

Forest County

Subdivision and Land Development Ordinance



May 2019

Forest County Subdivision and Land Development Ordinance 2019

Prepared by the Forest County Conservation District and Planning Commission Board

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This Ordinance is an update to the original Forest County Subdivision & Land Development Ordinance that was Adopted April 4, 1985, and revised and Adopted January 13, 2000.

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INTRODUCTION

Forest County has experienced in the past extensive residential development, much of it seasonal, and often with apparent disregard for such essentials as adequate sized lots, water and sewage facilities, and roads. The County faced the task of ensuring that future land development is planned, to provide for a harmonious, healthy, and attractive environment - beneficial to both the developer and the buyer.

The land once despoiled is not easily restored. Indiscriminate development of land had insidious effects on the social and economic character of the County as well as the obvious deleterious impact of the natural environment. This Subdivision and Land Development Ordinance is offered as one means for guiding future growth in a planned, coordinated, and orderly manner, minimizing indiscriminate exploitation of the County's valuable land and water resources with regard for the welfare of the present and future generations of Forest County.

ORDINANCE NO 3 OF 2019

A subdivision and land development ordinance for the division of realty and applicable development of land within the territorial limits of the County of Forest, Commonwealth of Pennsylvania, and adoption of the rules and regulations thereunder pursuant to the Pennsylvania Municipalities Planning Code, as re-enacted and amended. Act 247 of 1968 (As amended) Article V, Commonwealth of Pennsylvania and its amendments as the same has been or will be amended from time to time.

The County of Forest does hereby ordain, enact and adopt:

ARTICLE I - GENERAL PROVISIONS

101 – SHORT TITLE: These Regulations and Ordinance shall be known and may be cited as "THE FOREST COUNTY SUBDIVISION AND LAND DEVELOPMENT ORDINANCE".

102 – PURPOSE: This Ordinance is adopted for the following purposes:

102.1 To assist the orderly, efficient and integrated development of the County;

102.2 To promote the health, safety and welfare of the residents of the County;

102.3 To secure equitable handling of all subdivision and land development plans by providing uniform procedures and standards;

102.4 To insure conformance of subdivision and land development plans with the public improvement plans of the County;

102.5 To insure coordination of the inter-municipal public improvement plans and programs;

102.6 To protect, conserve and develop the natural resources of the County by preventing encroachments of flood ways, preventing pollution, and protecting natural, scenic, historic and unique features;

102.7 To facilitate the rational movement of traffic;

102.8 To promote effective utilization of sedimentation and erosion control measures.

102.9 To coordinate approval of subdivision and land development plats with the approval of stormwater management plans, consistent with the County Stormwater Management Plan and Ordinance.

102.10 To implement the Forest County Comprehensive Plan.

103 – JURISDICTION: The Board of County Commissioners of this County hereby determines that all powers with respect to the approval of land subdivisions or land developments shall be exercised by the County Planning Agency, designated as the Forest County Conservation District & Planning Board. The Forest County Conservation District & Planning Board shall review, approve or disapprove subdivisions and land developments pursuant to the procedures and provisions of this Ordinance. The Forest County Conservation District & Planning Board shall have jurisdiction and control of the subdivision of land and land development located in municipalities within the County that have not adopted their own subdivisions regulations. All subdivision plans shall be submitted to the Forest County Conservation District & Planning Board for either approval or review as follows:

103.1 Plans for major and minor subdivisions located within municipalities having adopted land subdivision regulations shall be reviewed by the Forest County Conservation District & Planning Board. Before approval of the plans by such municipalities, the municipality shall transmit a copy of the proposed plan to the Forest County Conservation District & Planning Board for review and report to such local municipality. Pending the receipt and consideration of such report, such local authority shall defer action thereon, but if such report is not received by the local authority within thirty (30) days from the submission of the plan to the Forest County Conservation District & Planning Board, or within such further time as may be agreed upon by the local authority, such local authority may proceed to final action thereon.

103.2 Plans for subdivisions within municipalities which have not legally adopted a subdivision and land development ordinance shall be submitted to and approved by the Board before they are recorded.

103.3 Where a subdivision or land development has been laid out and recorded prior to the effective date of this Ordinance September 5, 2019 such subdivision or development of land shall be exempt from the requirements of this Ordinance. Further, where any subdivision plan has been referenced in a deed recorded prior to the effective date of this Ordinance, such subdivisions shall also be exempt. Burial plots in cemeteries and wills probated prior to the effective date of this Ordinance are exempt from said Ordinance.

104 – COMPLIANCE: No subdivision or land development or any lot, tract, or parcel or land shall be made, no street, sanitary sewer, storm sewer, water main, or other improvements in connection therewith shall be laid out, constructed, opened or dedicated for Public use and travel, or the common use of occupants of building abutting thereon, except in accordance with the provisions of this Ordinance. No lot in a subdivision or land development may be sold, no permit to erect any building in a subdivision or land development may be issued, unless and until a plan of such subdivision or land development shall have been approved and properly recorded, and until the improvements required by this Ordinance in connection therewith shall have been constructed or guaranteed as herein provided. It shall not be lawful to receive or record any plan required to be approved or reviewed by the Forest County Conservation District and Planning Board in any public office, unless the same shall bear thereon by endorsement or

otherwise the approval of the Board. The disapproval of any such plan by the Board shall be deemed a refusal of the privilege to record said plan.

104.1 Exclusions the Pennsylvania Municipalities Planning Code permits municipalities to exclude the following developments from being enforced as a land development. The County thus deems the following form of development as not subject to this ordinance.

A. The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building, provide that said accessory building is either:

1. A part of an agricultural operation as defined by the Pa. Municipalities Planning Code.
2. Accessory to a single family dwelling as defined.
3. Incidental and accessory Improvements to a nonresidential building, or multiple family dwelling, provided such improvement is less than One Thousand (1,000) square feet gross floor area or new impervious surfaces, and located at least ten feet from a lot line or such setback as may be required by local municipal codes and ordinances.

B. Division or allocation of space within an existing single family dwelling, as defined, to create a second dwelling unit, provided that such division or allocation of space involves no expansion of floor area beyond 104.1 A. 3, and the project complies with any local zoning requirements, and municipally approved sewer service.

C. Subdivision by lease of land for agricultural purposes (including forestry and silvicultural) into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling.

D. An accessory mobilehome to a single family dwelling if the project complies with any local zoning requirements, and municipally approved sewer service.

E. Mineral Excavation not involving a permanent nonresidential building.

F. Lot Consolidation as defined herein.

105 – MODIFICATIONS:

105.1: The Board may grant a modification of the requirements of one (1) or more provisions of this Ordinance if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, or that an alternative standard can be demonstrated to provide equal or better results. Modification will be considered with the scope that such modification will not be contrary to the public interest and that the purpose and intent of this Ordinance are observed.

105.2: All requests for a modification shall be in writing and shall accompany and be a part of the application for development, including any fee as set by the County through resolution. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the Ordinance involved and the minimum modification necessary.

105.3: The Board shall keep a written record of all action on all requests for modification.

105.4: The Board may approve, or deny, the request for modification. If the Board approves the request for modification, it shall authorize the minimum modification from this Ordinance that will afford relief.

106 – AMENDMENT: This ordinance as set forth herein may be amended, altered or revised by the Board of County Commissioners from time to time after a public hearing is held pursuant to public notice. In case of an amendment other than that prepared by the Forest County Conservation District & Planning Board, the Board of County Commissioners shall submit each such amendment to the Forest County

Conservation District & Planning Board for recommendations at least thirty (30) days prior to the date of the public hearing.

107 – CONFLICT: Whenever there is a difference between the minimum standards or dimensions specified herein and those contained in other regulations, resolutions or ordinances of the local municipality of Forest County, the more stringent standards shall govern; except that in municipalities having officially adopted local subdivision or zoning regulations, the provisions of such local -municipal regulations shall prevail.

108 – SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect its validity as a whole or of any other provision thereof.

109 – APPEALS: Any person aggrieved by the decision, of the Board, relative to this Ordinance can appeal same in accordance with the provisions of the Pennsylvania Municipalities Planning Code.

110 – PREVENTATIVE REMEDIES:

A. In addition to other remedies, the County may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

B. The County may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Ordinance of Forest County. This authority to deny such a permit or approval shall apply to any of the following applications:

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

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

110.1 – ENFORCEMENT REMEDIES:

A. Any person, partnership or corporation who or which has violated the provisions of this Subdivision and Land Development Ordinance enacted under the Pennsylvania Municipalities Planning Code or prior enabling laws shall, upon being found liable therefore in a civil enforcement proceeding commenced by Forest County, pay a Judgment of not more than five hundred dollars (\$500), plus all court costs, including reasonable attorney fees incurred by Forest County as a result thereof. No

judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the County may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth (5th) 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.

B. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

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

D. In addition, the County may institute injunctive, mandamus, or any other appropriate action or proceeding at law or in equity for the enforcement of this Ordinance. Any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, mandamus, or other appropriate forms of remedy or relief

111 – EFFECTIVE DATE: This Ordinance shall become effective September 5, 2019 and shall remain in effect until modified or rescinded by the Board of Forest County Commissioners. This ordinance amends and supersedes the Subdivision Ordinance of April 4, 1985, and the amended Subdivision and Land Development Ordinance of January 13 2000, except as specifically stated by Section 103.3

112 – FEE: The fees for filing and review of a subdivision and land development plan shall be established by resolution of the Board of Forest County Commissioners.

113 – COPIES: Copies of the Forest County Subdivision and Land Development Ordinance shall be made available to the general public at a fee adequate to compensate the County for the costs of reproduction.

Article 2 Definitions

The following words or phrases, when used in this Ordinance, shall have the meanings given to them in this Article unless the context or Pennsylvania Municipalities Planning Code, Act 247, as amended, indicates otherwise. Unless otherwise expressly stated, the following terms shall, for the purpose of this Ordinance, have the meaning indicated. Words in the singular include the plural, and words in the plural include the singular. The word "person" includes an individual or any other legal entity including a corporation, unincorporated association and a partnership. The words "shall" and "will" are mandatory; the word "may" is permissive. An "agency" shall be construed to include its successors or assigns.

"Building", shall include "structure" and "structure" shall include "building", except where specified otherwise words not defined in this ordinance, any local Zoning Ordinance, or the Pennsylvania Municipalities Planning Code shall have meanings as in a standard American dictionary. All definitions in the Forest County Stormwater Management Ordinance (As amended) are incorporated herein by reference.

SECTION 201: DEFINITIONS

Acre: A land area of 43,560 square feet.

Abut: A lot that shares a property line with another when only divided by an intervening street easement, private right of way, or navigable stream right of way.

Adjoin: A lot line that shares a property line with another and has no intervening street or alley right of way.

Agriculture: The production, keeping or maintenance, for sale, lease, or personal use, of plants and animals useful to man, including but not limited to: forages and sod crops, grains and seed crops, dairy animals and dairy products, poultry and poultry products, livestock, including (but not limited to) beef cattle, sheep, swine, horses, ponies, mules, goats, or any mutations or hybrids thereof, including the breeding and grazing of any or all of such animals, bees and apiary products, fur animals, fruits of all kinds, or vegetables.

Agricultural Building: any building used exclusively for the purposes of agriculture.

Applicant: A landowner or developer, hereinafter defined, who has filed an application for a subdivision or land development including his/her successors and assigns.

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

Arterial Street: A public Road or street for vehicular travel; maintained and owned by the Commonwealth of Pennsylvania, Department of Transportation.

Average Daily Trips (ADT): The average number of vehicular trips generated by a land use over a twenty-four (24) hour period during the week.

Board: The Planning Commission portion of the Forest County Planning Agency.

Buffer- A strip of land which is planted and maintained in shrubs, bushes, trees, grass or other landscaping material and within which no structure is permitted except a wall or fence. The purpose of a buffer is to place additional horizontal space between potentially conflicting land uses.

Building: Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any person, animal, process or activity, equipment, goods, or materials of any kind.

Building, Principal: A building in which is conducted the principal use of the lot on which it is located.

Building, Accessory: A detached, subordinate building, the use of which is customarily incidental and subordinate to that of the principal building, and which is located on the same lot as that occupied by the principal building. The definition of "accessory building" shall include accessory structure. In the case of a single family dwelling, only one (1) additional dwelling on a lot shall be considered an accessory building.

Commission: The words Commission or Planning Commission shall mean the Forest County Planning Agency Board unless otherwise clearly stated.

Contour: An imaginary line on the surface of the earth connecting all points of equal height above some reference plane, usually sea level.

Dedication: An act transmitting property or interest thereto.

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

Development: Any man-made change to improved or unimproved real estate, including but not limited to, construction or improvements to buildings or other structures, the placement of mobile homes, streets, and other paving, utilities, storm sewers, drains, improvements to water courses, sidewalks, street signs, crosswalks, shade trees, seeding, sodding, monuments or other property markers, water supply facilities, and sewage facilities; filling, grading, excavation, mining, dredging, or drilling operations, or change of use as regulated by the Uniform Construction Code, when conducted within the context of subdivision or land development activities, as defined by the Pennsylvania Municipalities Planning Code.

Dwelling - a building arranged, intended, designed or used as the living quarters for one (1) or more families living independently of each other upon the premises. The term "dwelling" shall not be deemed to include "hotel," or "motel, licensed nursing or assisted living facilities, or transitional housing for persons adjudicated by a competent court for criminal offenses or otherwise requiring supervision to prevent a danger to public health and safety."

- (a) Single-family dwelling - a building containing only one (1) dwelling unit.
- (b) Multi-family dwelling - a building containing two (2) or more dwelling units, including apartment houses, townhouses, flats, and garden apartments.
- (c) Detached dwelling - a dwelling with yards on all four (4) sides.

Dwelling Unit - a building or portion thereof containing one (1) or more rooms for living purposes together with separate and exclusive cooking and sanitary facilities, accessible from the outdoors either directly or through an entrance hall shared with other dwelling units, and used or intended to be used by one (1) family.

Earth Disturbance Activity - A construction or other human activity which disturbs the surface of the land, including, but not limited to, clearing and grubbing, grading, excavations, embankments, road maintenance, building construction and the moving, depositing, stockpiling, or storing of soil, rock or earth materials.

Equivalent Dwelling Unit (EDU): A term used in planning for water and/or sewer facilities to estimate the water used or generated by a particular use. An EDU in Forest County shall be based upon calculations included in applicable township ordinances or as provided by Chapter 73.17 of the Pennsylvania Code (Sewage flows).

Escrow: A financial guarantee permitted under Section 509 of the Planning Code.

Executive Director A staff person of the Forest County Planning Agency appointed by the County to accept and review applications, and approve minor subdivision and land developments.

Family - an individual, or two (2) or more persons related by blood, marriage, adoption or foster child care, including domestic servants or gratuitous guests, thereof, or a group of not more than four (4) unrelated persons living together without supervision in a dwelling unit; or, any number of persons protected by the provisions of the Fair Housing Act (42 U.S.C. 3601 et. seq., as now or hereafter amended) living together in a Group Residence with supervision, provided those persons do not have a criminal record. Family shall not include persons living together in a Halfway House, Assisted Living Facility, or Nursing Home, as defined herein, or any other supervised group living arrangement for persons other than those protected by the Fair Housing Act, or persons who constitute a direct threat to others or their physical property. Such arrangements shall be considered major or minor land developments as applicable.

Final Approval: The official action of the Planning Agency taken on a minor subdivision or a preliminarily approved major subdivision or land development plan after all conditions, engineering plans and other requirements have been completed or fulfilled and the required improvements have been installed or guarantees properly posed for their completion or approval conditioned upon the posting of such guarantee.

