

**FOREST COUNTY
SUBDIVISION & LAND DEVELOPMENT
ORDINANCE**

Prepared by

FOREST COUNTY CONSERVATION DISTRICT & PLANNING BOARD

April 4, 1985
Revised 1999
Adopted January 13, 2000

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**FEE SCHEDULE
FOR
SUBDIVISION AND LAND DEVELOPMENT**

MINOR SUBDIVISION

\$100.00 + \$20.00 a lot

MAJOR SUBDIVISION

Preliminary Plan	\$200.00
Final Review Fee	\$200.00 plus \$20.00 per lot

MOBILE HOME PARKS

Classed as a Major Subdivision

LAND DEVELOPMENT

\$250.00

MODIFICATIONS

\$100.00

All Subdivision and Land Development – The subdivider is responsible for all Professional Fees (Engineer, Consultant, Architects, etc.) and Advertising Fees.

APPROVED JUNE 6, 1985
REVISED JANUARY, 2000
REVISED JANUARY 14, 2010

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 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. 1 OF 1985
FOREST COUNTY SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

A subdivision and land development ordinance for the division of realty 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 (Effective January 1, 1969) 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 1 - GENERAL PROVISIONS

101 SHORT TITLE: These Regulations 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 plans by providing uniform procedures and standards;

102.4 To insure conformance of subdivision 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.

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 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. A copy of the plat of such subdivisions will be submitted to the local municipality for their review and comment, provided that if said recommendations are not received within thirty (30) days from the date of receipt of the plans, they shall be considered favorable recommendations.

103.3 Where a subdivision or land development has been laid out and recorded prior to the effective date of this Ordinance, 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.

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, provided 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. 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 regulations, the provisions of such local subdivision 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 separation 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.

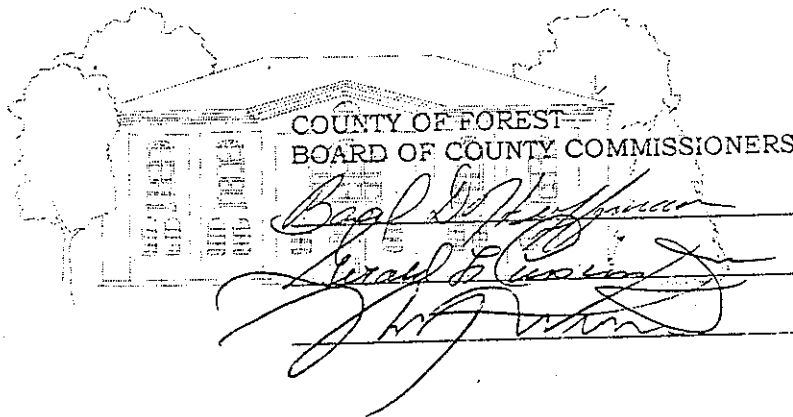
111 EFFECTIVE DATE: This Ordinance shall become effective January 13, 2000 and shall remain in effect until modified or rescinded by the Board of Forest County Commissioners.

112 FILING FEE: The fee for filing of a subdivision plan shall be established by resolution of the Board of Forest County Commissioners.

RESOLUTION #01 of 2000

Notice is hereby given, by the County of Forest Board of County Commissioners, that the Fees for the Forest County Subdivision & Land Development Ordinance will hereby increased for a Minor Subdivision to \$25.00 for the Review Fee and \$5.00 for each lot. Also, a Major Subdivision Preliminary Plan is increased to \$50.00 with the Final Plan at \$50.00 plus \$5.00 per lot. All Mobilehome Parks will be classed as a Major Subdivision. Land Development Project fees will be increased to \$100.00. Modifications (formerly "Variances") will cost \$25.00.

This Resolution shall take effect on January 13, 2000



11

ATTEST:

Virginia M. Call
Chief Clerk

ARTICLE 2 - DEFINITION OF TERMS:

Unless otherwise expressly stated, the following terms shall, for the purpose of this Ordinance have the definition indicated.

Words in the singular include the plural, and words in the plural include the singular. The term "Forest County Conservation District & Planning Board" may also be rendered as the Conservation Planning Board. The word "Person" includes a "Corporation", "Unincorporated Association", and a "Partnership" as well as an "Individual". The word "Building" includes "Structure" and shall be construed as if followed by the words "Or Part Thereof". The word "Street" includes "Road", "Highway", and "Land in right-of-way", and "Watercourse" includes "Drain", "Ditch", and "Stream". The words "Shall" or "Will" are mandatory, and the word "May" is permissive.

Administrator: The word Administrator shall mean Subdivision Administrator.

Agriculture: Any agriculture use including farming, dairying, pasturage, horticulture, floriculture, viticulture, animal and poultry husbandry, forestry (including the harvesting of timber and silviculture) and one (1) single-family dwelling unit on a parcel of land more than ten (10) acres in area served by an existing street or easement of access.

Appropriate Agency: This term designates a local municipality, local municipal authority or other entity, which will receive improvements from the developer. It is used in this Ordinance primarily in reference to bonding provisions.

Block: An area bounded by streets.

Board: The word "Board" or the words "Planning Board" or "County Planning" shall mean the Forest County Conservation District & Planning Board.

Building: A roofed structure enclosed by walls for the shelter, housing or enclosure of persons, goods, materials or animals.

Building Setback Line: The line within the property defining the required minimum distance between any structure and the street right-of-way (as defined by this Ordinance) line.

Cartway: That stabilized portion of a street normally used for vehicular movement.

Comprehensive Plan: The comprehensive general plan, or any of its parts, for the future growth, protection and development of Forest County, adopted by the County and/or by any of the Townships or Borough located within the County.

County Engineer: A duly registered professional engineer employed by Forest County or engaged as a consultant thereto; or a municipal engineer if authorized by the Board. (See definition of Engineer)

Crosswalk: A right-of-way, municipally or privately owned, at least twelve (12') feet in width, which cuts across a block to furnish access for pedestrians to adjacent streets or properties.

Driveway: A private drive providing access between a public or private street or accesses drive and a parking area for a single unit of occupancy.

Density: The number of dwelling units per acre, exclusive of street right-of-way.

Easement: A right granted to certain land for a special purpose not inconsistent with the general property rights of the owner.

Engineer: A professional engineer licensed as such in the Commonwealth of Pennsylvania. (See Definition of County Engineer)

Erosion and Sedimentation Control Plan: A plan setting forth the methods to prevent accelerated erosion and sedimentation resulting from earthmoving activities including, but not limited to, excavating, embankments, land development, subdivision development, and the moving, depositing, or storing of soil, rock, or earth.

Flood Hazard Boundary: The Boundary line along a natural watercourse that delineates the area subject to periodic inundation by floodwaters. The boundary line may encompass a relatively flat or low land area adjoining a watercourse which is subject to partial or complete inundation, or any area subject to the unusual and rapid accumulation or runoff of surface waters from any source

and/or any land area deemed subject to flooding by the Forest County Conservation District & Planning Board, United States Natural Resources Conservation Service, U.S. Army Corps of Engineers, Federal Insurance Administration, or any other official authority.

Flood Plain: The area along a natural watercourse that is periodically over-flowed by water thereon.

Grading Plan: A plan showing all present and proposed grades for storm water drainage.

Hardship: Unique physical circumstances or conditions such as exceptional topographical or other physical conditions peculiar to the proposed subdivision where there is no reasonable possibility that the property can be developed in strict conformity with the provisions of these subdivisions regulations.

