municipality is located (or if at the time there be no President Judge, then the senior active judge then sitting) shall appoint such engineer, who, in that case, shall be neither the Municipal Engineer nor any professional engineer who has been retained by, or performed services for, the municipality or the applicant within the preceding five (5) years.
- e. The fee of the appointed professional engineer for determining the reasonable and necessary expenses shall be paid by the applicant if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment required in the decision is less than the original bill by one thousand dollars (\$1,000) or more, the municipality shall pay the fee of the professional engineer, but otherwise the municipality and the applicant shall each pay one half of the fee of the appointed professional engineer.

D. Remedies to Effect Completion of Improvements

In the event that any improvements which may be required have not been installed as provided in the subdivision and land development ordinance or in accord with the approved final plan, the municipality is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the municipality may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or

from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.

1. Performance and Maintenance Mechanisms: Performance and maintenance guarantees shall be provided in a number of forms, including, but not limited to, the following:
 - a. Security Bond, Performance Bond and Labor and Materials Bond: The applicant may obtain a bond from a surety bonding company authorized to do business in the Commonwealth.
 - b. Letter of Credit: The applicant may provide an irrevocable letter of credit from a bank or other reputable institution.
 - c. Escrow Account: The applicant shall deposit cash, or other instruments readily convertible into cash at face value, either with the local municipality, or in escrow with a bank.
 - d. Subdivision Improvement Guarantee: An applicant may provide as a guarantee a subdivision improvement agreement between the applicant, lender and local municipality.
 - e. Cash Deposit: The applicant may establish a cash deposit (CD) account opened in the name of the local municipality.

ARTICLE IX ADMINISTRATION

Section 901. Revision and Amendment

- A. The County Commissioners may, from time to time, revise, modify and amend these Regulations by appropriate action taken at a scheduled public meeting.
- B. Notice of the date, time and place of such public meeting, together with a brief summary setting forth principal provisions of the proposed revisions, modifications or amendments and a statement of the place or places within the County where copies of the proposed revisions, modifications or amendments may be examined, shall be published in a legal paper and a paper of general circulation in the County once a week for two successive weeks, provided, however, that the last publication shall be not less than seven (7) days before the proposed public meeting.

Section 902. Reconsideration

- A. Any subdivider aggrieved by a finding, decision or recommendation of the Commission may request and receive opportunity to appear before the Commission, present additional relevant information and request reconsideration of the original finding, decision or recommendation.

Section 903. Modifications and Waivers

- A. The Planning Commission may grant a modification of the requirements of one or more of the provisions of this Ordinance if the literal enforcement will exact 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 the Ordinance is observed. The Planning Commission may grant waivers of Application and Processing Procedures (Article II of this Ordinance) or Plan Requirements (Article III of this Ordinance) pursuant to Section 503 (8) of the Pennsylvania Municipalities Planning Code. Applications for Waivers must be made to the Planning Commission prior to Plan Submission.
- B. All requests for a modification shall be in writing and shall accompany and be a part of the application for subdivision or land development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the specific provision of the Ordinance involved, and the minimum modification necessary.
- C. The Planning Commission shall keep a written record of all modifications.

Section 904. Commission Records

- A. The Commission shall keep a record of its findings, decisions and recommendations relative to all subdivision and land development plans filed with it for review.
- B. Except for communications protected by the attorney-client privilege, all records of the Commission shall be public records.