Final Plan: The final map of all or a portion of a subdivision or land development plan that is presented for final approval, and official recording as required by statute.

Forestry: the management of forests and timber lands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development (MPC)

Gross Floor Area: The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

Improvements: Physical changes to the land, including, but not limited to grading, paving, conversion or change of land or building 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 and construction or placement of buildings..

Individual On-lot Sewage Disposal System: A septic tank, seepage tile sewage disposal system, or any other sewage treatment device serving a single unit and approved by the Department of Environment Protection and the municipal Sewage Enforcement Officer.

Landowner: The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee, if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land. *(MPC)*

Land Development: As defined by the MPC subsection 107, is any of the following activities:
The improvement of one (1) lot or two (2) or more contiguous lots, tracts, or parcels of land for any purpose involving:

A subdivision of land (provided that, for the purpose of this Ordinance, the regulations governing subdivisions are separate from those governing other types of land development).

A group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots regardless of the number of occupants or tenure; or

The division or allocation of land or space, whether initially or cumulatively, between or among two (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.

Development in accordance with Section 503 (1.1) of the MPC.

Lane A private access street for limited traffic, including driveway shared by two or more lots.

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. *(MPC)*

Lot, Area: The area contained within the lot lines of the individual parcels of land as shown on a subdivision plan, excluding the area within the street right-of-way (unless an existing deed shows that land is owned to the centerline), but including any easements, expressed in terms of acres or square feet.

Lot, Corner: a lot at the point of intersection of and abutting on two (2) or more intersecting streets.

Lot, Flag- A lot which has a narrow strip connecting the lot to a public road in order to provide owned access to the main part of the lot. No structure may be placed within the access strip except for driveways, vehicle parking, fencing or a lawful sign.

Lot, Line: any line dividing a lot from another lot or from an abutting street or other right-of-way.

Lot Consolidation: The act of eliminating an existing subdivision by combining lots or parcels of land into one (1) deed describing the entire tract as one (1) lot or parcel. Lot Consolidations shall not require a subdivision plan, provided that no revised or new lot is created. Consolidation must completely absorb all lots which are part of the affected tracts.

Major Land Development: New development, construction, reconstruction, alteration, or improvement exceeding 5,000 square feet of land disturbance performed on sites where existing land use is commercial, industrial, institutional, or multifamily residential.

Major Subdivision: Creation of more than Ten (10) lots; or any subdivision requiring a new public or private street, public water or sewer extension, or stormwater management plan.

Minerals: any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, lime stone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas. (MPC)

Mineral Excavation: The excavation or extraction of any earth products of natural mineral deposit, except where such excavation is for purposes of grading for a building lot or roadway.

Minor Land Development: New development construction, reconstruction, alteration, or improvement of at least 1,000 but less than 5,000 square feet land disturbance performed on sites where existing land use is commercial, industrial, institutional, or multifamily residential.

Minor Subdivision: Creation of no more than Ten (10) lots, including residual, when not requiring new public streets or public water or sewer extension

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 integral unit capable of again being separated for repeated towing, that 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. (MPC)

Mobile Home Lot: A parcel or leased area 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. (MPC)

Mobile Home Park: The land development of a parcel or contiguous parcels of land that have been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes. (MPC) However, the addition of one (1) additional mobilehome upon a lot also occupied by a mobilehome shall not be regarded as a mobilehome park, but an accessory structure, when all of the following apply:

1. One of the two mobilehomes is occupied by the owner of the property upon which the unit is placed.

2. The additional unit is installed in conformity to the Pennsylvania Uniform Construction Code.
3. The installation is approved by the Sewage enforcement officer.
4. The installation meets all Township or Borough codes

MPC: The Pennsylvania Municipalities Planning Code, Act 247 of 1968, as subsequently re-enacted and amended.

Multi-Family Dwellings: A building that contains two (2) or more dwelling units. Such development, construction or improvement shall constitute a land development.

Municipality: The County of Forest, unless otherwise noted.

Municipal Engineer: A professional, licensed as such in the Commonwealth of Pennsylvania, selected as a professional consultant by the County of Forest, or a constituent Township/Borough.

No Mow Area An area intended for return to native forest or other natural landscape through natural succession, accomplished by planting or otherwise encouraging the natural establishment of wild plants.

Non-building Lot: A lot not intended for construction and subject to a permissible non-building waiver under Pa Department of Environmental Protection Sewage Facilities Planning Regulations.

Off-Site: Located outside the lot lines of the lot in question but within the property (of which the lot is a part) that is the subject of a development application, or on a contiguous portion of a street or right-of-way.

On-Lot: Located on the property that is the subject of a development application or on a contiguous portion of a street or right-of-way.

On-Site: Located on the lot in question, or immediately adjacent to the lot. For the purposes of this ordinance, "On-Site" includes abutting public street rights of way, adjacent properties that would abut the lot in question except for intervening rights of way, and intersecting rights of way served by the lot in question, when one or more rights of way abut the lot.

Part and Parcel Transfer of land between adjacent lots where no new building lot is created, including the erasure of any lot line where fewer lots are the result. Part and Parcel Subdivisions shall have a clear statement that the part being conveyed is not a separate building lot and shall be joined. Such statement must be signed by both grantor and grantee.

Peak Hour: The one hour of the day that has the highest number of trip ends, for a site. The one hour of the day that has the highest traffic volume counts, for a roadway segment or an intersection.

Plat: The map or plan of a subdivision or land development, whether preliminary or final (MPC).

Preliminary Approval: The conferral of certain rights prior to final approval, after specific elements of a land development plan or subdivision have been agreed upon by the Planning Agency and the applicant.

Preliminary Plan: A drawing indicating the proposed layout of a land development or subdivision and related information that is submitted for preliminary approval and meeting the requirements of this Ordinance.

Planning Agency: A planning commission, planning department, or a planning committee of the governing body (MPC). Within this ordinance, the planning agency is the Board and Staff or the Forest County Conservation District and Planning Board, acting as the County Planning Agency in conformity to the MPC.

Professional Consultants: Persons who provide expert or professional advice, including, but not limited to, architects, attorneys, certified public accountants, engineers, geologists, land surveyors, landscape architects or planners.

Public Hearing: A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with the Ordinance or the Municipalities Planning Code. *(MPC)*

Public meeting: A forum held pursuant to notice under 65 Pa. C.S. CH. 7 (Relating to open meetings). *(MPC)*

Public Notice: Notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing. *(MPC)*

Public Open Space: An open space area conveyed or otherwise dedicated to the local municipality, municipal agency, board of education, state or county agency, conservancy, or other public body for recreational or conservational uses.

Recreational Cabin- a structure where all of the following apply:

- (i) The cabin is utilized principally for recreational activity.
- (ii) The cabin is not utilized as a domicile or residence for any individual for any time period.
- (iii) The cabin is not utilized for commercial purposes.
- (iv) The cabin is not greater than two stories in height, excluding basement.
- (v) The cabin is not utilized by the owner or any other person as a place of employment.
- (vi) The cabin is not a mailing address for bills and correspondence.
- (vii) The cabin is not listed as an individual's place of residence on a tax return, driver's license, car registration or voter registration.

Recreational Vehicle: A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel uses that either has its own drive power or is mounted or drawn by another vehicle. The basic types are: travel trailer, camping trailer, truck camper and motor home. Recreational vehicles licensed and/or inspected for travel on the highways of the commonwealth, and stored in compliance with all local codes shall not be regarded as structures.

Recreational Development: A land development of plots of land upon which two (2) or more recreational vehicle sites, recreational cabins, or tent camping sites are located, established, or maintained for occupancy by the general public, or groups of persons greater than one family, as temporary living quarters for recreation or vacation purposes.

Residual: A tract of land from which new lots are created, but which is not intended for conveyance, except as a non-building lot.

Screen or screening - An arrangement of vegetative material, purpose built earthen mound, or opaque architectural materials (such as a fence) of sufficient height and density to conceal from view of adjoining or adjacent property owners the structures and uses on the premises on which the screen planting or material is located. The purpose of screening is to place a vertical visual barrier between potentially conflicting land uses.

Sewage Enforcement Officer (SEO): An official of a local municipality who issues permits for on-lot sewage systems under the provisions of the Pennsylvania Sewage Facilities Act.

Setback: The distance between the street right-of-way line and the front line of a building or any projection thereof, excluding uncovered steps.

Silviculture: The art and science of controlling the establishment, growth, composition health and quality of forests and woodlands to meet the diverse needs and values of landowners and society on a sustainable basis.

Site Plan: An accurately scaled land development plan that illustrates the existing conditions on a land parcel as well as depicting details of a proposed land development.

Sketch Plan: A rough drawing of a proposed subdivision plan or land development of sufficient accuracy as to be used for the purpose of discussion and applicability of this Ordinance.

Street: includes Street, avenue, boulevard, road, highway, freeway, parkway, alley, viaduct, stub street and any other way used or intended to be used by vehicular traffic or pedestrians, whether public or private. (MPC)

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

Subdivision: A specific type of land development that includes the division or re-division of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels, or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, 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

acres, not involving any new street or easement of access or any residential dwelling, will be exempted (*MPC*). The County of Forest does not regard any lease for agriculture or forestry purposes to constitute a subdivision, unless the land is being improved for development pursuant to this ordinance.

Traffic Impact Analysis: An analysis prepared by a professional engineer of traffic generated by a new or expanded development plan on roads that provide access to the development.

Trip: A single or one-way vehicle movement to or from a property or study area. “Trips” can be added together to calculate the total number of vehicles expected to enter and leave a specific land use or site over a designated period of time.

USGS: United States Geological Survey or the maps produced by that agency.

Water Supply: Water suitable for drinking or cooking purposes.

Wireless Communications Facility (WCF) Tower- Any freestanding, non-building structure that exceeds 50 feet in height from existing grade, including antennas, and is proposed to be constructed after the adoption date of this overlay district ordinance.

Yard: that portion of a lot which is occupied and open to the sky and extends from the lot line to the yard line.

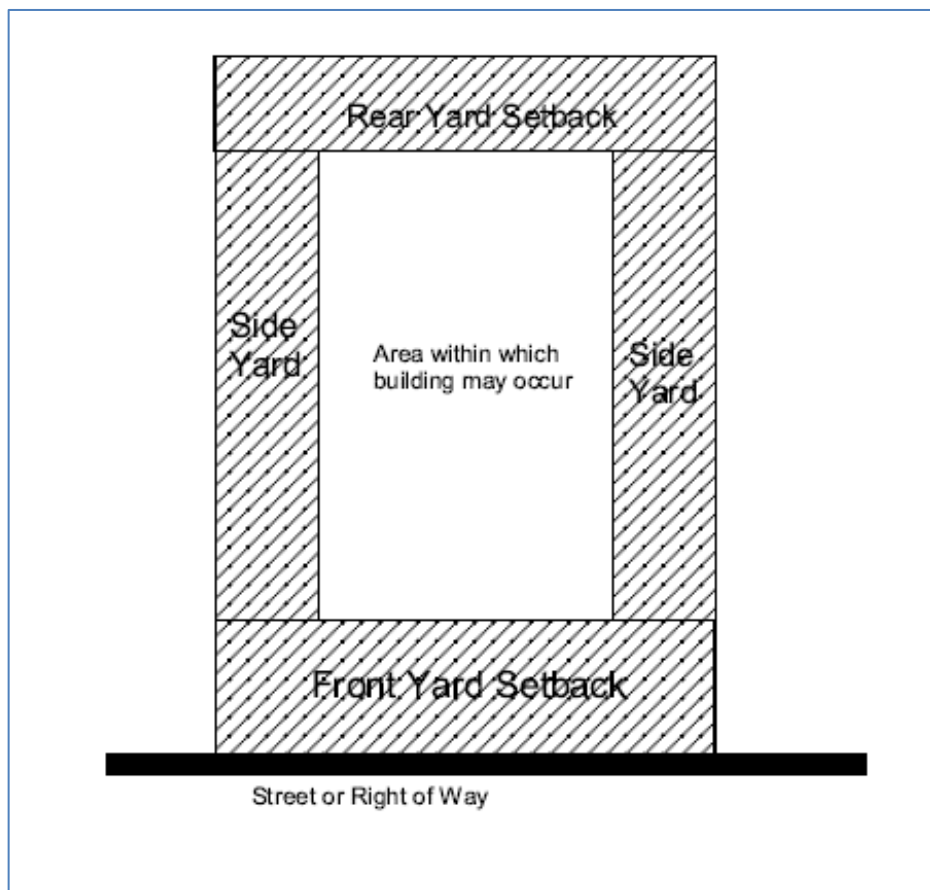


Figure 1 Yard Sketch

Yard Line: a line within a lot defining the minimum distance between any building or structure or portion thereof and an adjacent lot line. Such line shall be measured at right angles from and parallel to the corresponding lot line.

Yard, Front: a yard between an adjacent right-of-way and the building line and extending for the full width of the lot.

Yard, Rear: a yard between the rear lot line and a line drawn parallel thereto at such distance therefrom as may be specified herein for any zoning district and extending for the full width of the lot.

Yard, Side: an open yard space between the side lot line and parallel thereto extending from the front lot line to the rear lot line.

Article 3 Plan Review Procedures All Subdivision and Land Developments

301 – Introduction

Each application for subdivision or land development shall be reviewed by the executive director. The executive director or designee shall make a determination of subdivision or land development types based upon Table 301A, and inform the applicant who shall review the application for consideration.

Subdivision or Land Development Type	Definition	Approval Body
Part and Parcel	Transfer of land between adjacent lots where no new building lot is created.	Executive Director , unless modifications are required
Minor Subdivision	Creation of no more than Ten (10) lots, including residual, when not requiring new public streets or public water or sewer extension.	Executive Director , unless modifications are required
Major Subdivision	Creation of more than Ten (10) lots; or any subdivision requiring a new public or private street, public water or sewer extension, or stormwater management plan.	Planning Agency Board
Minor Land Development	New development construction, reconstruction, alteration, or improvement of at least 1,000 square feet but less than 5,000 square feet land disturbance performed on sites where existing land use is commercial, industrial, institutional, or multifamily residential	Executive Director , unless modifications are required
Major Land Development	New development, construction, reconstruction, alteration, or improvement exceeding 5,000 square feet of land disturbance performed on sites where existing land use is commercial, industrial, institutional, or multifamily residential.	Planning Agency Board
Mobilehome Park	A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobilehome lots for the placement thereon of mobilehomes (see exception under Section 600)	Planning Agency Board
Recreational Development	A land development of plots of land upon which two (2) or more recreational vehicle sites, recreational cabins or tent camping sites are located, established, or maintained for occupancy by the general public, or groups of persons greater than one family, as temporary living quarters for recreation or vacation purposes.	Planning Agency Board

302 – Sketch Plan Pre-Submissions

A sketch plan/pre-submission conference is not required. However, it is highly recommended. The purpose is to acquaint the developer with the requirements of this Ordinance and to avoid unneeded processing or incorrectly prepared plats. This step is also recommended for minor subdivisions though the developer or the developer's surveyor should understand the requirements of this Ordinance. Though no

set format is required, such plans should be adequate to show the primary elements of the proposed development.

303 – Preliminary Plans and Final Plans

Preliminary plans are required of all major subdivisions, mobile home parks, recreational developments and major land developments. Part and parcel or Minor subdivision and land developments may submit a combined preliminary/final plan document. A combined application for major subdivision and land developments may be requested by modification during a pre-submittal meeting or sketch plan submission before the entire Board.

For land developments involving non-residential buildings or multifamily dwellings, the preliminary and final application and plan submittal may be combined if the applicant follows alternative procedures for Traditional Neighborhood Development pursuant to Article 10 by submitting a sketch plan and unedifying site context and design guidelines techniques proposed.