Improvements: Those physical additions and changes to the land that may be necessary to produce usable and desirable lots. (Grading, water mains, sanitary sewers, storm sewers and drains, street shade trees, street signs and monuments). (See Article 5)

Land Development: Any of the following activities:

- A. The improvements of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - 1. A group of two or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
 - 2. The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features;
 - 3. See also Article I and Article V of the Pennsylvania Municipalities Planning Code.

B. A subdivision of land.

C. "Land development" does not include development that involves:

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

Local Planning Commission: The duly appointed planning commission representing any Borough or township, or combination of them, located within Forest County.

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

Lot Area: The area contained within the property lines of the individual parcel of land as shown on the subdivision plan, excluding space within the minimum Right of Way as defined by this Ordinance.

Lot, Double Frontage: A lot, having at least two sides fronting on separate streets which do not intersect while adjoining the lot.

Mobilehome: A transportable, single family dwelling intended for permanent occupancy, office or place of assembly contained in one unit, or in two units designed to be joined into one integral unit

capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

Mobilehome Lot: A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobilehome, which is leased by the park owner to the occupants of the mobilehome erected on the lot.

Mobilehome Park: A parcel of land under single ownership which has been planned and improved for the placement of mobilehomes for nontransient use, consisting of two or more mobilehome lots.

Modification: When a subdivider can show that a provision of this Ordinance would cause unnecessary hardship if strictly adhered to, and where because of topographic or other conditions peculiar to the site, in the opinion of the Board an exception may be made without destroying the intent of such provisions, the Board may recommend and the Forest County Commissioners may authorize modification. Any modification thus authorized and the reasoning on which departure was justified shall be entered on the minutes of the Forest County Commissioners. A modification applies only to the particular subdivision for which it is granted.

Municipality: Any Borough or Township located within Forest County.

Pennsylvania Planning Code: Pennsylvania Municipalities Planning Code (Act 247 of July 31, 1968) and amendments thereto which from time to time are adopted.

Plan, Final Subdivision: A complete and exact subdivision plan showing existing features of land and proposed street and lot layout within and adjacent to a subdivision as required by Article 8.

Plan, Preliminary Subdivision: A tentative subdivision plan showing existing features of land and proposed street and lot layout within and adjacent to a subdivision as required by Article 7.

Plan, Sketch: A rough sketch showing the contemplated development of the subdivision and its relationship to adjacent land.

Principal Structure: A structure in which is conducted the main or principal use of the lot on which it is situated.

Right-of-way: Land intended for use as a street, alley, or crosswalk.

Sediment: Soil, and other materials, which are carried by water and settle out on the bottom of streams, lakes, and watercourses.

Sewage Enforcement Officer: (also known as Certified Sewage Enforcement Officer) The official who is certified by the Pennsylvania Board of Certification of Sewage Enforcement Officers and is appointed by a municipality to review sewage permit applications, issue permits, and conduct such investigations and inspections as are necessary to implement the Pennsylvania Sewage Facilities Act (Act 537 of 1966, as amended) and the rules and regulations of the Pennsylvania Department of Environment Protection thereunder.

Street: A general term used to describe a right-of-way municipally or privately owned, serving as a means of vehicular and pedestrian movement and access to adjacent properties, furnishing space for sewers, public utilities and shade trees. The streets are classified by function as follows:

1. Local (Minor) Streets: A street, used as the principal means of access to adjacent properties, serving only a comparatively small number of dwellings.
2. Collector Street: A street or road connecting local streets to each other, to community facilities, and to primary or major thoroughfares, serving only the neighborhood traffic.
3. Primary Street or Major Thoroughfare: A street connecting district centers, servicing large volumes of through, fast traffic, preferably located outside or bounding the residential neighborhoods.
4. Others:
 - a. Alley: (or Service Drive) A strip of land over which there is a right-of-way, municipally or privately owned, serving as a secondary means of

access to two or more properties in non-residential developments.

- b. Cul-de-sac: A residential street with one end open for vehicle and pedestrian access and the other end terminating in a vehicular turn-around.
- c. Half Street: One half of a street right-of-way and paving, usually with its centerline located on a property line.
- d. Marginal Access Street: A street parallel and adjacent to a primary or major thoroughfare providing access to abutting properties and control of intersections with major thoroughfares.

Structure: Anything constructed or erected, the use of which requires a fixed location on the ground or an attachment of something having a fixed location to the ground, including buildings, billboards, carports, porches, and other building features, but not including sidewalks, drives, and patios.

Subdivider: A person who is the registered owner or authorized agent of the registered owner, of the land being subdivided.

Subdivision Administrator: A person, or persons, designated by the Board to act as the Board's agent with approval or disapproval powers pursuant to minor subdivisions.

Subdivision: The division or redivision 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 devisee's, 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, shall be exempted.

Subdivision, Major: A residential subdivision containing more than ten (10) lots or dwelling units or commercial or industrial development or other land developments herein defined whether or not development will be served by existing public streets, for which the subdivider or developer is required to submit Preliminary and Final Subdivision Plans for review and approval (either

conditional or final) by the Board. Any subdivision requiring the construction of a new road shall be considered a Major Subdivision.

Subdivision, Minor: A subdivision containing ten (10) or less lots or dwelling units that is served by an existing public street, for which the subdivider or developer must submit a Final Subdivision Plan for review and approval by the Board. If after subdividing nine (9) lots, a residue of land remains in the original tract, that residue shall be considered to be the tenth lot. Whenever an eleventh or subsequent building lot or dwelling unit is proposed, the subdivision shall cease to be a Minor Subdivision and must then conform to the requirements of a Major Subdivision.

Subdivision, Part and Parcel: subdivision involving a conveyance between adjacent (abutting and contiguous) landowners where the subdivided lot shall be taken from the grantors' land and added to the grantees' existing land.

Subdivision - Agricultural lot or Silvicultural lot note, "The lot to be conveyed or retained shall function as an agricultural or silvicultural lot only, and not as a building lot. Should any building be proposed, a sewage planning module must be completed and approved, and a permit issued, prior to the start of construction. Construction shall not begin without a municipality building permit.

Subdivision - Replat: The change of a lot line between two (2) abutting existing parcels which does not create a new parcel and where such lot line change is in full compliance with this Ordinance, any Borough or municipal Zoning Ordinance and related ordinances, rules and regulations applicable within Forest County.

Surveyor: A professional land surveyor licensed as such in the Commonwealth of Pennsylvania.

Watercourse: A natural or man-made channel, over which water travels.

Watershed: The land area that drains into a creek, river, or other body of water.

ARTICLE 3 - REVIEW PROCEDURES, PERFORMANCE GUARANTEES AND INSPECTIONS:

301 MINOR SUBDIVISION PROCEDURAL SUMMARY: The subdivider shall develop a proposed Minor Subdivision layout and present it for final action by the Board in the following consecutive steps:

301.1: The subdivider is encouraged to meet with the Board staff to discuss a Sketch Plan and complete the Sketch Plan report form. The Sketch Plan should generally include those items listed in Article 6. Submission of a Sketch Plan shall not constitute a formal filing of a plan with the Board.

301.2: The subdivider is not required to submit a Preliminary Plan. However, the Plan submitted must conform to all requirements of a Minor Subdivision Final Plan in Article 8.