Mobilehome Parks, subdivisions not involving land development, and recreational developments must submit plans and gain a preliminary approval prior to submitting a final plan.

304 – Time of Submission

For Major Subdivision and Land Developments All plans must be submitted at least fifteen (15) calendar days prior to the meeting of the Board. The developer is strongly encouraged to attend the Planning Commission meeting at which time the application is to be considered. Non-attendance could result in time delays.

For Minor Subdivision and Land Developments, submission may be at any time, during regular business hours.

305 – Number of Copies/Other Information

For Major Subdivision and Land Developments, At least Twelve (12) copies of the plan with all required exhibits and completed applications must be submitted. As an alternative, the developer may submit four (4) full sized copies and Nine (9) reduced size copies (11X17 inch format), or four (4) full size print copies and an electronic PDF file.

For Minor Subdivision and Land Developments, Six (6) full size print copies and an electronic PDF file are required.

306 – Application

All plans, exhibits, applications and correspondence shall be directed to the Executive Director of the planning agency. The Executive Director is also responsible for all communications to the developer, including notices of approval, disapproval, and conditional approval. The Executive Director may designate a subdivision administrator or other assistant to these duties as necessary.

307 – Receipt

The Executive Director shall receive submissions, provided the required submission includes the appropriate number of plan copies, all fees are paid, and the plan is submitted at least fourteen days before the planning commission meeting. Within Five (5) business days of receipt, planning agency, shall review the application to determine if all required information is complete. If the application is incomplete, the agent shall notify the applicant in writing within one (1) day of that decision. In this case, specific completion deficiencies shall be specifically identified. The application shall not be considered complete for purposes of review until all deficiencies of information are provided. If the submission is complete, the administrator shall notify the applicant and provide a receipt of completion upon the applicant's request

308 – Time

After receipt of an administratively complete submission, (including proper number of paper and PDF copies, a complete application, and all fees paid). Review and approval shall be as follows:

- A. For Minor Subdivision and Minor Land Developments the planning agency staff shall approve, disapprove or conditionally approve the submission within ninety (90) days of a determination that the application is administratively complete and all fees are paid or within such time periods as permitted by the Pennsylvania Municipalities Planning code, (whichever is greater).
- B. For Major Subdivision and Land Developments, the Planning Agency Board shall approve, disapprove or conditionally approve the submission within ninety (90) days of the first meeting after determination that the submission is complete, or within such time periods as permitted by the Pennsylvania Municipalities Planning code, (whichever is greater).

309 – Processing

All plans, whether preliminary or final, will be processed as follows:

- A. For Major Subdivision and Land Developments Nine copies or PDF files shall be sent to the Board. The Board shall review the plans for compliance with this Ordinance, any other pertinent regulations, and make a decision.
- B. Two (2) copies shall be retained to record approval, disapproval or conditional approval upon, of which one (1) copy shall be returned to the developer.
- C. A copy shall be sent to a professional consultant if necessary.
- D. For Major Subdivisions and Land Developments, the Planning Agency may hold a public hearing on any application within its statutory review period. .

310 – Approval, Disapproval or Conditional Approval

Upon Review, the Planning Agency shall:

- A. Approve the application as submitted.

- B. Disapprove the application as submitted. If the application is disapproved, the Agency shall cite the deficiencies of the application and identify appropriate sections of this Ordinance or another applicable ordinance that the application or plat did not comply with.
- C. Conditional Approval: The Agency may grant the application a conditional approval. If so, it shall specify the defects found in the application and those sections of this Ordinance or law involved, as appropriate, and what other conditions must be met for approval. These conditions shall be forwarded to the applicant and must be accepted by the applicant, in writing, within fifteen (15) days of notice thereof. If not accepted in writing, or if rejected, the conditional approval shall be rescinded and the development disapproved.
- D. Notice of Action: The Executive Director shall notify the applicant, in writing, by first class mail, of the decision of the Agency within fifteen (15) days of the decision.

311 – Recording of Plan

- A. It is the preference of the County to record plans as a service to applicants. Upon approval of the final plan, the plan shall be recorded by the Executive Director (or by the developer if they request to do so) with the Forest County Recorder of Deeds. Should the developer request to record the plan, and fail to do so within this 90-day period, the approval shall be considered null and void. The final plan must be recorded before proceeding with the sale of lots or construction.
- B. Conditions precedent to Recording: To implement the Forest County Comprehensive Plan, which identified deteriorating properties as a major concern, and to prevent the further devaluation of such properties; no plan will be accepted for recording unless all delinquent property taxes from previous tax years to all taxing jurisdictions (County, School District, and Township or Borough) are paid in full. Upon final plan approval, applicants will be given the opportunity to accept or reject the payment of delinquent taxes as a condition of approval as provided by 503 1.1 (9) of the Pa Municipalities Planning Code. The recording period may be delayed upon the applicant's written request, in order to provide sufficient time to satisfy the requirement.

312 – Fees and Processes subject to Pa Municipalities Planning Code

- A. All processes and procedures shall follow the Pennsylvania Municipalities Planning Code where not explicitly stated.
- B. Fees for the review and processing of subdivision and land development plans will be charged at the time of application in accordance with the County fee resolution. The County may amend these fees from time to time by successive resolution. Fees charged for professional consultants shall be consistent with Section 503(1) of the Planning Code.

313 – Plan Preparations

All subdivisions and major land developments must be prepared by a registered professional with appropriate certifications to practice in Pennsylvania. A minor land development that meets all qualifications of a small project under Section 301 of Ordinance 1 of 2015, may be prepared by any qualified individual. Anyone not a registered professional shall submit a request for modification of this requirement simultaneous to the application. The County reserves the right to refuse modifications in cases where the application and plat does not make a decision possible.

Article 4 Plan Requirements for Part and Parcel, Minor Subdivisions and Minor Land Developments

401 – Introduction

This Article details the information that must be included on plans submitted to the when the application qualifies as a part and parcel, minor subdivision or minor land developments, as defined by Article 3.

402 – Part and Parcel and Minor Subdivision

Plans shall contain the following information, as detailed in Table 402A

Table 402A Plan Content Requirements for Part and Parcel and Minor Subdivisions

Item	Complete, Incomplete, or Not Applicable	Acceptable/Unacceptable (For Review/Approval Use)
Proposed subdivision name or identifying title and date		
North point, scale, 911 address		
A title/certificate block, containing the following:		
<ul style="list-style-type: none"> Name and address of owner of property and acknowledgement of subdivision 		
<ul style="list-style-type: none"> Name and seal of Registered Land Surveyor responsible for the plan 		
<ul style="list-style-type: none"> Certificate of review and approval by the Forest County Planning Commission and Conservation District 		
Tract boundaries with bearings and distances and total acreage being subdivided (Bearings and distances are <u>not required</u> for undeveloped residual subject to non-building waivers or; in the case of part and parcel, conveying parcels 5 acres and over)		
Zoning districts, and any similar local or private restrictions or compliance with Table 603A as applicable to the proposed development		
All proposed lots with size, setbacks, and dimensional standards		
Existing or proposed (if known) buildings , and improvements including but not limited to: on lot sewage facilities or sewage conveyance lines and water supply wells		
All existing streets on or adjacent to the tract, including name, right-of-way width, and pavement width		
The names of owners and County Assessment Parcel Numbers and deed references of all abutting land and the names of all abutting subdivisions		

Item	Complete, Incomplete, or Not Applicable	Acceptable/Unacceptable (For Review/Approval Use)
A map for the purpose of locating the site to be subdivided at a scale, at a scale sufficient to showing the location of the property and its relationship to adjoining properties		
Location of all Stormwater BMPs (if applicable)		
Location of all permanent monuments and markers		
A statement that the proposal does not adversely affect the development of the remainder of the parcel or future development of the community.		
Section 420 Notice – PennDOT Highway Occupancy Permit information (if accessing state highway)		

403 – Plan Preparation Minor for Land Developments: Pursuant to Section 215, a development which qualifies as a minor land development may be prepared by any qualified individual. However, the applicant shall graphically illustrate all building and proposed impervious surface locations, and locations and all relevant information required by Section 302 of the Forest County Stormwater management ordinance. Note that single family dwellings and camps are not considered land developments but remain subject to the Forest County Stormwater Management Ordinance.

404 – Minor Land Development Plan Content Requirements All Minor Land Development Plans shall contain the following information, as detailed in Table 404A.

Table 404A
Plan Content Requirements for Minor Land Developments

Item	Complete, Incomplete, or Not Applicable	Acceptable/Unacceptable (For Review/Approval Use)
Proposed Land Development name or identifying title and date		
North point, scale, 911 address		
A title/certificate block, containing the following:		
<ul style="list-style-type: none"> Name and address of owner of property 		
<ul style="list-style-type: none"> Name of person responsible for the plan (If plan is prepared by a registered design professional, this shall include their seal) 		
<ul style="list-style-type: none"> Acknowledgement for review and approval by the Forest County Planning Commission and Conservation District 		
Zoning districts, and any similar local or private restrictions, including County Dimensional Standards under Table 603A as applicable		
Any existing Improvements, including any buildings, paved areas		

Item	Complete, Incomplete, or Not Applicable	Acceptable/Unacceptable (For Review/Approval Use)
Proposed development, including new or expanded buildings, parking, driveways and stormwater BMP's		
All existing perennial streams (if named on USGS maps) lakes or ponds, and floodplains,		
All existing property lines, easements and rights-of-way, and the purpose for which the easements or rights-of-way have been established		
All existing streets on or adjacent to the tract, including name, right-of-way width, and pavement width		
The names of owners, County Assessment Parcel Numbers and deed references of all abutting land		
Identify any areas where non-agricultural earth disturbance will occur, including estimated acreage of disturbance		
A map for the purpose of locating the site to be developed including streets, roads, and municipal boundaries.		
Location and type of all Stormwater BMPs		
Section 420 Notice – PennDOT Highway Occupancy Permit information (if accessing state highway)		

Article 5 Plan Requirements for Major Subdivisions

This Article details the information that must be included on plans submitted to the County for subdivision which qualify as major as defined by Article 3. .

501 – Sketch Plan

Sketch plans should be legibly drawn on a Forest County Tax Map, United States Geological Survey topographic map or a property line map.

- A. Sketch plans should include:
1. Proposed development and land uses
 2. Proposed public and private improvements

502 – Preliminary Plan/Final Plan

Scale: The Preliminary Plan shall be at a scale between twenty feet (20') and one hundred feet (100') to the inch or at the largest practical scale. The Executive Director may require alternative scales when the alternative will result in greater clarity of information.

A. 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 may 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. Plan Information: All plans shall show or be accompanied by the following information as detailed in Table 503:

Table 503

Plan Content Requirements for Major Subdivisions

Item	Complete, Incomplete, or Not Applicable	Acceptable/Unacceptable (For Review/Approval Use)
Proposed subdivision name or identifying title and date		
North point, scale, 911 address		
A title/certificate block, containing the following:		
<ul style="list-style-type: none">• Name and address of owner of property and acknowledgement of subdivision		
<ul style="list-style-type: none">• Name and seal of Registered Land Surveyor responsible for the plan		
<ul style="list-style-type: none">• Certificate of review and approval by the Forest County Planning Commission and Conservation District		
Tract boundaries with bearings and distances and total acreage being subdivided (Bearings and distances are not required for undeveloped residual subject to non-building waivers)		
Zoning districts, and any similar local or private restrictions or compliance with Table 603A as applicable to the proposed development		
All proposed lots with size, setbacks, and dimensional standards		
Contours at minimum vertical intervals of 20 feet. (Major Subdivisions only)		
All existing perennial streams (if named on USGS maps) , lakes or ponds, floodways, floodplains, identified wetlands and other environmentally sensitive areas (including any abutting agricultural security areas)		
All existing property lines, easements and rights-of-way, and the purpose for which the		

Item	Complete, Incomplete, or Not Applicable	Acceptable/Unacceptable (For Review/Approval Use)
easements or rights-of-way have been established		
Existing or proposed buildings, and improvements (if known) including but not limited to: on lot sewage facilities or sewage conveyance lines, water supply, culverts, fire hydrants and other significant man-made features.		
All existing streets on or adjacent to the tract, including name, right-of-way width, and pavement width		
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		
The names of owners, County Assessment Parcel Numbers and deed references of all abutting land and the names of all abutting subdivisions		
Identify any areas where non-agricultural earth disturbance will occur, including estimated acreage of disturbance		
A map for the purpose of locating the site to be subdivided at a scale, at a minimum scale of 2,000 feet to the inch, showing the relation of the property to adjoining property and to all streets, roads, and municipal boundaries existing within 1,000 feet of any part of the property proposed to be subdivided. For minor subdivisions, the location map need only be a depiction of the development's location showing existing 911 named roads.		
Location of any proposed access points or driveways to existing roads or streets (if applicable)		
Location of all Stormwater BMPs (if applicable)		
Location of all permanent monuments and markers (final plan only)		
Section 420 Notice – PennDOT Highway Occupancy Permit information (if accessing state highway)		

- C. The preliminary plan shall include therein or be accompanied by:
- A. All required permits and related documentation from the Pennsylvania Department of Environmental Protection (PA DEP) and any other Commonwealth agency, Township/ Borough where any alteration or relocation of a stream or watercourse is proposed.
 - B. Documentation indicating that all affected adjacent municipalities, PA DEP, the Department of Community and Economic Development, and the Federal Insurance Administrator (flood insurance), have been notified whenever any alteration or relocation of a stream or watercourse is proposed.
 - C. Copies of the proposed deed restrictions, or private covenants, if any, shall be attached to the preliminary plan.
 - D. Proposed cross-sections, profiles and details of any new proposed streets, sewer or waterlines, storm sewer facilities, or any other public improvement.
 - E. Where the preliminary plan covers only a part of the developer's entire abutting holdings, a statement on eventual development of those lands, including a sketch plan of prospective eventual street layout shall be provided.
- D. 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; sanitary sewer and water 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, the Pennsylvania Department of Transportation, or other state or local agencies relating to sewage facilities, water obstructions, air quality, etc., as applicable.
 - 4. If public or community water or sewer is proposed, a letter from the agency providing said service that it can and will serve the proposed development.
 - 5. An approved/executed "Non-Building Waiver" from the Pennsylvania Department of Environmental Protection is required for all proposed non-building lots. A non-building declaration must be included on the plan.

504 – TRAFFIC STUDIES

A traffic study shall be required for a major subdivision which will generate one hundred (100) or more new peak directional trips to or from the site during the adjacent roadways peak hours. Peak hour shall be determined consistent with the most current edition of Trip Generation, by the Institute of Traffic Engineers. The need for a traffic study may be identified during preliminary plan approval, or the developer may choose to prepare the study prior to preliminary plan submission. Noncompliance with this Section may be regarded by the County as a basis to not approve a subdivision or land development plan. The County Engineer or other designee of the County shall approve the traffic study scope of work for completeness.

The study shall be performed by a qualified Traffic Engineer. The following represents a traffic study scope of services. The County may waive some, or add to the requirements on a case-by-case basis:

- A. Description of the proposed project in terms of land use type and magnitude.
- B. An inventory of existing conditions in the site environs (3/4 to 1 mile radius)
 - 1. Roadway network and traffic control;
 - 2. Existing traffic volumes in terms of peak hours and average daily traffic (ADT);
 - 3. Planned roadway improvements by others;
 - 4. Intersection levels of service;
 - 5. Roadway levels of service (where appropriate); and
 - 6. Other measures of roadway adequacy, i.e. lane widths, traffic signal warrants, vehicle delay studies, etc.
- C. An analysis of existing traffic conditions, including:
 - 1. Intersection levels of service;
 - 2. Roadway levels of service (where appropriate); and
 - 3. Other measures of roadway adequacy, i.e. lane widths, traffic signal warrants, vehicle delay studies. etc.
- D. Projected site - generated traffic volumes in terms of:
 - 1. Peak hours and ADT;
 - 2. Approach/departure distribution including method of determination;
 - 3. Site traffic volumes on roadways; and
 - 4. Comparison of existing zoning to proposed site generation.