301.3: Plans for minor subdivisions shall be reviewed by the Subdivision Administrator and given either approval or disapproval. Any subdivider aggrieved with the decision of the Administrator may submit the Plan to the full Board for consideration. In such case, if the decision of the full Board conflicts with the decision of the Subdivision Administrator, the decision of the full Board shall prevail.

301.4: In the case of minor subdivisions, the subdivision Administrator shall cause to be submitted a copy of the Plans to the local municipality for review and the record.

302 Minor Subdivision; Part & Parcel Conveyance Procedure: For Minor Subdivisions involving a conveyance that creates a lot that becomes part and parcel to the grantee's existing property, the following alternative submission procedure may be approved by the staff. The applicant shall provide:

302.1: A final survey plan meeting the general submission requirements of Article 8 and particularly items numbered #1, #2, #3, #6, #16, #18 as well as block & lot numbers of the grantor and grantee parcels. All these items shall be submitted.

302.2: The plan shall include a notarized statement from the grantor that this conveyance will not reduce the grantor's remaining land area below applicable minimum lot size requirements and a notarized statement from the grantee affirming that the parcel to be acquired abuts, adjoins and is contiguous to the

grantee's present property and will hereinafter be considered annexed and treated as one solitary parcel for tax assessment, planning, sewage planning and other regulatory purposes, and the parties hereto, for themselves, their successors and assigns, agree that the premises herein described will not be subdivided without further review and approval of the Forest County Conservation District & Planning Board. The notarized statement shall be a part of the survey submission at the moment of submission.

302.3: When the subdivision is located within the jurisdiction of a municipality with a local zoning ordinance or building code, the signature of the zoning officer and/or the building permit officer must appear with a statement that the proposed subdivision is in accordance with the municipal zoning or building permit ordinance with geo-political jurisdiction.

302.4: Section 301.4, 304.1 and 304.2 apply to the part and parcel conveyance procedure.

303 MAJOR SUBDIVISION PROCEDURAL SUMMARY: The subdivider shall develop a proposed Major Subdivision layout and present it for final action by the Board in the following consecutive steps:

303.1: The subdivider is encouraged to meet with the Planning Board staff to discuss a Sketch Plan and complete the Sketch Plan report form prior to submission of the Preliminary Plan.

303.2: The subdivider shall submit a Preliminary Plan upon which the Board will act by giving either disapproval, conditional approval or approval.

303.3: The subdivider shall present the Final Plan of the subdivision, together with such supporting documents as may be required, which shall show fulfillment of the conditions of approval and upon which the Board shall endorse its final approval in writing. A conditional approval shall require either installation of the required improvements or the furnishing of an approved performance bond or other appropriate securities guaranteeing completion of such improvements prior to final approval.

304 MINOR SUBDIVISION TIMETABLE:

304.1 Final Plan: Six (6) black and white or blue and white line prints and one mylar (plastic) or stable cloth transparent reproduction with black line of the Final Subdivision Plan, and two (2) copies of all other required information shall be submitted by the subdivider. A copy of the Final Plan shall concurrently be submitted to the sewage enforcement officer of the municipality in which the subdivision is located.

The Board shall take action and report within forty-five (45) calendar days from the date of submission of a complete Final Plan. Otherwise such plan shall be deemed to have been approved unless the applicant has agreed in writing to an extension of time. The decision of the Board shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than five (5) days following the decision. The grounds for modifications or for disapproval of any Final Plan submitted to the Planning Board staff may include the refusal or failure of the subdivider to furnish such documents as the Board may require to this Ordinance.

304.2 Recording of Final Plan: After completion of these procedures and upon approval of a Final Plan by the Board, as evidenced by the signature of the Subdivision Administrator and Board Chairman or their designated representatives, the subdivider or his agent, and appropriate municipal officials shall be notified in writing of such action. Two (2) copies of the approved Plan shall be submitted to the subdivider or his agent. One (1) approved plan must be recorded immediately, but in no case shall the plan be recorded after 90 days from the date of the final approval by the Board or the Subdivision Administrator. Should the subdivider fail to record the final plan within such period, the approval of the Board shall be null and void unless an extension of time is requested by the subdivider in writing and is granted in writing by the Board. The approved Final Plan shall be filed with the County Recorder of Deeds before proceeding with the sale of lots or construction of buildings.

305 MAJOR SUBDIVISION TIMETABLE:

305.1 Preliminary Plan: The subdivider shall prepare at least seven (7) copies of the Preliminary Plan in accordance with Article 7 of this Ordinance. The subdivider shall file four (4) copies of such plan, designated "Preliminary Plan", with the Board. In addition to filing with the Board, such plans shall be concurrently submitted to the appropriate officials of the municipality in which the subdivision is located including the municipal governing body, planning commission, and the sewage enforcement officer, for action or information of such officials as appropriate.

The Preliminary Plan and all information and procedures relating thereto shall in all respects be in compliance with the applicable provisions of this Ordinance. It is the responsibility of the subdivider to coordinate his plans pursuant to the provisions of this Ordinance with the respective private and public service agencies.

For consideration at the next regular meeting of the Board, the Preliminary Plan shall be filed with the Forest County Conservation District and Planning Office not less than fifteen (15) calendar days in advance of such meeting date.

The Subdivision Administrator will discuss the Preliminary Plan with the subdivider or agent. A report will be provided to the Board from the sewage enforcement officer on the suitability of land for subdivision in relation to health standards and from the appropriate officials of the municipality in which the subdivision is located for their recommendation. A copy of the plan may also be referred to the Board, to review the adequacy of the planned erosion and sediment control measures. In cases where the subdivision fronts on an existing or proposed State highway or has proposed streets entering on such highways, the Board may submit the plans to the Pennsylvania Department of Transportation for review.

The Board shall take final action on the Preliminary Plan no later than ninety (90) days following the date of the next regular meeting of the Board following the date that the application is filed with the County; provided, however, that should the next regular meeting occur more than thirty (30) days following the filing of the application, the ninety (90) day period shall then be measured from the thirtieth (30th) day following the day the application was filed. The Board shall render its decision during a public meeting. The Board may approve the Plan, disapprove the

Plan or approve the Plan with certain conditions. If the Board either disapproves the Plan or approves it conditionally, it shall cite the provisions of this Ordinance upon which it has based such action. Within fifteen (15) days after its action, the Board shall notify the developer, in writing, of the action taken, and specifying what revisions or additions, if any, will be required prior to the approval of the Final Plan. If the developer fails to accept the Board's revisions or conditions, if any, set forth in its Preliminary Plan approval within twenty (20) days from notification, the approval shall be automatically rescinded.

Any modification of the Preliminary Plan required by the Board as prerequisite to approval shall be noted on four (4) copies of the Preliminary Plan. One copy will be returned to the subdivider, one will be retained by the Board, the third will be filed with the municipality in which the subdivision is located, and the fourth will be filed with the municipality's planning commission.

Approval of the Preliminary Plan shall constitute approval of the subdivision or land development as to the character and intensity of development, the arrangement and approximate dimensions of streets, lots, and other planned features, but shall not authorize the sale of lots.

305.2 Final Plan: After the subdivider has received official notification that the Preliminary Plan has been conditionally approved and what changes, if any, must be made if the plan is to Proceed to consideration as a Final Plan, the subdivider has one year in which to submit a Final Plan. If the subdivider does not do so within a twelve-month period, the conditional approval of the Preliminary Plan shall become null and void unless an extension of time is requested by the subdivider in writing and is granted, in writing, by the Board before the expiration date.