- E. An analysis of future traffic conditions including:
 - 1. Future design year (development fully completed) combined volumes (site traffic plus future roadway traffic);
 - 2. Intersection levels of service;
 - 3. Roadway levels of service (where appropriate); and
 - 4. Other measures of roadway adequacy, i.e. lane widths, traffic signals warrants, vehicle delay studies, etc.
- F. A description of the recommended access plan and necessary on-site improvements to be installed by the developer, including
 - 1. Schematic plan of access and on-site circulation;
 - 2. General description of improvements required, which shall be reflected upon plans and within development agreements.

Article 6 Subdivision Design Standards and Required Improvements

601 – GENERAL REQUIREMENTS: In the layout, development, and improvement of all subdivisions, the subdivider must comply with all standards, specifications, codes, and ordinances of the municipality and of Forest County, and in addition, he shall meet, as minimums, the standards of design and principles of land subdivision, set forth in this Article. The standards and details of design herein contained are intended only as minimum requirements so that the general arrangements and layout of subdivision may be adjusted to a wide variety of circumstances. However, in the design and development of the subdivision plan, the subdivider shall use standards consistent with the site conditions so as to insure an economical, pleasant, and durable subdivision.

602 – NATURAL FEATURES AND FLOOD HAZARDS

602.1 – Flood Plain No Major subdivision of Land subject to flooding and land deemed by the, Forest County Conservation District and Planning Board or other official authority, to be uninhabitable shall be platted for residential occupancy, nor for such other uses as may involve danger to health, life, or property or aggravate the flood hazard, but such land within the area of the plan shall be set aside for such uses as shall not be endangered by periodic or occasional inundation. Development in flood prone areas shall be permitted only as provided by a Township or Borough in the rules and regulations of the National Flood Insurance Program or other State and Local flood regulations as they may be adopted and/or amended.

602.2 – Major Subdivision Design Standards To provide for sufficient light, air, access, orderly design and freedom from hydrologic, geologic or topographic hazards, all subdivisions shall be designed in conformance with this Section to determine allowable density in conformity with the intent of this section by deducting clearly non buildable areas from applying towards minimum lot size requirements. For any subdivisions which would create new residential lots, the following areas are regarded as non-buildable areas and shall not be considered in calculations of minimum lot size, density or dimensions in Table 603A.

This shall be calculated by subtracting the acreage subject to the following constraints from total acreage of the tract.

- A. All lands within the rights-of-way of planned or existing public streets or highways, or within the rights-of-way of existing or proposed overhead utility lines.
- B. All land in designated floodplain floodway.
- C. All land in designated wetlands (as determined by US Fish and Wildlife National Wetland Inventory Maps for a study conducted by the developer) or open water.
- D. All land with natural ground slopes exceeding twenty-five percent (25%)

Developers shall avoid areas of slope greater than 25 percent when possible. Where natural cover has been removed or otherwise destroyed, shall be appropriately graded and seeded within a reasonable time of such clearance activity. The phrase a “reasonable time” shall be interpreted to be within two (2) weeks during the growing season and shall be rigidly applied to construction activities in order to accomplish the intent of keeping erosion and siltation to an absolute minimum. On hillsides exceeding twenty-five percent (25%) in slope, no more than twenty percent (20%) of the slope area’s natural vegetative cover may be removed for subdivision or land development construction purposes. The County may require an increase in minimum lot size for any area subject to such steep slopes.

603 – Lots and Density

- A. Lot Standards are established to ensure adequate light and air, and sufficient room for anticipated land uses and necessary utilities and improvements. It is the responsibility of the subdivider to plan for adequate lot size, based upon anticipated future use. When the subdivision is located in a municipality having a zoning ordinance, the minimum lot frontage and area and setbacks shall be controlled by the provisions expressed therein. If there are no provisions in local regulations or ordinances regarding lot size or frontage, or if the subdivision is located in an area not controlled by other municipal or county regulations, the minimums in Table 603A shall apply.

Table 603A

Anticipated Development Type	Min. Lot Area S.F.=Square Feet	Min. Lot Width	Minimum Front Yard (Setback) All Development Types	Min Side Yard	Min Rear Yard
Single-Family Dwelling (On-Lot Sewage and Water)	1.0 acre	125 feet	Arterial Street: 40 feet from edge of Right of Way (See definition of Arterial Street) Township or Borough public roads and streets: 30 feet from edge of Right of Way	10 feet principal building,	10 feet principal building
Single-Family Dwelling (Public Water only)	15,000 square feet	100 feet		10 feet	10 feet
Single-Family Dwelling (Public Sewage and Water)	6,000 square feet	60 feet		10 feet	10 Feet
Multiple-Family Dwellings (On-Lot Sewage)	2.0 Acres plus 3,000 square feet for each dwelling unit after two.	200 feet	US Forest Service DCNR, Game Commission, and Private Roads and Streets: Fifteen (15) feet setback from the right of way of a private road or twenty (20) feet from the cartway of a private road with indeterminate Right of Way	25 feet	25 feet
Multiple-Family Dwellings (Public Sewage)	8,000 square feet per each dwelling unit proposed	150 feet		25 feet	25 feet
Other Land Development Types (Public Sewage or Water)	20,000 square feet.	100 feet		20 feet	20 feet
Other Land Development Types (On-Lot Sewage and Water)	1.5 acres	150 feet		25 feet	25 feet

- B. The size of lots above shall be increased according to the results of soil tests in all areas of the County where on-lot sewage disposal is planned. The subdivider shall consult the Pennsylvania Department of Environmental Protection and/or its local sewage enforcement officer before establishing a lot size and designing subdivision. The lot shall be large enough to provide the

absorption field as prescribed by the Department of Environmental Protection within its bounds, or provide an easement ensuring maintenance and responsibility. The approval of the Board will not be given to a subdivision where on-lot sewage disposal is to be provided, unless the size of the lots and the disposal system have been approved by the Department of Environmental Protection or the local sewage enforcement officer.

- C. Lots proposed for residential purposes must include a setback of seventy five (75) feet from the centerline of all active railroads.
- D. All lots shall front on a proposed or existing public street or approved private street or private drive meeting the requirements of this Ordinance.
- E. Lot Consolidation: where a lot is to be adjoined to an adjacent property, the notarized signatures for the owners of both the subdivided parcel and the receiving property shall be required. Such lots shall not be considered a separate lot and shall be combined into a single deed for the new lot or parcel. Revised deeds for both parcels must be provided at the time of the subdivision. The following note shall be placed on the plan: "Lot # ____ is not a separate building lot and is to be conveyed and become part of adjoining land of (name of landowner)".

- F. Corner lots shall maintain a setback from all rights of way, and may maintain side yard setbacks from other lot lines.

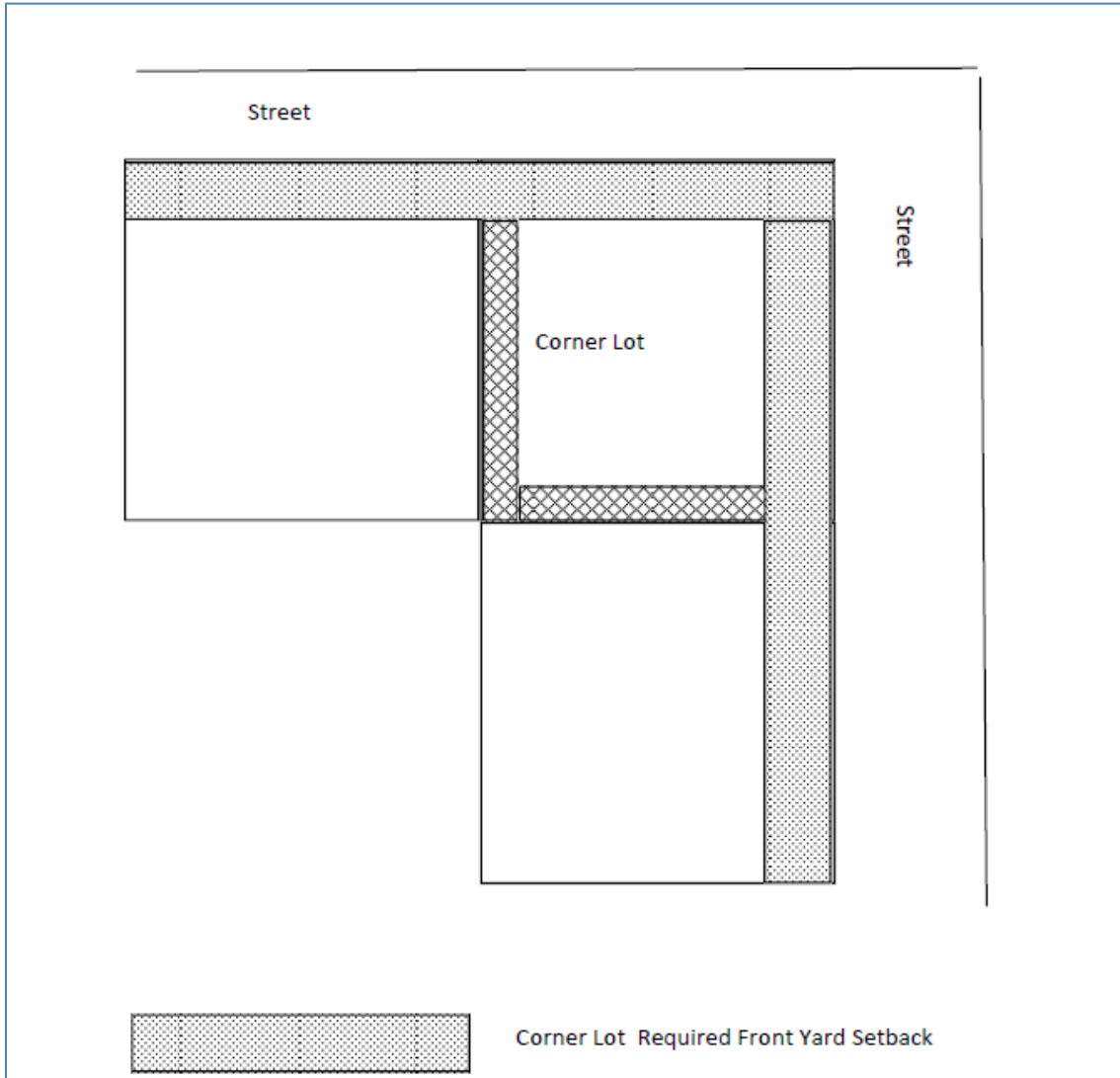


Figure 2 Corner Lot Yard Requirements

- G. Flag Lots for major subdivisions: Flag lots are permitted in limited cases where deemed necessary. However, no flag lot shall be more than twice the applicable minimum lot size unless accompanied either by restrictions to prevent future subdivision, or assurance of a right of way width sufficient for future streets. The number or ratio of flag lots to all lots (including residual) must not exceed the following:

Subdivision of six (6) or fewer lots	May have up to two (2) flag lots
Subdivision of seven (7) to fourteen (14) lots	May have up to three (3) flag lots
Subdivision of fifteen (15) or more lots	Up to fifteen percent (15%) of all lots may be flag lots

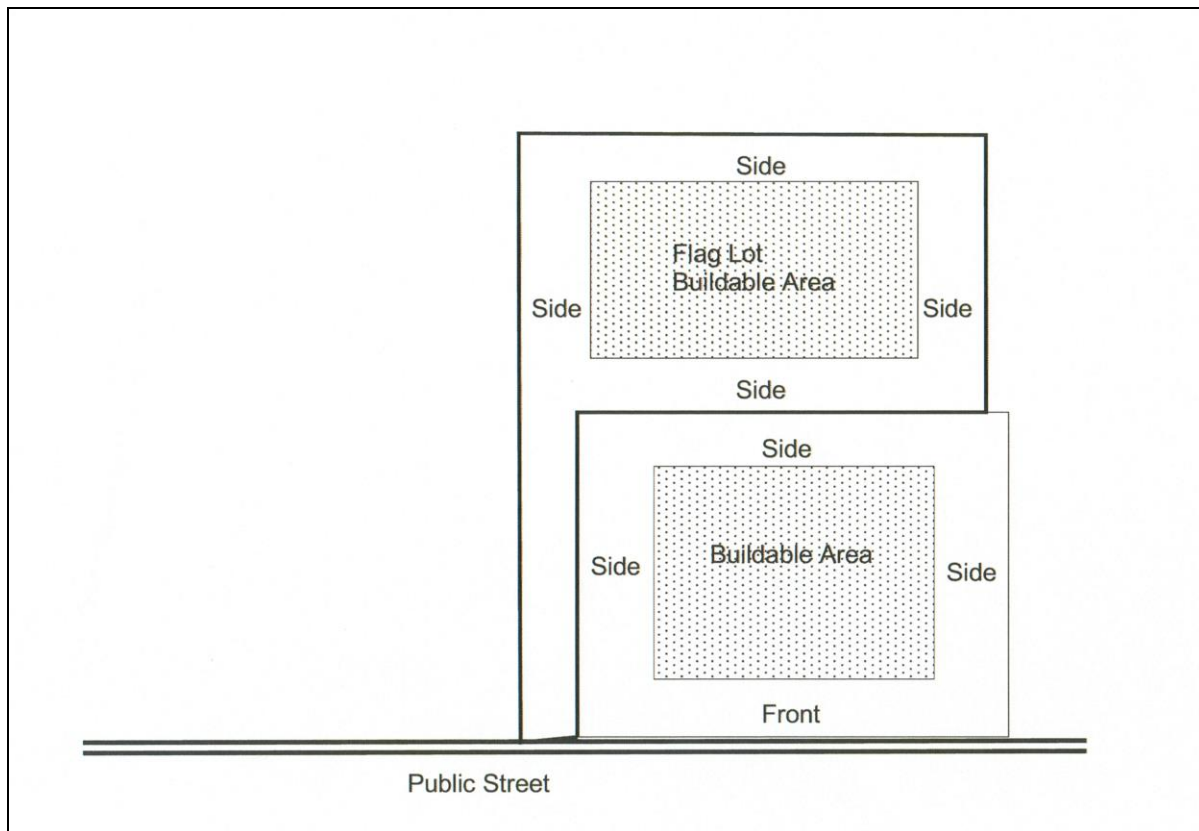


Figure 3 Flag Lot with Setbacks

- H. Depth-to-Width Ratio: The depth-to-width ratio shall not exceed 4:1 unless in the case of lots of over four (4) acres in size.
- I. Nonbuilding Waivers: The County Reserves the right to review any lot proposed for nonbuilding waiver. If the planning agency believes that the size of the lot proposed for nonbuilding waiver does not conform to the list of PADEP acceptable uses detailed in the Pennsylvania Sewage Facilities Act (35 P.S. §750) and 25 Pa. Code Chapter 71, and implementing regulations, or that it would likely result in an unusable lot, it may refuse approval.
- J. Blocks All blocks in subdivision shall have a maximum length of fourteen hundred feet (1400') and a minimum length of eight hundred feet (800') Such blocks containing individual lots shall be at least two (2) lot depths in width, except lots along a major thoroughfare which front on an interior street, Modification of the above requirements are possible in commercial and industrial developments, and where unusual physical conditions warrant longer or shorter block lengths. In large blocks with interior parks, in exceptionally long blocks, or where access to a schools or pedestrian centers is necessary, a crosswalk shall be provided
- K. Monuments and Markers For major subdivisions, permanent reference of precast concrete or a durable stone, at least thirty inches (30") by six inches(6"), with forty-five degree (45°) beveled edges, a four inch (4") iron pipe filled with concrete, or other permanent materials (such as aluminum Berntsen Magnetic Survey Markers) shall be set on at least four (4) corners of the parent parcel or upon interior corners at the discretion of the Board and/or the Subdivision Administrator. For Minor Subdivisions, two (2) permanent reference monuments at corners shall be sufficient. For Part and Parcel conveyances, no permanent reference monuments shall be required. On lot corners not monumented by permanent reference markers, corners shall be

monumented with at least a three-quarter inch (3/4") metal pin with a minimum length of thirty inches (30), permanently located in the ground and set to final grade.