When the Board grants an extension of time for the submission of a Final Plan, the Board shall do one of two things when the Final Plan is submitted: (1) Make a finding that the conditions on which its approval of the Preliminary Plan was based have not changed substantially or (2) require changes in the plan prior to final approval that will reflect any substantial changes to the site of the subdivision or in its surroundings that have taken place since the grant of conditional approval of the Preliminary Plan.

It is not necessary for the entire plan that received conditional approval to be submitted as a Final Plan. The Final Plan may be

submitted in sections, each covering a portion of the entire proposed subdivision shown on the Preliminary Plan.

Nine (9) black & white or blue & white line prints of the Final Subdivision Plan, and five (5) copies of all other required information shall be prepared by the subdivider in accordance with the provisions for a Major Subdivision Final Plan (Article 8). Six (6) copies of the Final Plan and two (2) copies of all other required information shall be submitted by the subdivider to the Forest County Conservation District and Planning Board. A copy of the Final Plan and a copy of the other required information shall concurrently be submitted to the appropriate officials of the municipality in which the subdivision is located including the municipal governing body, Planning Commission, and the sewage enforcement officer for action or information of such officials as appropriate. These officials should review and make written recommendations to the Board within (30) days of receipt of the final development plans. If no response is received within the above stated period of time, the Board shall assume that a favorable review was submitted.

For consideration at the next regular meeting of the Board, the Final Plan shall be filed with the Board not less than fifteen (15) calendar days in advance of such meeting date. Before acting on any subdivision plan the Board may hold a public meeting thereon following adequate public notice in accordance with Section 107 of the Pennsylvania Municipalities Planning Code.

The Board shall take final action on the Final Plan no later than ninety (90) days following the date of the next regular meeting of the Board following the date that the application is filed with the Code Officer; provided, however, that should the next regular meeting occur more than thirty (30) days following the filing of the application, the ninety (90) day period shall then be measured from the thirtieth (30th) day following the day the application was filed. The Board shall render its decision during a public meeting. The decision shall be communicated to the developer, in writing, no later than fifteen (15) days following the date the decision was made. The formal date of approval shall be deemed to be that date following approval by the Board whereby the developer provides satisfactory evidence that all conditions set forth by the Board's approval have been met. In no event shall that time extend beyond one hundred twenty (120) days from the date of the Board's action.

Where the completion of improvements is required prior to receiving final approval of the plan, or if the subdivider desires this procedure the Final Plan may be given conditional approval. The plan and design requirements for conditional approval are the same as for Final Plan approval. Upon completion of the required improvements, the Conditional Plan may proceed to Final Approval.

No plan shall receive Final Plan approval by the Board unless the subdivider shall have completed all required improvements listed in Article 5.

Required improvements, and as the Board may require in the public interest or shall have filed with the Board a performance bond in favor of the municipality or other assurance acceptable to the Board. Where a performance bond or other performance assurance has been made to a municipality and satisfactory evidence of such presentation is furnished to the Board by the municipality, the Board will not require duplicate action as compliance with this Ordinance.

In lieu of completing the necessary improvements, the developer may file a bond with the Board, appropriate municipality, municipal authority or appropriate agency. Any such bond shall be in full compliance with the provisions of Section 509 of the Pennsylvania Municipalities Planning Code. Evidence of that compliance and, written approval of the needed bond relative to form and amount, from the Board, local municipality, municipal authority or appropriate agency shall be presented to the Board. Any conflict regarding the amount, type or form of financial security shall be resolved in accordance with Section 509 of the Pennsylvania Municipalities Planning Code.

305.3 Recording of Final Plan: After completion of these procedures and upon approval of a Final Plan, as evidenced by the signature of the Chairman or Vice-Chairman and the Subdivision Administrator, the subdivider or his agent, and the municipality, shall be notified in writing of such action. Two (2) copies of the approved plan shall be submitted to the subdivider or his agent. One (1)-approved plan must be recorded immediately, but in no case shall the plan be recorded after 90 days from the date of the original approval by the Conservation Planning Board. Should the subdivider fail to record the Final Plan within such period, the approval shall be null and void unless an extension of time is requested by the subdivider in writing and is granted in writing by the Board. The approved Final Plan shall be filed with the County Recorder

Recording the Final Plan after approval of the Board shall have the effect of an irrevocable offer to dedicate all streets and other public ways to public use, and to dedicate or reserve all park reservations and school sites and other public areas to public use, unless reserved by the subdivider as hereinafter provided. The approval shall not impose any duty upon the Board, County or a Municipality concerning maintenance or improvement of any such dedicated streets, parks, areas or portions of same until the proper authorities of the County or the municipality shall have made actual appropriation of the same by ordinance or resolution or by entry, use, or improvement.

The subdivider may place a notation on the Final Plan to the effect that there is no offer of dedication to the public of certain designated public areas, or (in unusual circumstances) street or alleys, in which event the title to such areas shall remain with the owner, and the County and local officials shall assume no responsibility for improvement or maintenance thereof which fact shall also be noted on the Final Plan.

The recording of the Plan shall not constitute grounds for assessment increases until such time as lots are sold or improvements are installed on the land included within the Plan.

306 FINANCIAL SECURITY: The purpose of this section is to establish a procedure whereby the developer may, in lieu of completing improvements, provide financial security to assure their completion as allowed by the Pennsylvania Municipalities Planning Code. This procedure, taken from the Planning Code, shall be used in conjunction with such security relative to the County, a local municipality, local municipal authority or agency, as appropriate. It shall only be waived if the organization which is to accept such improvements has a separate procedure and so informs the Forest County Conservation District and Planning Board in writing.

The purpose of this section is to provide for the filing of financial security as allowed by Section 509 of the Planning Code. It is the clear intent of this Ordinance that all improvements required by this Ordinance be either installed, and approved, or the developer will post adequate financial security as required by Section 509 of the Planning Code before Final Plan approval is granted.

306.1: An assurance of proper completion of the improvements by financial security in the subdivision shall be made by one of the following methods, or such other method as shall be satisfactory:

A. A bond, irrevocable letter of credit, restrictive or escrow account, certified check or other security satisfactory to the Forest County Conservation District and Planning Board or appropriate agency and in accordance with Section 509 of the Planning Code, which shall run or be made payable to the Board or appropriate agency.

B. In the case of a bond, it shall also:

1. Be with surety satisfaction to the Board or appropriate agency.

2. Be in form, sufficiency and execution acceptable to the Board or appropriate agency.

306.2: The amount of the financial security shall be in an amount determined to equal one hundred ten percent (110%) of the cost of the required improvements in accordance with Section 509 of the Planning Code, and shall be approved by the Engineer of the County or appropriate agency.

306.3: The bond, certified check or other securities shall specify the time for the completion of the required improvements. Such time shall be satisfactory to the Board or appropriate agency, but not exceed one (1) year. When the improvements have been completed and approved by the Board or appropriate agency, the guarantee shall be released and returned. When a portion of the required improvements has been completed and approved by the Board or appropriate agency, a portion of the bond, monies or security commensurate with the cost of the improvement may be released and returned in accordance with Section 509 of the Planning Code.

In no event shall the entire performance assurance be returned to the developer. At least fifteen percent (15%) shall be retained until:

A. All improvements have been completed, approved by the Engineer of the Board or appropriate agency and accepted.

B. The required maintenance bond (see Article 7) has been filed and accepted by the Board or appropriate agency.

306.4: In the event that cash or its equivalent is deposited as an improvement guarantee, it shall be held in an escrow fund, which may bear interest to the credit of the developer, but the developer shall pay all costs for the maintaining of such escrow fund.

306.5: For circumstances relating to financial security not specifically delineated in the Ordinance, including the amount of same and the resolution of disagreements relative to such security, it is the intention of the Board to follow the guidelines and procedures as set forth by Sections 509 and 510 of the Pennsylvania Municipalities Planning Code.

306.6: Once the project is completed, the municipality may require the posting of financial security to assure "structural integrity" and guarantee that the improvement is in accordance with the design and specifications of the Final Plan. The security cannot exceed 15 percent of the actual cost of the improvements and may be held up to 18 months.

307 INSPECTION: Installation, improvements, and development of any subdivision shall be subject to inspection at all stages by representatives of the Forest County Conservation District and Planning Board, local municipality, local municipal authority or agency as may be appropriate and for such purpose, free access shall be accorded, and requested information shall be promptly submitted.

308 REMEDIES TO EFFECT COMPLETION OF IMPROVEMENTS: In the event that any improvements which may be required have not been installed as provided in the Subdivision and Land Development Ordinance or in accordance with the approved final plat, the Board, the local municipality, local authority or appropriate agency is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Board, local municipality, municipal authority or appropriate agency may, at its option, install part of such improvements in all or part of the subdivision and land

development and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.

ARTICLE 4 DEVELOPMENT DESIGN STANDARDS

401 GENERAL REQUIREMENTS: In the layout, development, and improvement of a subdivision, the subdivider shall 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 should use standards consistent with the site conditions so as to insure an economical, pleasant, and durable subdivision.

402 NATURAL FEATURES AND FLOOD PLAINS: Existing natural features such as trees, steep slopes, watercourses, and historic places shall be preserved as a conservation measure except to the extent that their removal or modification is functionally related to the harmonious design of the subdivision. Subdividers and developers shall make every effort to preserve and conserve historic places whenever an identified historic place exists on land being subdivided or developed.

Land subject to flooding and land deemed by the, Forest County Conservation District and Planning Board or other official authority, to be uninhabitable shall not 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 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.

403 STREETS AND ROADS:

403.1 Street System:

403.1(a): The development plan shall conform to such plan or plans of the municipality within the County as shall

have been prepared and adopted by the Forest County Conservation District and Planning Board Commission or local authorities of said municipalities within the County.

403.1(b): Local residential streets in a new development shall be so laid out as to discourage through-traffic but provisions for the extension and continuation of major streets into and from adjoining areas is required. If the subdivision abuts or contains an existing or proposed primary street or major thoroughfare, the Board may require marginal access streets running parallel to the primary street or major thoroughfare.

403.1(c): At all times, the street layout should be logically related to the topography of the land. Maximum slopes of banks measured perpendicular to the centerline of the street shall be three (3) to one (1) for fills, and for cuts: two (2) to one (1) in rock, three (3) to one (1) in stable soils, and four (4) to one (1) or flatter in unstable soils.

403.1(d): Where the centerline of local streets opening into opposite sides of a primary street or major thoroughfare are within two hundred (200') feet of each other, they shall be made to coincide by curving or angling the local streets.

403.1(e): If the lots resulting from the original development are large enough for re-subdivision, or if a portion of the tract is not subdivided, suitable access and street opening for such eventuality shall be provided.

403.1(f): Intersecting local and collector streets shall not empty into the same side of a primary street or major thoroughfare at intervals of less than eight hundred (800') feet measured from the centerline.

403.2 Street Dimensions, Grades and Alignment:

Street Type	Min. ROW (1)	Min. (2) Cartway Width (2)	Max Grade (3)	Min. Grade (4)	Min. Radius of Centerline (5)	Min. (3,4) Sight Distance (6)
Major Thoroughfares	80'	48'	6%	0.5%	600'	500'
Collector Streets	50'	24'	7.5%	0.5%	400'	350'
Local Streets	33'	18'	10%	0.5%	200'	200'
Cul-De-Sac (5)	33'	18'	10%	0.5%	100'	100'
Marginal Access Sts.	33'	18'	10%	0.5%	100'	100'
Alleys	20'	18'	10%	0.5%	50'	50'
Pedestrian Walkways	8'	5'	10%	0.5%	--	--

1. Additional widths may be required by the Forest County Conservation District and Planning Board upon findings that the same are required for (1) Public safety and convenience; (2) Parking in commercial or public use areas; (3) Old roads which do not provide the proper widths, and where, as a consequence, additional dedication is necessary.
2. In addition to the cartway widths, the subdivider shall provide stabilized shoulder(s) of three feet (3') in width to be used for the temporary parking of disabled vehicles or for the occasional overflow of off-street parking areas.
3. Vertical curves shall be used in changes of grade exceeding one percent (1%), and should be designed for maximum visibility. Intersections shall be approached on all sides by leveling areas. Such leveling areas shall extend for a distance of one hundred feet (100') from the point of intersection of the centerlines of the intersecting streets and within which no grade shall exceed a maximum of three percent (3%). The grade of

actual intersections shall not exceed one percent (1%) in any direction.

4.

Sight Distance shall be measured along the centerline at eye level. Proper sight lines should be maintained at all intersections or streets. Measured along the centerline, there should be a clear sight triangle of seventy-five feet (75') from the point of intersection. No future building or obstruction shall be permitted in this area.

For Primary Streets, Major Thoroughfares, and Collector Streets there shall be a tangent of at least one hundred feet (100') measured at the centerline between reverse curves.

5.

Cul-de-sac's shall be a minimum of 250 feet in length and a maximum of 600 feet in length and shall be designed with a turn-around having an outside cartway diameter of at least eighty feet (80') and a property line diameter of at least one hundred feet (100').

403.3 Street Intersections:

403.3(a): Multiple intersections involving the junction of more than two streets shall be avoided, and where such avoidance is impossible, such intersection shall be designated with extreme care for both vehicular and pedestrian safety.

403.3(b): Right angle intersections shall be used whenever practicable, especially when local residential streets and rural streets and roads empty into major or collector thoroughfares and there shall be no intersection angle measured at the centerline of less than seventy degrees (70).

403.3(c): Streets that are extensions of or obviously in alignment with, existing named streets shall bear the names of the existing streets subject to the approval of the local planning commission and the Board. No street names shall be used which will duplicate or be confused with the names of existing streets.

403.3(d): When subdivision is to occur along a non-public road, the subdivider shall request a determination of existing roadway status by the Board prior to making any changes or improvements. The burden of proof of determination of roadway status will be placed on the subdivider.

404 BLOCKS AND LOTS:

404.1 BLOCKS:

404.1(a): 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 a 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.

404.1(b): In large blocks with interior parks, in exceptionally long blocks, or where access to a school or Shopping center is necessary, a crosswalk shall be provided.

404.2 Lots:

404.2(a): When the subdivision is located in a municipality having a zoning ordinance, the minimum lot frontage and area 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 following minimums shall apply:

(1) Residential lots where private wells and septic tanks are provided shall have a minimum width of one hundred twenty-five feet (125') at the building line and a minimum area of one (1) acre or forty three thousand five hundred and sixty (43,560) square feet per single family dwelling unit.

(2) Residential lots served by a public water system shall have a minimum width of one hundred feet (100') at the

building line and a minimum area of fifteen thousand (15,000) square feet per single family dwelling unit.