604 – Easements

- A. Easements with a minimum of twenty (20) feet in width for public or community water or sewer lines shall be provided as necessary. Easements for all other utilities may be reduced to fifteen (15) feet in width.
- B. To the fullest extent possible, utility easements shall be centered or adjacent to rear or side lot lines or within road rights of way.
- C. 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 twenty (20) feet minimum width in order to preserve natural drainage. This easement shall follow the stream center line or be offset as needed to best ensure natural flow.
- D. There shall be no building or other permanent improvement located within an easement.

606 – Sewer Systems

All subdivisions or land developments shall show evidence of an adequate sewer system to serve the needs of the proposed development.

- A. On-Lot Sewage and Water Supply:
 - 1. A DEP Sewage Planning Module or appropriate waiver shall be submitted with the Preliminary Plan. The developer shall request the Sewage Enforcement Officer (or the local agency for enforcement of Pennsylvania Sewage Facilities Act) to make such tests as are necessary to determine the adequacy of the proposed facilities in relation to the proposed lot size, existing grade and soil conditions. The County shall review the findings of DEP and of any other competent Registered Professional Engineer or authority on this matter, and shall make a final determination on the adequacy of the proposed facility. In cases where subdivision involves addition of land to an existing lot(s) or new lots without intentions for future building or expansion of residential living quarters (dwelling), a DEP Sewage Planning Module is not necessary, provided a waiver is submitted.
 - 2. Where evidence indicates that the minimum lot size requirements specified in other sections of these Regulations or in any applicable zoning ordinance are not adequate to permit the installation of individual on-lot water supply and/or sewage disposal facilities, the County shall require that the developer request the local sewage enforcement agency to make such tests as are necessary to determine the adequacy of the proposed facilities in relation to the proposed lot size, existing grade and soil conditions. In all such cases, a certificate by the appropriate official of the local sewage enforcement agency indicating that the proposed facilities or DEP sewage planning module are adequate shall be a pre-requisite to final approval of the plan.

B. Community Sewer Systems:

1. All proposals for new community sewer collection or treatment systems shall be approved by the existing operating authority or agency. Proposals for new community sewer systems will be considered where they are consistent with any comprehensive plan or any Act 537 Plan. The County shall require a letter from the applicable authority or agency that it can and will serve the proposed development.
2. For areas within designated future public sewer service areas, subdivisions and land developments shall be required to connect to an existing public or community sewer system if public service is available within the following distances.

Size of Development or EDUs	Distance
2-4 lots or equivalent dwelling Units	200 Feet
5-15 lots or equivalent dwelling Units	500 Feet
15+ lots or equivalent dwelling Units	1,000 Feet

3. 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 service area lies at the higher elevation.
 - c. Inconsistency of the development with the comprehensive plan or Act 537 plan.
4. Capped Sewers: Where a Township or Borough has an adopted comprehensive plan or Act 537 Plan for the extension of an existing public sanitary sewer system or construction of a new public sanitary sewer system into an area that is being subdivided, and it is reasonably expected that the area will be served by such public system within a period of five (5) years, capped sewers shall be installed to adequately serve all lots in the proposed subdivision for later connection to the public system.
5. Location of Sewer Lines: Whenever sanitary sewers are provided they shall be located as nearly to the centerline of any street right-of-way as is reasonably possible, and all such sewer lines shall provide service connections to the property line of each and every lot, said service connections being properly capped.

607 – Water Systems

All subdivisions and land developments shall show evidence of adequate water systems to serve the needs of the proposed development.

- A. On-Lot Water Systems: New wells shall be located outside setbacks for any proposed on-lot sewer systems.

B. Community Water Systems:

1. All proposals for new community or public water systems shall be approved by the existing operating authority or agency. Evidence of the ability and willingness of the provider to serve shall be presented.
2. For areas within designated future public or community water service areas, subdivisions and land developments shall be required to connect to an existing public or community water system if public service is available within the distances required for sewer connection. Connection shall not be required per sewage connections standards if topographic changes of more than fifteen percent (15%) between the proposed development and existing service area if the service area lies at the lower elevation.

C. Design Standards for Public Water Systems: Public water systems shall meet the design criteria set forth by the applicable provider. However, in no case shall fire hydrants be placed further than six hundred (600) feet from any lot.

1. Capped Water Lines: Where a Township or Borough has an adopted comprehensive plan or public water supply plan for the extension of an existing public water system or construction of a new public water system into an area that is being subdivided, and it is reasonably expected that the area will be served by such public system within a period of five (5) years, capped water lines shall be installed to adequately serve all lots in the proposed subdivision for later connection to the public system.
2. Location of Water Lines: Whenever water lines are provided they shall be located within a street right-of-way where access for the purposes of maintenance can be done from both sides of the line when possible. All such lines shall provide service connections to the property line of each and every lot, said service connections being properly capped.

608 – Stormwater Management: Storm sewers, culverts, sumps, and related installations shall be provided to permit the unimpeded flow of natural water courses, to ensure the drainage of all low points along the lines of streets and to intercept stormwater run-off along streets at intervals reasonably related to the extent and grade of the area drained. All subdivisions and land developments applications shall comply with The Forest County Stormwater Management Ordinance. Compliance shall be as shown on the grading plan and post construction stormwater management plans as submitted and approved with the Applicant's Plan. The County reserves the right to inspect such facilities during and after construction to ensure conformity to approved plans, and to require adequate financial security for both construction and maintenance.

609 – Other Utilities All electric, telephone, television and other communication lines, both main and service connections, servicing new developments shall be provided within easements or dedicated public rights-of-way and installed in accordance with the prevailing standards and practices of the utility or other companies providing such services. Utility easements not located adjacent to street rights of way shall be at least fifteen (15) feet in width, or greater if specified by the applicable utility.

610 – STREET DESIGN STANDARDS

610.1 If a Township or Borough has adopted street standards by resolution or ordinance, standards shall be controlled by the provisions expressed therein. In the absence of a local resolution or ordinance, County standards shall be required for all subdivisions and land developments. No street shall be accepted for public dedication without a developer's agreement between the applicant, County, and/or the Township/Borough and an offer of dedication agreed to by the applicable Township or Borough. Where no explicit local standard is adopted by resolution or ordinance the County standard for street surfacing shall be consistent with PennDOT 408 specifications for collector roads and the Penn State University Dirt and Gravel Roads Informational and Technical Bulletins in the case of local roads.

610.2 Highway Occupancy Permit from the Pennsylvania Department of Transportation shall be required for any new access or streets entering a State highway. Confirmation of such a permit may be required prior to approval of major plans.

610.3 50-foot minimum access: If lots in a subdivision are large enough for subsequent subdivision, or if a portion of the tract is left as a remainder and not subdivided, suitable access and street openings for such subsequent subdivision shall be provided. Such access and/or street openings shall provide a minimum of fifty (50) feet in width.

610.4 When the subdivision adjoins property large enough for further development into streets and lots, new streets or reserved right-of-way not less than fifty (50) feet in width shall be provided to the boundary lines of the adjoining property at location(s) suitable to enable future access to the adjoining property.

610.5 The arrangement of streets and access to roads (driveways) shall conform to the transportation plan of the comprehensive plan or official map for the local municipality and County.

- A. For streets not shown on the master plan or official map, the arrangement shall provide for the appropriate extension of existing streets.
- B. Proposed street systems may be required to be integrated into existing or proposed street systems in the immediate area of the proposed development.
- C. Street Classification: Street classification shall be based upon the anticipated daily traffic volume, based on the following table:

Street Type	Daily Traffic Volume (ADT)
Lane	0-40
Local	0-1,000
Collector	1,000+ <i>or significant through traffic</i>

Based on an ADT of 10 vehicles per dwelling unit or proposed use, per day.

610.6 Street Design Standards

Street Classification	Minimum Cartway Width [Feet]	Minimum Right of Way [Feet]	Maximum Length Dead-End Street	Minimum Turning Radius Dead-End Street	Sidewalks	Curbing
Lane	16 Feet	50 ft.	May service up to and including 4 lots	Optional	Optional	Optional
Local	No Curbs-20 ft. Curbed-22 ft.	50 ft.	1,000 Feet	65 Feet Unpaved Center (loop) (70 Feet R.O.W.) May be reduced to 60 feet diameter for fully paved cul de sacs.	Optional	Optional
Collector	No Curbs-24 ft. Curbed-28 ft.	60 ft.	Not Permitted	Not Permitted	Optional	Optional
Industrial	No Curbs-24 ft. Curbed-28 ft.	60 ft.	1,000 Feet	70 Foot Paved Center diameter	Optional	Optional

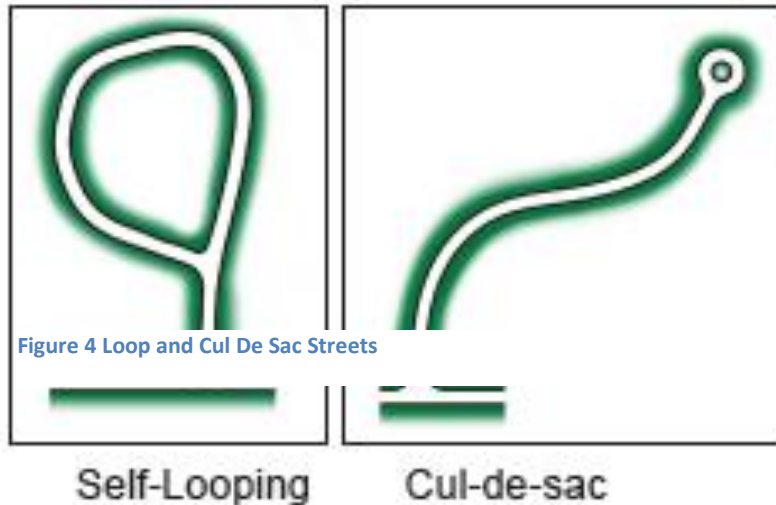
The Planning Commission may require additional right-of-way or cartway width if unique safety or traffic flow considerations make such standards necessary.

Arterial streets shall meet applicable PENNDOT standards.

A. Dead-End Streets

- 1) Dead-end streets shall terminate with a cul-de-sac, loop, or a T or Y-shaped turnaround. T or Y turnarounds may service no more than six (6) lots.
- 2) The total traffic volume on a dead-end street shall not exceed twenty five residential lots, or the equivalent average daily traffic, unless an additional emergency entrance/egress is provided.
- 3) Dead-end streets, permanently designed as such, shall not exceed one thousand (1,000) feet in length, unless topography factors justify a greater distance or whereby intersecting side streets provide additional access to this dead-end street. The length of a dead-end street shall be measured from its entrance to its termination. If a cul-de-sac, T, or Y turnaround is so used, the length shall be the furthestmost end of the turnaround cartway.

- 4) Each arm of a T or Y turnaround shall have a minimum length of twenty-five (25) feet.
- 5) Loops shall be designed to permit adequate turning radius for anticipated types of vehicles.



B. Private Roads and Driveways

- 1) Private roads are permitted at the discretion of the Township or Borough in which the development is located. Subdivisions proposing new private road which would serve more 3 or more lots shall be referred to the local municipality for a 30 day review to determine any public interest in the new road or street.
- 2) No new lot shall be created for development served by a private road or driveway unless the private road is within an easement at least twenty (20) feet in width. Exceptions by modification may be permitted where topography or peculiar property shape indicate no other alternative solution to access than a substandard private road. If three or more lots are to be created which would be served by a private road or driveway, the subdivider shall provide, and have approved, a plan for the entire tract, which includes:
 - a. The recorded plan shall state that the street or streets are private and that the Township/Borough or County has no interest or obligation in their maintenance.
 - b. The plan shall state that the street abutting each lot to be sold in the plan is private, and the deed for each lot shall indicate that fact also. Any utility easements within a private street shall be clearly marked on the plan and identified as to width and use.
 - c. A private street shall be permanently marked as private at its intersection with a public road.
 - d. The right of passage over the private street or streets for the maintenance of public utilities or for access of emergency vehicles shall be guaranteed in writing to each utility and emergency service involved. The developer shall file with the Township/Borough a letter granting such right of passage.
 - e. An association shall be established by the subdivider for the perpetual maintenance of the street or streets in the plan at no cost to the County or municipality. Such association shall be comprised of all the owners of property in the plan, each to share equally in the expenses of the association.
 - f. The bylaws of the association shall be approved by the County or Township/Borough Solicitor, prior to recording of the plan, to guarantee protection of the plan residents.
 - g. If at a future time the lot owners petition the Township/Borough to adopt the street or streets as a public street or streets, they, at their expense, shall widen, reconstruct or otherwise improve the street or streets to meet the Township/Borough road specifications current at the time, and shall have completed the work to the Township/Borough's satisfaction prior to adoption of the street or streets by the municipality.

C. Street Layout Design Criteria (Not including intersections)

Type of Street*	Local	Collector	Industrial	Dead End ⁴	Lane
Maximum Grade ¹	10.0%	6.0%	6.0%	10.0%	10.0%
Minimum Grades ²	1.0%	1.0%	1.0%	1.0%	1.0%
Minimum Centerline Radius	150 feet	300 feet	300 feet	150 feet	150 feet
Minimum Sight Distance ³	150 feet	250 feet	250 feet	150 feet	150 feet
Tangent between Curves	100 feet	100 feet	150 feet	N.A.	100 feet

* For Arterial Roads, PENNDOT standards will apply.

- 1) Grades in excess of the allowable percentage may be approved by the County when it is clear that it is necessary and that no traffic hazard exists or will be created thereby.
- 2) Modifications to the minimum grade must be approved by the County.
- 3) Site distance shall be measured along the centerline of the street between points where a driver's eyes at 3' 6" in height can see an object 2' high.
- 4) Dead-end streets include the entire street from the nearest intersection, not merely the vehicular turn-around.
- 5) Horizontal curves shall be laid on all deflecting angles along the centerline of streets and the degree of curvature shall be set at least to assure the required sight distance.
- 6) Vertical curves shall be used in changes of grade exceeding one percent (1%) and shall be designed for maximum visibility.

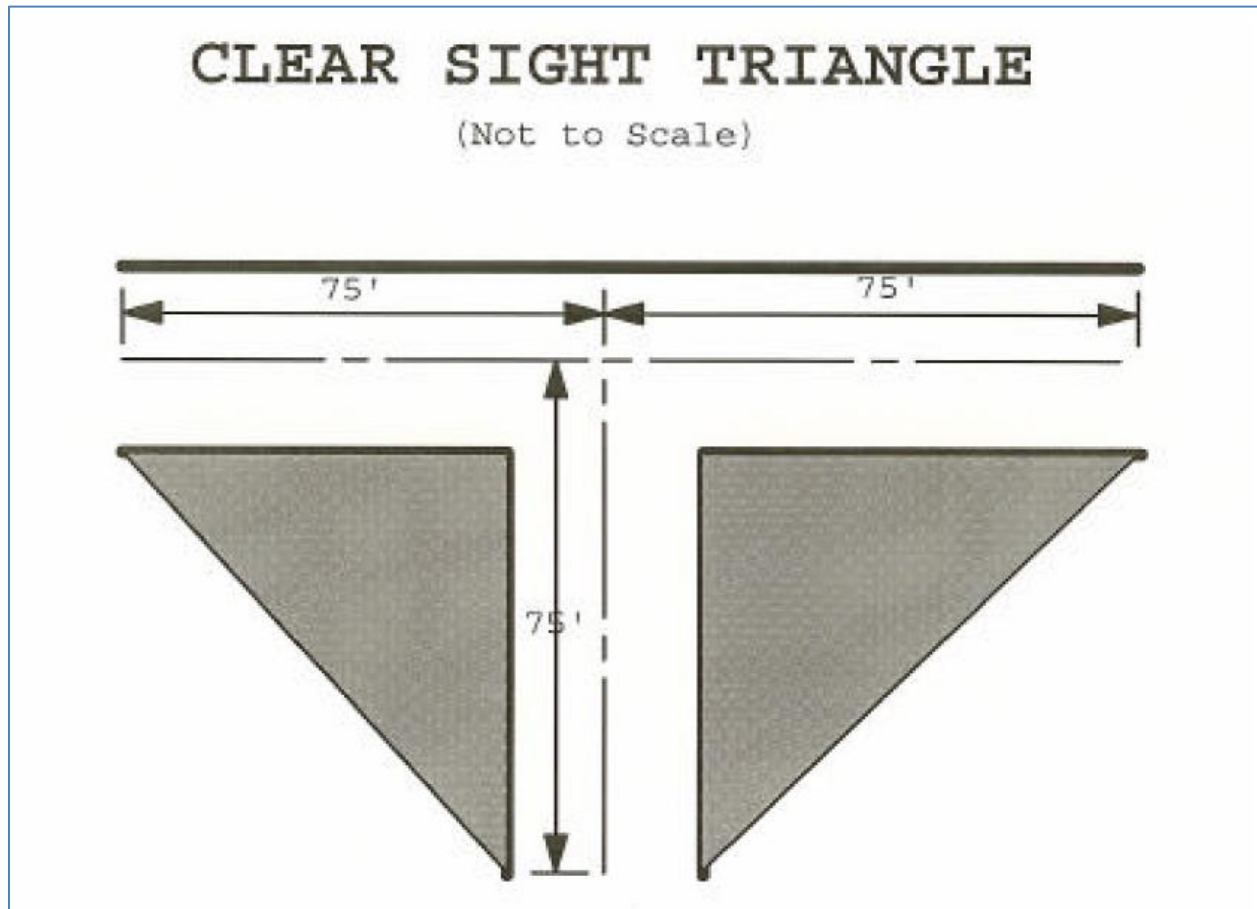
D. Street Intersections

- 1) Streets shall be laid out to intersect, as closely as possible, at right angles. No street shall intersect another at an angle of less than sixty (60) degrees.
- 2) Intersections involving the junction of more than four (4) approaching road legs shall be avoided. Where this proves impossible, a modification of this provision shall be sought.
- 3) Where the grade of any street at the approach to an intersection exceeds seven percent (7%), a leveling area shall be provided having no greater than a four percent (4%) grade 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.
- 4) To the fullest extent possible, intersections with arterial streets shall be located not less than five hundred (500) feet apart measured from centerline to centerline.
- 5) Intersecting streets shall be separated by three hundred fifty (350) feet or more, measured between their centerlines, along the centerline of the intersected street.
- 6) Clear sight triangles of seventy-five (75) feet measured along street center lines from their point of junction shall be provided at all intersections. No structure or vegetation higher than three feet [3'] nor lower than ten feet [10'] shall be permitted within such triangles.
- 7) It will be the preferred practice that topography within such triangles shall be level or low enough not to interfere with the clear sight triangle.
- 8) Where the topography within the triangle differs from than the road surface, the elevation measurement shall begin from the average elevation of the intersecting road. The following standards shall be used for measurement:

9)

Topography Elevation	Height Restrictions of Vegetation or Structure
1 foot higher than the road	Nothing Between 2' and 9'2 feet
2 feet higher than the road	Nothing Between 1' and 8'1 foot
3 feet or more higher than the road	Nothing Below 10'
1' lower than road	Nothing Between 4' and 11'

Figure 5 Clear Sight Triangle



E. Paving and Surfacing All road cartways shall be improved to minimum standards of applicable township or borough specifications. In the absence thereof, all components of the pavement structure shall be designed and constructed in accordance with Pennsylvania Department of Transportation Specifications Form 408, unless otherwise herein modified. Gravel road surfacing for local roads is permitted, provided that any such road is built to a Pa State Conservation Commission Driving Surface Aggregate Standard and Specifications. Lanes to remain private and driveways may be improved to any mud free condition. (See also 609.1)

610.7 – Curbs: Curbs are not required. Mountable or wedge curbs are preferred for public safety, but flexibility regarding curb type shall be permitted as long as the curb type accommodates the system of drainage proposed, and the curbing meets Township or Borough Specifications. Curbing shall be designed

to provide a ramp for bicycles and/or wheelchairs as required by applicable PennDOT standards per Publication 655.

Article 7 Plan Content and Basic Design Requirements: Land Developments Not Involving Subdivision

701 – In addition to all applicable plan requirements for a major subdivision, the following items shall be included for Final Plan review for all land developments, as applicable:

701.1 Site plans, as required in this Article, engineering plans detailing the construction of all required improvements, and other data information establishing compliance with the design standards of this Article.

701.2. Proof of approvals by all appropriate public and governmental authorities or agencies, where applicable, including, but not limited to, permits for any planned road entrances onto existing roads or highways (PENNDOT or municipality) 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.

701.3. 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.

702 – SITE PLAN

702.1. 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 size of the proposed land development is five (5) acres or smaller, (including buildings, parking and nonagricultural earth disturbance areas) the site plan shall be drawn to a scale of one (1) inch equals one hundred (100) feet (1"=100').

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

C. If the size of the proposed land development is over fifty (50) acres (including buildings, parking and nonagricultural earth disturbance areas) the site plan shall be drawn to a scale of one (1) inch equals four hundred (400) feet (1"=400').

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

The Executive Director may accept alternative scales if it results in equal or greater clarity.

703 – Minor Land Developments: Pursuant to Section 215, a development which qualifies as a minor land development may be prepared by any qualified individual. However, the applicant shall graphically illustrate all building and proposed impervious surface locations, and locations and all relevant information required by Section 404 of this ordinance and Section 302 of the Forest County Stormwater management ordinance.

704 – Plan Content Requirements All Major Land Development Plans shall contain the following information, as detailed in Table 704A. Major Land Developments shall also comply with Table 302, as applicable.

Table 704A

Plan Content Requirements for Land Developments

Item	Complete, Incomplete, or Not Applicable	Acceptable/Unacceptable (For Review/Approval Use)
Proposed Land Development name or identifying title		
North point, scale, and County Assessment Lot Number and date		
A title/certificate block, containing the following:		
<ul style="list-style-type: none"> Name and address of owner of property 		
<ul style="list-style-type: none"> Name and seal of any registered design professional responsible for the plan 		
<ul style="list-style-type: none"> Certificate of review and approval by the Forest County Planning Commission and Conservation District 		
Zoning districts, and any similar local or private restrictions, including County Dimensional Standards under Table 603A as applicable		
Existing site conditions (topography, drainage, tree clusters, buildings, utilities, streets and neighboring properties).		
Any existing Improvements, including any buildings, paved areas, and Oil or Gas Wells. Gas wells shall be marked as active, capped or abandoned		
Proposed development, including buildings, parking, vehicular and pedestrian access areas, storm drainage, landscaping, lighting, utility location and freestanding signs.		
For Major Land Developments, a Complete Lighting and Landscaping Plan		
All existing perennial streams (if named on USGS maps) lakes or ponds, floodways, floodplains, identified wetlands and other environmentally sensitive areas (including any adjoining agricultural security areas)		

Item	Complete, Incomplete, or Not Applicable	Acceptable/Unacceptable (For Review/Approval Use)
All existing property lines, easements and rights-of-way, and the purpose for which the easements or rights-of-way have been established		
All existing streets on or adjacent to the tract, including name, right-of-way width, and pavement width		
Location, name and width of any proposed streets, driveways, alleys, rights-of-way, and easements; proposed lot lines with approximate dimensions; playgrounds, buildings, common areas and parcels of land proposed to be dedicated or reserved for public or common use		
The names of owners and County Assessment Parcel numbers of all abutting land		
Identify any areas where non-agricultural earth disturbance will occur, including estimated acreage of disturbance		
A map for the purpose of locating the site to be developed including streets, roads, and municipal boundaries.		
Location and type of all Stormwater BMPs		
Section 420 Notice – PennDOT Highway Occupancy Permit information (if accessing state highway)		

A. The preliminary land development plan shall include therein or be accompanied by:

1. All required permits and related documentation from the Pennsylvania Department of Environmental Protection (PA DEP) and any other Commonwealth agency, Township/ Borough where any alteration or relocation of a stream or watercourse is proposed.
2. Documentation indicating that all affected adjacent municipalities, PA DEP, the Department of Community and Economic Development, and the Federal Insurance Administrator (flood insurance), have been notified whenever any alteration or relocation of a stream or watercourse is proposed.
3. Copies of the proposed deed restrictions, or private covenants, if any, shall be attached to the preliminary plan.
4. Proposed cross-sections, profiles and details of any new proposed streets, sewer or waterlines, storm sewer facilities, or any other public improvement.
5. Where the preliminary plan covers only a part of the developer's entire abutting holdings, a statement on eventual development of those lands, including a sketch plan of prospective eventual street layout shall be provided.

B. The final land development plan shall include therein or be accompanied by:

1. Construction plans including, for any parking area or other public or private improvement.
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, the Pennsylvania Department of Transportation, or other state or local agencies relating to sewage facilities, water obstructions, air quality, etc., as applicable.
4. If public or community water or sewer is proposed, a letter from the agency providing said service that it can and will serve the proposed development. If private sewer is proposed evidence of appropriate sewage planning and municipal approvals.
5. A complete post construction stormwater management plan and assurances that all proposed stormwater management BMP's will be installed and maintained.

705 – MINIMUM LOT SIZE APPLICABILITY: All land development shall meet the minimum lot size and setback requirements of Section 603A. A lot with less than required area and width created prior to the adoption date of this ordinance may be utilized for the erection of a nonresidential or multiple family structure for which a land development plan is required, provided that setback, yard and coverage standards are met. However, where two (2) or more of such lots are adjoining and owned by one (1) owner, the County shall require replatting to fewer lots, to move towards conformity with the minimum requirements of this Ordinance. No mobilehome park or recreational development may be erected upon a lot or lots that do not meet minimum lot area required for such development under Articles 7 and 8.

706 – LIGHTING AND LANDSCAPING FOR MAJOR LAND DEVELOPMENTS

A complete landscaping plan shall be submitted that includes a plan for the site in addition to any required screening or buffering to adjoining properties or stormwater. All areas not proposed for paving or building location shall either be left in a natural state or subject to landscaping improvements. Landscape treatment shall be provided to enhance architectural features, manage stormwater runoff, strengthen vistas and important axis, or provide shade.

Exterior lighting shall be of a design and size compatible with adjacent areas and in accordance with the standards of the Illuminating Engineer Society. Generally, lighting shall be designed to minimize glare to adjoining properties, especially residential areas.

No structure is permitted within any required buffer yard, except for fences for screening and decorative purposes, or essential service utility structures limited to electrical, natural gas sewer water and cable/internet/telecommunications for the lot being served. Buffer strips shall not be used for parking, storage of vehicles, equipment, or materials, nor for any other use incompatible with their purpose as a visual, noise, dust, and pollution barrier.

Article 8 MOBILE HOME PARKS

801 – APPLICABILITY Mobile home parks shall be regarded as major land developments. In any municipality which has a locally adopted zoning or licensing ordinance which governs mobile home parks with greater restrictions, the ordinance whose standards are more restrictive shall apply. Except where specified in this Article, the standards for plan submission and plan requirements shall be the same as for a major land development. Where it is intended by the owner or developer to offer mobile home lots for sale, the application shall be regarded as a residential subdivision and meet all standards of Article 5.

802 – PARK DESIGN REQUIREMENTS

- A. Minimum Park Area - A mobile home park shall have at least Ten (10) contiguous acres of land, unless each individual mobile home lot meets the lot size and yard criteria of Article 5 of this Ordinance applying the standards for single family dwelling lots to each mobile home lot.
- 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. 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.
 - 3. Site Location - The location of all mobile home parks shall comply with the following minimum requirements:
 - 4. Free from adverse influence by swamps, marshes, garbage or rubbish disposal areas or other potential breeding places for insects and rodents;
 - 5. Not subject to flooding or subsidence;
 - 6. Not subject to hazard or nuisance, such as excessive noise, vibration, smoke, toxic matter, radiation, heat, odor or glare; and
 - 7. Parks shall be designed to serve the long-term placement of mobile homes.
- C. Foundations/Stands
 - 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 and installation shall be pursuant to the Uniform Construction Code
- D. 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.
- E. 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.
- F. 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.
 3. 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.
- G. 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.
7. Sidewalks - Individual walks to mobile home stands from paved and parallel to streets or parking spaces shall be provided by the developer.
8. Buffering: The park shall be surrounded by a buffer and screening arrangement. Three options are permitted:
 - a) 1 row of Evergreen Trees At least four feet height, planted to create a continuous hedge within 7 years.
 - b) Mix of Evergreen and deciduous trees planted to create a 35 foot wide buffer*
 - c) An existing wooded Buffer or No Mow Area at least 40 feet in width.

H. 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.

I. Skirting - The plans shall specify that skirting shall be provided on all mobile homes.

J. Drainage - A stormwater management and drainage plan shall be submitted for the entire tract submitted for preliminary approval, meeting the requirements of the Forest County Stormwater Management Ordinance

K. 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 Subdivision Design Standards excepting street widths, which shall be governed by the following minimum requirements: Street widths for roadways shall be adequate to accommodate anticipated traffic, and in any case, shall meet the following minimum requirements:

1. One way, with no parking 12 feet
2. Two-way with no parking 20 feet
3. Lanes shall add ten feet in width if on street parking is proposed

L. 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.

M. 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.

N. Recreation For each proposed park at least five percent (5%) of the total park land area 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.

803 – UTILITY AND FIRE REQUIREMENTS

A. Sanitary Sewers - Sewage and water connections must be supplied for all lots by the developer. They must conform with the regulations and restrictions of the local sewage enforcement agency or the sewer enforcement officer. Any sewage system must be designed to serve the maximum number of mobile home units feasible for the site.

B. Electric All electrical facilities shall be installed and inspected according to the standards set forth in the latest edition of the National Electrical Code and the local Power Company regulations. Lines shall be buried underground if economically feasible or in keeping with the regulations of the Applicable utility company. 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).

C. Fire

1. General - For the safety and welfare of the residents and future residents of the mobile home park, the following fire regulations shall be incorporated into the park. All fire safety plans shall be approved by the local designated Fire Chief of 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. And designed to permit a discharge of no less than five hundred (500) gallons per minute. 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. 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 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.