(3) Residential lots where both public water and sanitary sewers are provided, or where only a public sewer system is provided shall have a minimum width at the building line of sixty feet (60') and a minimum area of six thousand (6,000) square feet per single family dwelling unit.

(4) The size of lots in (1) and (2) above may 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. 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.

404.2(b): All lots shall abut on a street, but double frontage lots shall be avoided, except lots along a major thoroughfare, which front on an interior street. All lot lines shall be at right angles to the street, or to a tangent of the arc of a curved street. If after subdivision, there exists remnants of land, they shall be included in proposed or existing lot areas.

404.2(c): In residential lots, only one principal structure, or an arrangement providing for the same density as that for one principal structure, shall be permitted.

405 BUILDING LINES, EASEMENTS, AND ALLEYS:

405.1 Building Lines: When a subdivision is located in a municipality having a zone ordinance, subdivision regulations or building set-back ordinance, the minimum building set-back shall be controlled by the provisions expressed therein. If in the local ordinances or regulations, there are not provisions regarding building setback, or if the subdivision is located in an area not controlled by such local or County ordinance, the following

minimums shall apply. Setbacks shall be measured from the street right-of-way (as defined by this ordinance) line.

405.1(a) Primary & Secondary Highway: A setback of forty feet (40') will be required.

405.1(b) Collector Streets: A setback of thirty feet (30') will be required.

405.1(c) Local Streets: A setback of thirty feet (30') will be required.

405.1(d): On any lot abutting an operating railroad tract, no dwelling shall be placed within seventy-five feet (75') of the railroad right-of-way centerline.

405.1(e): On any lot there shall be side and rear line setbacks as follows: No structure shall be placed or situated closer than 10' from the sideline or the rear line of any lot.

405.2 Easements: If sewers, water, gas, electric, street lighting or other public utility facilities are to be located within street rights-of-way, their location and installation shall be coordinated so that they may be added to, repaired, or enlarged at minimum cost.

To the fullest extent possible, easements should be centered on or by adjacent to rear or side lot lines. Such easement shall have a minimum width of at least twenty feet (20'), and shall remain unobstructed by buildings, structures, or fences.

Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement conforming substantially with the lines of such watercourse and be of such width to be adequate for the purpose.

The installation of utility facilities shall conform to the construction standards of the utility company and the Pennsylvania Public Utility Commission.

405.3 Alleys: Alleys are prohibited in residential developments. In commercial or industrial districts without expressly designed loading areas, alleys with a minimum width of

twenty feet (20') shall be required. Where such alleys dead-end, they shall be provided with a turn-around having an outside roadway diameter of not less than thirty-three (33') or a paved "Y" turn-around of sufficient size.

ARTICLE 5 - REQUIRED IMPROVEMENTS

The following is a list of required improvements to be installed by the subdivider:

501 STREET CONSTRUCTION: All streets shall be graded and constructed to the specifications shown on the street profile and cross-section plans acceptable to the municipality, as submitted and approved with the Preliminary Plan. They shall be inspected and checked for accuracy by the local engineer or municipal authority having jurisdiction over the local roads involved.

502 STORM AND SURFACE DRAINAGE: All storm sewers and drainage facilities such as gutters, catch basins, bridges and culverts shall be installed and the land graded for adequate drainage in accordance with construction standards acceptable to the municipality and Forest County Conservation District as shown on the grading plan submitted and approved with the Preliminary Plan. These also shall be inspected and checked for adequacy by the local engineer or municipal authority having jurisdiction.

503 SEWERS: Where a public sewer system is reasonably accessible to the subdivision, the subdivider shall provide the subdivision with a complete sanitary sewer system to be connected to the public sanitary system. All necessary mains and laterals for connection from the lots to the public sewage system as shown on the Preliminary Plan shall be installed by the subdivider, in accordance with requirements of the Pennsylvania Department of Environmental Protection concerning the line extension shall be submitted.

Where public sewage is not reasonably accessible and proposed sewage treatment is on-site, subsurface disposal; the subdivider shall submit evidence to the Board that the proposed development will be suitable for on-site subsurface sewage disposal. The evidence must bear the signature of the municipal sewage enforcement officer or a representative of the Department of Environmental Protection in accordance with the administration of the Pennsylvania Sewage Facilities Act as amended.

504 PUBLIC UTILITIES: The subdivider shall provide some evidence that the proposed subdivision can be served by electrical and/or natural gas service.

505 WATER SUPPLY: Where public water supply is reasonably accessible to the subdivision, the subdivider shall connect to such public water supply and construct a system of water mains to service each lot in accordance with the requirements of the Pennsylvania Department of Environmental Protection. Fire hydrants shall be provided as an integral part of any public water supply system.

If public water is to be used, a letter of intent from the service company must be filed with the Board. The letter must state:

505.1: That the subdivision can be served with an adequate water supply.

505.2: The proposed pipe size must be stated.

Where no public water supply is available, it is recommended the subdivider shall require that all wells be drilled, cased, installed and located as is conventionally accepted and that a basic water test be performed, and that said test data be made available to perspective lot owners.

506 MARKERS AND MONUMENTS: 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.

507 OFF-STREET PARKING: Each proposed dwelling unit in subdivision shall be provided with two (2) off-street parking spaces. Such off-street parking spaces may be provided as an individual garage, carport, or driveway preferably located behind the buildings line, or in parking compound adjacent to or near the dwelling units in service. Each parking space shall contain at least two hundred (200) square feet.

Commercial developments within the scope of this Ordinance shall provide not less than three (3) square feet of paved area, inclusive of access lanes, for every one (1) square foot of interior floor area, exclusive of storage area. Access to off-street parking areas shall be limited to well-defined locations, and in no case shall there be unrestricted access along the length of a street.

There shall be provided safe and adequate ingress and egress to all parking spaces. The parking areas shall be so designed to provide sufficient turn-around so that vehicles are not required to back into major roads.

ARTICLE 6 - SKETCH PLAN

A Subdivision Sketch Plan may be submitted by the subdivider or property owner as a basis for information and discussion with the Subdivision Administrator.

Data furnished in a Sketch Plan shall be at the discretion of the subdivider. It is suggested that the following items be included in the Sketch Plan presentation. The presentation need not be to scale and the precise dimensions are not required.

1. Tract Boundary
2. Municipality in which the subdivision is located
3. North Point
4. Streets on and adjacent to the tract
5. Topographical and physical features
Use of U.S.G.S. 7 1/2', 1" - 2000' scale quadrangle maps suggested)
6. Proposed general street layout
7. Proposed general lot layout
8. Existing Zoning District in which subdivision is located
9. Erosion and sediment control measures

Article 7 - PRELIMINARY PLAN

The subdivider shall supply four (4) copies of the Preliminary Plan and two (2) copies of other required materials to the Board. The copies of the Preliminary Plan can be either black and white or blue and white prints. The sheet size shall be either 8 1/2" x 14", 17" x 24", or 24" x 36". Major subdivisions may require more than one sheet in which case a small-scale key map appropriately indicating that part of the subdivision shown on each page shall be provided.