ARTICLE 9 RECREATIONAL DEVELOPMENT REGULATIONS

901 – APPLICABILITY AND PLAN REQUIREMENTS

Recreational Developments shall be regarded as major land developments. In any municipality which has a locally adopted zoning which governs any form of recreational development with greater restrictions, the ordinance whose standards are more restrictive shall apply. Except where specified in this Article, the standards for plan submission and plan requirements shall be the same as for a major land development. Where it is intended by the owner or developer to offer lots for sale for the purpose of emplacing recreational cabins, the application shall be regarded as a residential subdivision and meet all standards of Article 5.

902 – DESIGN REQUIREMENTS

- A. Lot Requirements - The planning and location of individual recreational vehicle lots shall be governed by the following minimum requirements:

Lot Area – No Recreational Development shall be proposed for a parcel of less than ten (10) acres. Recreational vehicle lots within a recreational development 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.

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.

- B. Perimeter Buffer Requirements: The development shall be surrounded by a perimeter buffer of a standard generally consistent with Section 1006 B. Three options are permitted:

1. 1 row of Evergreen Trees At least four feet height, planted to create a continuous hedge within 7 years.
2. Mix of Evergreen and deciduous trees planted to create a 35 foot wide buffer
3. An existing wooded Buffer or No Mow Area at least 40 feet in width.

- 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 8, consistent with for mobilehome parks.

Article 10 Design Standards for Major Land Development Not Involving Subdivision

1001 Major land developments shall meet the following design requirements. It is recognized by the Planning Commission that the design process should be somewhat flexible, pursuant to Section 503(5) of the Pennsylvania Municipalities Planning Code.

Generally, the criteria and design for facilities for transportation and parking shall be based upon accepted professional publications and/or resources, 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.

1002 – GENERAL DESIGN

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. The development plan shall provide for adequate privacy, light, air and protection from noise through building design, street layout, screening, plantings and placement of buildings. All land developments required to submit plans for approval by the Pennsylvania Department of Labor and Industry shall show evidence of such. Where applicable, proof of a Highway Occupancy Permit (Penn DOT) or similar driveway/road access permit shall be required.

1003 – TRANSPORTATION

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. The standards set forth by Section 406, Alleys, Driveways and Easements, shall be considered for road access.

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, or in the absence of such regulations, shall follow minimum design standards for streets, as described in Section 404, Streets, of this Ordinance. Off-street parking areas may be integrated with public street design and construction provided maintenance responsibilities are mutually agreed upon.

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.

1004 – WASTE STORAGE AND DISPOSAL

Waste storage and disposal areas for the land development shall be planned and constructed in a way that they are not visible from the public right-of-way or neighboring properties.

1005 – PARKING

- A. A parking and access plan shall be submitted along with estimated traffic flows. The developer shall demonstrate that the proposed parking/access layout is adequate for the proposed development, based upon standard parking capacity measurements, including number of spaces per anticipated development type.

- B. **Parking 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, being at least eight (8) feet wide and eighteen (18) feet long.
- C. For all other uses, each space shall have a uniform area of one hundred sixty two (162) square feet, being at least nine (9) feet wide and eighteen (18) feet long.
- D. These uniform sizes shall be exclusive of access drives or aisles, and shall be in usable shape and condition.
- E. Parking areas shall be designed to provide sufficient turnaround area so that vehicles are not required to back onto public streets.
- F. 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 drive shall be consistent with requirements for private streets or access drive rights-of-way in this Ordinance.
- G. Access to off-street parking areas shall be limited to well-defined locations, and in no case shall there be unrestricted access along a public street.
- H. The width of aisles shall be appropriate based upon the configuration of parking spaces, as recommended by nationally accepted standards contained in professional publications, as noted previously in this section.
- I. Required parking spaces shall be located on the same lot with the principal use.
- J. Parking lots may be gravel or paved. Gravel lots do not need striping but should show compliance with 905B and 905C upon the plan.

1006 – SCREENING AND BUFFERING FOR NONRESIDENTIAL BUILDINGS WHERE a nonresidential building land development is proposed within one hundred feet of a preexisting single-family dwelling, the following standards shall be employed for screening and buffering. A strip of ten feet in width shall be reserved as a buffer strip. The buffer strip shall contain suitable screening, defined as either of the following:

- A. A solid fence or wall, architecturally compatible with existing structures in the area, no less than 5 feet nor more than 8 feet in height; or
- B. A sight-obscuring planting of evergreens, not less than 6 feet in height at the time of planting and of a variety that will maintain full, dense growth from the ground up planted at a spacing of the lesser of 4 feet or the diameter of a mature specimen of the species being planted.

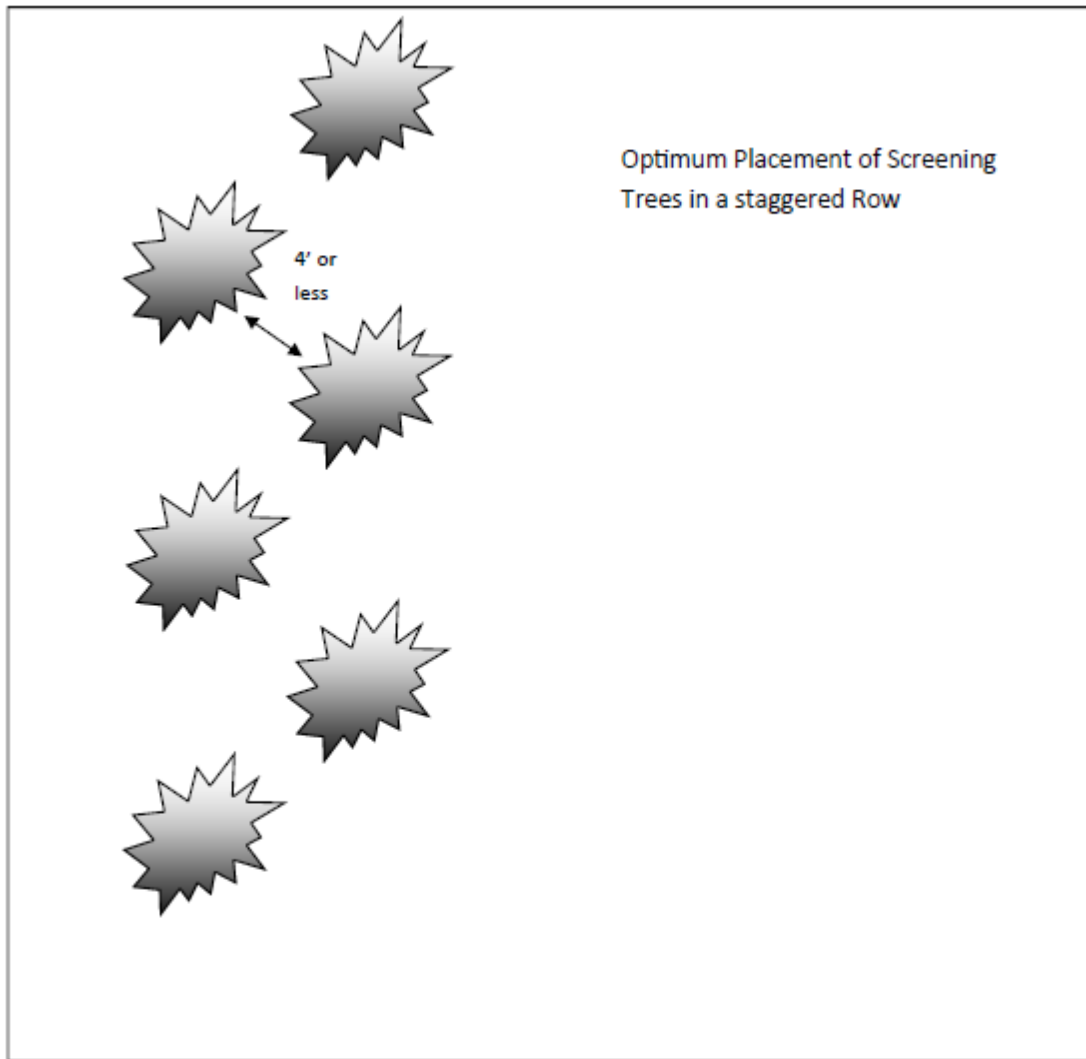


Figure 6 Screening Trees

1007 – ADDITIONAL CRITERIA FOR MULTI-FAMILY DWELLINGS

A. Exception for Minor land development 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. Recreation Area Multi-family dwellings which qualify as major land developments shall reserve no less than ten percent (10%) of total lot area as passive or active recreation space for the benefit of residents. This land shall be suitable for the purpose for which it is proposed.

B. Density All multiple-family dwelling land developments shall comply with minimum lot and dimensional standards in Table 603A as applicable.

C. Multiple Family Dwellings Proposed within 200 feet of a preexisting single family dwellings shall employ a perimeter buffer of either a single row of evergreen trees at least four feet in height, an opaque screening fence, or a planted buffer yard of at least twenty feet in width.

1008 – WIRELESS COMMUNICATIONS FACILITY (WCF) TOWERS

Exception to Jurisdiction: Communications towers shall be considered a major land development and 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.

- A. The Minimum Lot size for a WCF Tower shall be One (1) Acre
- B. A Communications Tower may be located on a lot occupied by other principal structures and may occupy a leased parcel.
- C. WCF towers shall be set back at least five hundred (500) feet from the lot line of any abutting or adjoining lot which contains a pre-existing single family dwelling, unless the dwelling is owned by a party leasing the lot for the WCF tower.
- D. The applicant shall demonstrate that it is licensed by the Federal Communications Commission to operate a WCF Tower, if applicable, and Antennas.
- E. The applicant shall demonstrate that the tower construction is compliant with TR-14 Structural Standards for Communication and Small Wind Turbine Support Structures (published by the Telecommunications Industry Association), ANSI/TIA-322 Loading Criteria, Analysis, and Design Related to the Installation, Alteration and Maintenance of Communications Structures or similar accepted structural engineering standards as applicable.
- F. The applicant shall conduct a geotechnical analysis to show that soil types at the proposed location can support the type and weight of the proposed tower.
- G. The applicant shall agree that the proposed Communications Tower and Communications Antennas proposed to be mounted thereon comply with all applicable standards established by the Federal Communications Commission in “Human Exposure to Radio Frequency Fields: Guidelines for Cellular and PCS Sites”, or such publications as may be updated by said commission.
- H. Communications Towers shall comply with all applicable Federal Aviation Administration (FAA Part 77), Commonwealth Bureau of Aviation (BOA) and shall not encroach into any airport hazard overlay area.
- I. The applicant shall demonstrate that the proposed height of the Communications Tower is the minimum height necessary to perform its function.
- J. The maximum height of any Communications Tower shall be no more than two hundred fifty (250) Feet.
- K. The foundation and base of any Communications Tower shall be set back from all adjacent property lines or public rights of way by not less than the total height of the Communications Tower.
- L. The base of a Communication Tower shall be landscaped so as to screen the foundation and base and Communications Equipment Building from abutting or adjoining properties.
- M. 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 \$1,000,000 per occurrence and property damage coverage in the minimum amount of \$1,000,000 per occurrence covering the Communications Tower and Communications Antennas.
- N. 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.
- O. The site of a communications tower shall be secured by a fence with a minimum height of ten (10) feet to limit accessibility by the general public.

- P. 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.
- Q. If a communications tower remains unused and unleased 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.
- R. Unless there is a manifold air safety hazard, the tower shall be painted a neutral or natural color scheme so as to reduce visual obtrusiveness; proposed colors shall be furnished to the Municipality.
- S. The County shall be notified of any change in ownership and any additional agreement to install antennas.
- T. The Communications Tower must be inspected at the time of its construction and not less frequently than every three years for guyed towers and every five years for self-supporting structures (2) years thereafter by a registered engineer or comparable expert who is regularly involved in the maintenance, inspection and/or erection of such structures. Inspection report shall show compliance with ANSI/TIA-222-G, published by the Telecommunications Industry Association (TIA). An alternative inspection schedule may be required or agreed to at the time of approval. Inspection may also be required at a more frequent interval if a township/Borough or County Engineer observes potential damage from a wind storm or catastrophic weather event.

Article 11 Alternative Standards for Conservation Development and Traditional Neighborhood Development

1101 – CONSERVATION DEVELOPMENT: CLUSTER SUBDIVISION OPTION

Under this Option, developers of subdivisions may create smaller lots, while retaining overall site density, and thus saving on road and infrastructure costs. However, because of higher density, a higher level of site planning is necessary to preserve rural resources and natural infrastructure. Any major subdivision, may submit an application as a cluster subdivision. The intent of a cluster subdivision is to facilitate creativity in land development by permitting a reduction in lot size, while conserving natural and scenic features of a site. Due to decreased lot size, cluster developments must be served by public or community water and sewer. Individual on lot sewage disposal and individual wells are not permitted.

A. The developer shall preserve at least fifty percent (50%) of the entire tract as open space. This fifty percent shall be based upon total tract acreage, and may not include any area devoted to a private residential lot or road right of way. A deed covenant or other legal instrument shall be attached to prevent construction of other than a farm building or recreational accessory structure within any tract of Open Space. Open space uses may be any combination or single use listed below:

1. Off-lot septic easements or wells, provided that homeowner access is permitted through easement
2. Timber management and forestry

3. Agriculture
4. Equestrian activities by community residents
5. Scenic areas and vistas
6. Fishing, hunting, wildlife observation, and similar outdoor recreational pursuits
7. Municipal or Neighborhood Recreation

Other open space uses may be accepted if approved prior to submission of a subdivision or land development plan and such uses do not entail residential or commercial use.

B. Unless devoted to agriculture or forestry uses, open space areas must be owned by a land trust, government, homeowners' association, or similar responsible body to ensure maintenance or proper management in perpetuity. If devoted to agriculture or private forestry, means for appropriate permanent dedication or deed covenants to prevent its development shall be required prior to approval.

D. Minimum lot size may be reduced by up to fifty (50%) percent of that normally required by Table 603A (unless prohibited by local zoning). All other dimensional requirements shall be pursuant to Table 603A, except that interior setbacks within the subdivision may be reduced by 50 percent.

F. To protect pre-existing development, the development shall be surrounded by a perimeter buffer. Three options are permitted:

1. 1 row of Evergreen Trees At least four feet height, planted to create a continuous hedge within 7 years.
2. Mix of Evergreen and deciduous trees planted to create a 35 foot wide buffer
3. An existing wooded Buffer or No Mow Area at least 40 feet in width.



Figure 7 Cluster Subdivision Example

1102 – TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) OPTION

1102.1 Pursuant to Section 708.1-A of the Pa. Municipalities Planning Code, This subsection is being adopted to address the design standards that are appropriate to a traditional neighborhood development, including, but not limited to, compactness, pedestrian orientation, street geometry or other related design features. The Pennsylvania Wilds Design Guide is hereby adopted by reference into this ordinance as an adjunct to administration of this part. While voluntary, utilization of Traditional Neighborhood Development Standards is encouraged through the utilization of incentives to encourage context sensitive development. These Standards are acceptable options in all areas of the County.

A. Sketch Plan: In lieu of a formal preliminary plan, applicants electing to use the TND may submit an informal sketch plan and proceed directly to final plan following a meeting with the planning agency. Sketch plans need not include final dimensions and final designs of any public or private improvements, but shall focus upon the relationship of proposed building and parking areas to each other and the surrounding neighborhood, overall building design, and any landscaping, screening and buffering proposed.

B. Site Context: Applicants shall include a narrative identifying the design context of the proposed location of the subdivision or land development. The sketch plan should reflect utilization of priority techniques from Table 1002B in ensuring the development fits the site context, and other recommended techniques from the PA Wilds Design Guide.

Table 1102B Site Context and Priority Techniques

Site Context	Priority Techniques
Agricultural	<p>Use deep setbacks along rural roads</p> <p>Tree planting and landscaping scheme random, rather than geometric</p> <p>provide distance buffers and/or a landscaped edge at the interface to give clear visual separation between uses</p> <p>Limit street lights and other outdoor lighting to the minimum quantity and brightness levels necessary for safety, security and the enjoyment of outdoor living</p>
Rural Communities	<p>Limit street lights and other outdoor lighting to the minimum quantity and brightness levels necessary for safety, security and the enjoyment of outdoor living</p> <p>Select natural-appearing building materials</p> <p>If physical separation is needed along roadways between the public and private space, consider the use of open rail wood fencing.</p> <p>Where large parking lots are necessary, screen or soften them with grade separation and/or landscaping. Alternatively, consider permeable and more rural-looking paving materials such as gravel, rock, decomposed granite, paving stones, permeable interlocking concrete pavement, un-mortared brick or stone, or geo-grid with grass.</p> <p>Where wheel stops are desired in parking spaces, use stops constructed of stone, wood, or tree trunks.</p>

Residential Neighborhood	<p>Ensure that the exterior architecture is compatible with the scale, material, color, and articulation of any surrounding historic buildings, historic districts, or mixture of historic architectural styles immediately adjacent or present in the general area.</p> <p>Slightly vary the depth of front yard setbacks on straight streets. No more than three adjacent homes on a straight street should have the same front yard setback to avoid creating a “tunnel” effect. Front yard setback variation is not necessary on curving streets or on streets where a formal, more urban look is desired. If one building has a long front façade, vary the front setback within the same structure. Avoid visual monotony and box-like appearances. Articulate façades to minimize large blank walls.</p>
Town Center	<p>Use a consistent front yard street setback along town center streets. New buildings on a street should conform to the dominant setback</p> <p>Add street trees along sidewalks to make streets appear more welcoming</p> <p>Use traditional building materials for new construction to the maximum extent feasible</p> <p>Orient buildings and public spaces to the pedestrian instead of the car</p> <p>Signage should be reflective of the overall community character. Use finely crafted signage with ample detailing and smaller character type. Avoid plastic, internally illuminated signs, particularly those that contain large bold lettering. Make business identification signs visible to both pedestrians and passing motorists.</p>
Industrial	<p>Design the main building entry to reflect a traditional architectural style appropriate for the region</p> <p>When multiple sides of the building are visible, avoid the appearance of a “false front</p> <p>Use wood and other natural materials for the construction of freestanding signs, outdoor benches, and employee amenity areas</p> <p>Avoid large expanses of light colored wall or roof materials. Use neutral, earth toned, or dark neutral hues to visually reduce the perceived size of large buildings. Avoid the use of long, bleak, unarticulated metal panels. If metal buildings are proposed, use a well-articulated building form and mix the metal surfaces with other materials, or textures and colors</p>

Bonus for TND Option: Land Developments proposed in Town Center areas may also propose a reduction of required setbacks by 50 percent, if town center design techniques are utilized (and if permitted by local zoning). The planning agency may grant the reduction if stormwater management and other potential impacts to adjoining properties are addressed.

Article 12 Performance and Improvement Guarantees

1201 – The County shall insure, through receipt of certificates of compliance submitted and attested by the County Engineer or Municipal Engineer (or a consulting engineer designated as such by the County or a municipality) that the required improvements have been installed according to the final approved plat, or alternately require the posting of adequate surety to cover the cost for such improvements. The County shall specify one of the following alternatives, or such other alternative as may be acceptable, for guaranteeing compliance with the requirements of this Article. Final approval of a plat may not be granted until the surety required is fully provided. In any event, the required surety shall be secured along with the written and signed developer's agreement prior to any construction or related activity.

1201.1 Alternative to Guarantee Future Performance: In lieu of requiring the completion of all improvements prior to final subdivision or land development plat approval, the local municipality which falls under the jurisdiction of the Forest County Subdivision and Land Development Ordinance may, but is not required to, elect to enter into an agreement with the applicant whereby the applicant shall guaranty the completion of all required improvements, including but not limited to: streets, stormwater management facilities, related drainage facilities, recreational facilities, open space improvements, buffer and screen plantings, or other amenities specified by the municipality or the Planning Commission in a manner satisfactory to the local municipality. When requested by the applicant in order to facilitate financing, the local municipality shall furnish the applicant with a signed copy of a resolution adopted by the elected officials of the local municipality, of the final plat or land development plat contingent upon the applicant obtaining satisfactory financial security. The final plat or record plat or land development plat shall not be signed nor recorded until the written financial improvement's agreement is executed and financial security satisfactory to the elected officials, has been posted. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within ninety (90) calendar days, unless a written extension is granted by the elected officials of the governing body. Such extension shall not be unreasonably withheld and shall be placed in writing at the request of the applicant. To secure this contract, the applicant shall provide, subject to the approval of the local municipality or Planning Commission, one of the performance guarantees listed in Subsection 1002 herein or other financial security acceptable to the municipality or Planning Commission.

1201.2 Alternative to ensure completion of Improvements. Before the recording or approval of final subdivision plats or final land development plats, the County 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 estimated construction cost of installation for incomplete improvements. The estimate of cost shall be prepared by the project engineer and submitted to the County Engineer or local municipality engineer for approval, following provisions of the MPC.

B. Provision for a maintenance guarantee in the form of financial security for a period not exceeding 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.

C. 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).

D. 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 County Engineer. The local municipality shall, within ten (10) days after receipt of such notice, direct and authorize the local 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 local 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.
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 local municipality or the Municipal Engineer.
6. Where herein reference is made to the Municipal Engineer, he shall be a duly registered professional engineer, licensed in the Commonwealth of Pennsylvania and 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.

1202 – REMEDIES TO EFFECT COMPLETION OF IMPROVEMENTS

A. Enforcement of Security:

1. In the event that any improvements which may be required have not been installed as provided in this Ordinance or in accord with the approved final plan, or in the event of the bankruptcy of the owner or developer, the affected municipality is hereby granted the power to elect to enforce any security posted under this Ordinance by appropriate legal and equitable remedies.
 - a. This may include taking all actions necessary to obtain moneys under said security, including but not limited to seizure of undeveloped lots, seizure of escrow funds, revocation of zoning permits and prosecution under this Ordinance.
2. Rate of Construction: Failure of a developer to construct streets and other public improvements reasonably at the same time or prior to the construction of the buildings served by those streets or public improvements, and at the same rate in time at which buildings are completed, shall be a violation of this Ordinance and a cause for default of the security.

B. Completion by County or Municipality: If the proceeds of such security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the affected municipality or County 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 moneys necessary to complete the remainder of the improvements.

C. Proceeds for Installation of Improvements: The proceeds from use of the security and/or from any legal or equitable action brought against the developer shall be used solely for the installation of the improvements covered by such security.

1203 – MAINTENANCE GUARANTEE

A. Maintenance Guarantee Required: All applicants proposing any subdivision or land development which provides for the dedication of improvements required by this ordinance shall be required to provide a legally binding maintenance guarantee to the affected municipality prior to acceptance of dedication of the improvements. In most cases, this guarantee will be part of the security agreement.

B. Terms of Maintenance Guarantee: The maintenance guarantee shall be acceptable in legal form to the municipal and county Solicitor and in content to the affected municipality , and shall include all of the following:

1. That the applicant make any repair or reconstruction of any improvement stipulated in the maintenance agreement which is specified by the municipality if needed because of faulty construction, workmanship, or materials, prior to acceptance of such improvement by the entity accepting them
2. That the applicant maintain at his/her own cost all improvements stipulated in the maintenance agreement, up to a maximum period of eighteen (18) months from the date of

completion, except for any special purpose escrow or maintenance agreements required by the municipality ,

3. That the applicant post financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plan, for a maximum term of eighteen (18) months from the date of completion, and
 4. That the developer plow snow and maintain all streets until such time as the municipality may accept such streets.
- C. Type of Security: The maintenance guarantee shall be secured by the same form of security as is permitted for the improvements guarantees.
- D. Terms: Such maintenance guarantee shall be in the form approved by the County and municipal Solicitor to guarantee the maintenance and repair of the streets and other public improvements in the subdivision or, land development for eighteen (18) months from the date of completion. The applicant shall prove to the satisfaction of the county and municipality that there will be an acceptable system for the long-term maintenance of any stormwater management systems.
- E. Amount: The amount of the maintenance guarantee shall be determined by the applicant's engineer, conditioned upon acceptance by the municipality, but shall not exceed fifteen percent (15%) of the actual cost of installation of such improvements.

F. Release: After a maximum of eighteen (18) months from the date of completion of said improvements, the municipality shall release the maintenance guarantee to the developer (or party that posted the guarantee) if all improvements are in satisfactory condition, as determined by the municipality

G. Terms of Development Agreement: The development agreement shall be acceptable in legal form to the Municipal and County Solicitor and shall be acceptable in content to the body accepting the approval. The County may require that a development agreement include any of the following items, where applicable, and such additional items as are necessary to carry out this Ordinance:

1. The construction depicted on the approved plans, listed in itemized format, including all approved streets, drainage facilities, utility lines and other improvements.
2. A work schedule setting forth the beginning and ending dates of such work tied to the construction of the development and provisions to allow proper inspection by the local municipal or County Engineer.
3. Provisions for grading, erosion and sedimentation control and slope stabilization
4. An acknowledgement that the developer shall be held responsible for all road damage due to building construction or other public property. Repairs shall be subject to final approval by the municipal Engineer or such other inspector as may be designated by the Board of Supervisors.
5. Establishment of an escrow for inspection of improvements and providing for reimbursement of the municipal engineer or other professional consultant for all fees relating to inspection and completion of improvements.
6. The provision of a performance guarantee for completion of required improvements in compliance with Section 1201, including a detailed breakdown of the estimated costs of the Improvements, including the total amount of the performance guarantee.
7. Provisions concerning the developer's responsibilities for damage to other property, including maintenance by the developer of public liability insurance for the duration of improvements

construction, with a hold harmless clause to protect the County and municipality from liability related to such work. A copy or other evidence of such liability coverage shall be provided to the County and municipality prior to such work.

8. Provisions concerning measures to prevent erosion, sedimentation and water damage to the subject and adjacent properties.
9. Provisions for the dedication of streets, water and sewer lines and any other easements or improvements approved to be dedicated, including reimbursement of County and municipality professional consultants for any deed of dedication.
10. See Article V concerning the requirement for a "final" plan.
11. Provisions for the developer to reimburse the County and municipality for all reasonable engineering costs directly related to the review, construction and inspection of the proposed development and to the review and preparation of the development agreement.
12. Requirement for "as built" drawings and plans per Section 1204.
13. Provisions concerning any violations of the development agreement.
14. Any other lawful terms which the County and municipality may require to carry out the provisions of this Ordinance.
15. Signatures: The development agreement shall be signed by all responsible landowners and/or developers.

1204 – AS-BUILT PLANS AND POST CONSTRUCTION ANALYSIS

Upon request in a development agreement, The subdivider or developer shall furnish the county and municipality with as-built plans to include the following, prepared by a registered Engineer or Surveyor, for sanitary sewer systems, stormwater systems, utility systems and street construction within the subdivision or land development prior to release of performance escrow.

1. Location of the road within the right of way (for single family subdivision plans).
2. Storm sewer systems including inlets with top and invert elevations, size and type of pipe, and wye locations.
3. Sanitary sewer systems including manholes and size and type of pipe.
4. Waterlines and fire hydrants.
5. Gas, electric and communication lines.
6. Stop signs and other traffic control devices.
7. For site plans, in addition to the above, to include buildings, parking spaces, paving, lighting and other appurtenances.

ARTICLE 13 Adoption and Effective Date

This Ordinance shall be effective five (5) days after adoption. ENACTED AND ORDAINED the 5th day of September, 2019.

County of Forest

COMMISSIONERS

Robert J. Snyder, Jr.
Basil D. Huffman
Norman J. Wimer

Commissioner's Office
526 Elm Street, Box 3
Tionesta, Pennsylvania 16353
814-755-3537

CHIEF CLERK
Lynette E. Greathouse

SOLICITOR
Timothy R. Bevevino

ORDINANCE NO. 3 OF 2019
SEPTEMBER 5, 2019

FOREST COUNTY SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

WHEREAS, the Forest County Conservation District & Planning Department Board is an appointed Board of Directors expressly for the purpose of generating recommendations to the Forest County Board of Commissioners, and

WHEREAS, the Forest County Conservation District & Planning Department Board passed a Motion at the Forest County Conservation District & Planning Department Board Meeting on May 23, 2019 to recommend the Adoption of the Update of the Forest County Subdivision and Land Development Ordinance dated May of 2019, and


WHEREAS, the Forest County Conservation District & Planning Department Board is recommending that the Fee Schedule for Subdivision and Land Development revised on January 14, 2010 remain in effect, unchanged, and

NOW THEREFORE, BE IT RESOLVED, that the Update to the Forest County Subdivision and Land Development Ordinance is hereby adopted in accordance with action taken at the September 5, 2019, meeting of the Forest County Commissioners.

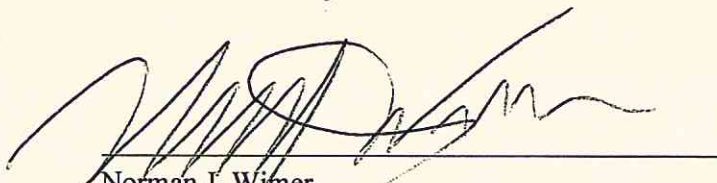
ATTEST:

BOARD OF FOREST COUNTY COMMISSIONERS


Lynette Greathouse, Chief Clerk


Robert J. Snyder, Jr Chairman


Basil D. Huffman


Norman J. Wimer

COMMISSIONERS
Robert J. Snyder, Jr.
Basil D. Huffman
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County of Forest

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CHIEF CLERK
Lynette E. Greathouse

SOLICITOR
Timothy R. Bevevino

RESOLUTION NO. 8 OF 2019

FOREST COUNTY SUBDIVISION AND LAND DEVELOPMENT RESOLUTION

WHEREAS, the Forest County Conservation District & Planning Department Board is an appointed Board of Directors expressly for the purpose of generating recommendations to the Forest County Board of Commissioners, and


WHEREAS, the Forest County Conservation District & Planning Department Board passed a Motion at the Forest County Conservation District & Planning Department Board Meeting on September 26, 2019 to recommend the following:

Consideration as a minor subdivision shall not include a subdivision of any lot, tract, parcel, site, or other division of land or portion thereof that had received previous approval as a subdivision within ten (10) years prior to the submission of the application, where the cumulative effect of combining said current and prior subdivisions would result in a subdivision not meeting the criteria for a Minor Subdivision.

NOW THEREFORE, BE IT RESOLVED, PASSED, APPROVED AND ADOPTED THIS 3rd DAY OF October 2019.

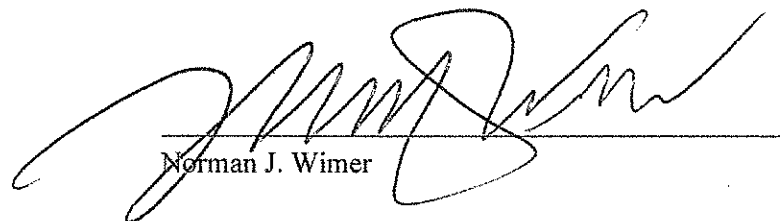
ATTEST:

BOARD OF FOREST COUNTY COMMISSIONERS


Lynette Greathouse, Chief Clerk


Robert J. Snyder, Jr Chairman


Basil D. Huffman


Norman J. Wimer