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 and shall show the following information:

1. Proposed subdivision name or identifying title and the municipality or municipalities in which the subdivision is located.
2. Name and address of the owner of the tract or of his authorized agent, if any, and of the subdivider.
3. Date, north point, and graphic scale.
4. Total acreage of the tract and number of lots.
5. Tract boundaries showing accurate distances and bearings stated to the nearest hundredth of a foot. A closure error of 1' in 10,000' will be required as a minimum.
6. Contours at vertical intervals of twenty feet (20'). Normally contour data for minor subdivisions will not be required unless, in the Board's judgment, such information is needed.
7. The names of all owners of all immediately adjacent unplotted land; the names of all proposed or existing subdivisions immediately adjacent, and the locations and dimensions of all existing streets, roads, railroads, public sewers, aqueducts, water mains and feeder lines, fire hydrants, gas electric, and oil transmission lines, watercourses, flood hazard boundary lines, historic places, wooded areas, and other significant features within 400 feet of any part of the property proposed to be subdivided and the location of all buildings and

approximate location of all tree masses within the property.

8. The location and widths of any streets or other public ways or places shown upon an adopted local or County plan, if such exists for the area to be subdivided.
9. The full plan of the development, showing the location of all proposed streets, roads, alleys, utility easements, parks, playgrounds, and other public areas; sewers and water facilities; proposed building setback lines for each street; proposed lot lines and approximate dimensions of lots; lot numbers and/or block numbers in consecutive order; and all streets and other areas designed for appurtenant facilities, public use, or proposed to be dedicated of such dedications or reservations.
10. Erosion and sediment control plan, approved by the local Conservation District in accordance with the erosion and sediment control standards of the Pennsylvania Department of Environmental Protection.
11. Provision for proper surface drainage of the tract to be subdivided including but not limited to the location, dimension and type of system to be utilized. The calculations used may be requested by the Board at which time the calculations shall be presented.
12. A tentative time schedule for the proposed sequence of development for the subdivision.
13. Statement of intentions regarding installation of required improvements or furnishing performance bond or other suitable security in lieu of such installations.
14. Written comments from the local governing body and planning commission.
15. Statement of intent regarding street dedication.

In cases of Minor Subdivisions as defined in this Ordinance, and in accordance with Section 301.2, the requirement for submission of a Preliminary Plan does not apply.

The Preliminary Plan at the discretion of the Board may be required to include the following:

1. Zoning requirements - district and lot size. Any changes that may be proposed in the provision of the zoning applicable to the area to be subdivided; and suggested locations of buildings in connection therewith.
2. A vicinity map, for the purpose of locating the site to be subdivided, at a minimum scale of 2,000 feet to the inch, showing the relation of the tract to adjoining property and to all streets, roads, schools, parks and municipal boundaries existing within 1,000 feet of any part of the property proposed to be subdivided.
3. Tentative centerline profiles and typical cross-sections for each proposed street shown on the Preliminary Plan. These plans may be submitted as separate sheets.
4. If soil tests are required by the Department of Environmental Protection, the result and test locations, made in accordance with the specifications of the Pennsylvania Department of Environmental Protection, (including the Pennsylvania Sewage Facilities Act) shall be submitted. The test locations must be shown on at least two (2) copies of the Preliminary Plan.
5. Preliminary designs of any bridges or culverts which may be required. These designs may be submitted as separate sheets.
6. Where the Preliminary Plan submitted covers only a part of the subdivider's entire holding a sketch of the prospective future street system of the unsubmitted part shall be furnished. The street system of the submitted part will be considered in the light of adjustments and connections with future streets in the part not submitted.
7. Proposed street names, to be accompanied by a letter from the postmaster of the area in which the subdivision is located stating that the proposed names (except in the case of extensions of existing streets) do not duplicate the names of streets now in use.

8. A draft of any proposed covenants to run with the land.
9. Evidence of driveway permit if required from the Pennsylvania Department of Transportation or from the Municipality.

ARTICLE 8 -FINAL SUBDIVISION PLAN

The Final Plan which is to be submitted to the Board for approval and subsequent recording shall either be drawn on tracing cloth or be a transparent reproduction of the Final Plan with black line on cloth or stable plastic base film, with six (6) paper copies. The Final Plan shall be at a scale of either twenty feet (20') or one hundred feet (100') to the inch or at the largest practical scale. The sheet size shall be either 8 1/2" X 14", 17" X 24", or 24" X 36". If the Final Plan is drawn in two or more sections it shall be accompanied by a key map showing the location of the several sections.

The Final Plan shall show the following: (* - items required for minor subdivisions, # - items required for part and parcel subdivisions)

- *# 1. Name of the subdivision and the municipality in which it is located.
- *# 2. Name and address of the owner and subdivider.
- *# 3. North point, graphic scale, and date.
- * 4. Block and lot numbers (in consecutive order); dimensions, minimum area and total number of lots; an acreage of whole development; density; and use of land.
(# - block and lot number for grantor and grantee lots only.)
- * 5. Source of title to the land of the subdivision and to all adjoining lots, as shown by the books of the Recorder, and names of the owners of all adjoining lands. (# - source of title for grantor and grantee lots only.)
#
- *# 6. Lot lines with accurate bearing and distances. Distances to be to the nearest hundredth of a foot. The submitted survey shall have a closing with an error of not more than one foot (1') in ten thousand feet 10,000').
- * 7. Pedestrian ways.
- * 8. Accurate dimensions of existing public land and of any property to be dedicated or reserved for public, semi-

public, or community use; and all areas to which title is reserved by owner.

- * 9. Contours at vertical intervals of twenty feet (20') unless otherwise specified or unless waived by the Board or Subdivision Administrator for minor subdivision plans. Normally contour data for minor subdivisions will not be required unless, in the Board's judgement, such information is needed.
- * 10. Accurate boundary lines, with dimensions and bearings, that provide a survey of the tract in consideration. Surveys of residual parcels will not typically be required unless the residual lot is part of the land to be improved and sold by the development.
- * 11. Accurate distances and directions to the nearest established street corners or official monuments. Reference corners shall be accurately described on the plan.
- * 12. Accurate locations and names of all existing and recorded streets intersecting or contiguous to the boundaries of the tract.
- * 13. Complete curve data for all curves included in the plan, including radius, delta angle, tangent, arc, and chord.
- * 14. Street lines with accurate dimensions in feet and hundredths of feet, with bearing of such street lines.
- * 15. Street names.
- *# 16. Location and material of all permanent monuments and lot markers.
- * 17. Easement for utilities and any limitations on such easements.
- *# 18. Setback lines not less than the minimum as fixed by an applicable zoning ordinance, or any other setback lines established by this Ordinance, or by public authority, or those specified in the deed restrictions, whichever is greater.

- * 19. A location map of the subdivision 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 roads.
- *# 20. The following certificates, where applicable, shall be shown on the Final Plan.
 - *# a. Certification, with seal, by a registered professional engineer or registered professional land surveyor to the effect that the surveys and plan are correct.
 - *# b. Certificate for approval by the Board and/or Subdivision Administrator.
 - * c. A statement duly acknowledged before an officer authorized to take acknowledgement of deeds and signed by the owner or owners of the property, to the effect that the subdivision shown on the Final Plan is the act and deed of the owner, that he (subdivider) is the owner of the property shown on the survey and plan, and that he desired the same to be recorded as such.
- * 21. The following material shall accompany the Final Plan:
 - a. Final profiles, typical cross-sections, and specifications for street improvements, and sanitary and storm sewerage, and water distribution systems shall be shown on one (1) or more separate sheets.
 - * b. Restrictions of all types which will run with the land and become covenants in the deeds of lots shown on the plan. In unzoned municipalities and subdivider shall provide a certificate ensuring that covenants will be incorporated into the deeds of lots at the time of transfer of ownership, requiring that setbacks, yards, and off-street parking comply with this Ordinance, and that on

residential lots only one principal structure or an arrangement providing for the same density as that for one principal structure shall be permitted.

- c. All covenant running with the land governing the reservation and maintenance of dedicated or undedicated land or open space, which shall bear the certification of approval of the Board's solicitor as to their legal sufficiency.
- d. Certificate of dedication of streets and other public property. (This is the offer of dedication.)
- e. Where lot sizes are based on public water and/or public sewer facilities, assurance acceptable to the Board that such facilities will be installed.
- f. Such certificates of approval by proper authorities of the State and the municipality as may have been required by the Board, including certificates approving the water supply system and sanitary sewer system of the subdivision.
- g. One of the following for guaranteeing improvements:
 - A certificate from the subdivider that all improvements and installations in the subdivision required by this Ordinance have been made or installed in accordance with specifications; or
 - A certificate from the subdivider that a bond, certified check, or other security satisfactory to the Board has been filed with the municipality; or
 - A certificate from the municipality in which the subdivision is located that the municipality accepts responsibility for required improvements.
- h. Certificate from the Forest County Conservation District or the Pennsylvania Department of Environmental Protection or its authorized representative, stating that the erosion and sedimentation control plan has been found adequate and that a land disturbance permit has been issued for earth-moving activities.

ARTICLE 9 - MOBILEHOME PARKS

Notwithstanding any other provisions of this Ordinance, the following requirements shall apply specifically to the planning and development of mobilehome parks. Further the provisions of this Article are intended to supplement and compliment any applicable municipal, County, State or other laws or ordinances regulating mobilehome parks:

901 SITE CRITERIA: When a mobilehome park is located in a municipality having a legally adopted zoning ordinance, the site shall be designed in accordance with the applicable zoning provisions. In the absence of a zoning ordinance the following minimum requirements shall be observed in the development of the park:

- 901.1:** All mobilehome parks shall have an area of not less than five (5) acres.
- 901.2:** Each mobilehome lot within the park shall have an area of at least 5,000 square feet.
- 901.3:** Each mobilehome lot shall be platted to permit a minimum of thirty feet (30') between individual mobilehomes, and not less than forty feet (40') between any mobilehome and the property line of the mobilehome park.
- 901.4:** The park shall be appropriately landscaped and screened from adjacent properties. Screening may consist of one or several rows of evergreen bushes or trees, a natural or constructed topographical feature, or other appropriate means approved by the Board for restricting visual contact with the park.

902 REQUIRED IMPROVEMENTS AND DESIGN STANDARDS: Except as provided in this Article, mobilehome parks shall be developed in accordance with the required improvements and design standards set forth in this Ordinance.

ARTICLE 10 - RECREATIONAL DEVELOPMENT

Section 1001. Applicability:

- 1.) For the purpose of this Article, Recreational Development shall be defined as follows:

"A plot of land upon which three or more sites are located, established or maintained for occupancy by recreational vehicles, mobile homes or permanent structures of the general public as temporary living quarters for recreation or vacation purposes. No site shall be used as a permanent place of abode, dwelling or business."

- 2.) The standards set forth under this Section are intended for those Recreational Developments where lots and/or structures are initially intended for rental or lease and are to serve the short-term needs of the general public.

Section 1002. Permits:

- 1.) In conjunction with the rules and regulations as herein specified, the Recreational Development developer shall submit properly prepared plans and specifications to the Department of Environmental Protection Subpart D Environmental Health and Safety Article III - Recreational Facilities - Chapter 191 - Organized Camps and Campgrounds as amended. Prior to final approval of development plans by the Forest County Conservation District & Planning Board, the developer shall forward a copy of such permit or evidence of it to the Board.

Section 1003. Plan Requirements:

- 1.) No person, firm or corporation proposing to open a Recreational Development in those municipalities that fall under the jurisdiction of the Forest County Subdivision and Land Development Ordinance shall proceed with any construction work on the proposed park until they have obtained from the Board written approval of the preliminary plan or the proposed park, according to procedures herein outlined, and has received the necessary approval of the plans from the Department of Environmental Protection.

2.) Preliminary and final plans as required, shall comply in form and content to Sections 1004 and 1005 of these regulations insofar as applicable and the standards set forth herein.

Section 1004 - Preliminary Plan:

1.) The Developer shall meet with the Board or staff, prior to formal application, to discuss the plans and may prepare a sketch plan to give a general understanding of the project. The Board or staff shall inform the developer as to the general suitability of the plans and of any alterations or amendments required by these regulations.

2.) The Board may submit copies of the plan to its' engineer or to public utilities or to other public agencies for recommendations.

3.) A plan must be submitted no fewer than ten (10) calendar days prior to the next Board meeting in order to be considered at that meeting.

4.) The Board shall act on any preliminary plan within ninety (90) days of its next regularly scheduled meeting. If the next regular Board meeting is more than thirty (30) days following the filing of the application, the said ninety (90) day period shall commence from the 30th day following the day the application has been filed.

5.) Notification of the Boards decision shall be in writing and mailed or delivered personally to the developer within fifteen (15) days of the decision date.

6.) Failure of the Board to meet time requirements of this section shall automatically constitute approval of the plan unless the developer has agreed to an extension of time.

7.) Approval of a plan that was granted on the basis of false or erroneous information provided by the developer or his agent(s) shall be deemed to be null and void.

8.) All applications shall contain the following:

- a.) Official Board application (if required.)
- b.) Six (6) blue-line or blackline copies and one (1)

mylar of the plan, together with improvement plans and other supplementary material as required. The plan shall meet the standards set forth under Article 7 and contain the following specifications for a Recreation Development.

- 1.) The area and dimensions of the entire tract of land;
- 2.) The land uses occupying the adjacent properties;
- 3.) The number, size and location of the roadway width, roadway design data and walkways;
- 4.) The location, right-of-way and surface roadway width, roadway design data and walkways;
- 5.) The proposed interior vehicular and pedestrian circulation patterns;
- 6.) The location of service buildings, sanitary stations and any other existing or proposed structures;
- 7.) The location of water and sewer lines and riser pipes, if applicable;
- 8.) Plans and specifications of the water supply, sewage disposal and refuse facilities;
- 9.) Plans and specifications of all buildings constructed or to be constructed within the development;
- 10.) The locations and details of area lighting and electric and gas systems as related to all applicable codes and sound engineering practices; and
- 11.) Plans and specifications of the storm drainage system to be constructed.

c.) Additional material to be submitted:

- 1.) Restrictions of all types that will run with the land.
- 2.) All covenants running with the land concerning the reservation and maintenance of dedicated or undedicated land or open space, that shall bear certificate of approval of the County Solicitor as to their legal sufficiency.
- 3.) Such certificates of approval by proper authorities of the State and/or the

- Municipality as may be required by the Board, including certificates approving the water supply system and sanitary system of the park.
- 4.) Evidence of an Erosion and Sedimentation Control Plan and that a land disturbance permit has been issued for earth moving activities where applicable.
 - 5.) Evidence that all requirements of the Pennsylvania Department of Environmental Protection have been satisfied.

- d.) No plan shall be considered complete until all supporting documents and the appropriate fees have been submitted.

Section 1005 - Final Plan Procedure:

A final plan must be submitted to the Forest County Conservation District & Planning Board before the final plan can be recorded.

- 1.) The final plan must be submitted within one year of the approval of the preliminary plan or preliminary plan approval is deemed rescinded and must be secured again, unless the Board agrees to an extension of time.
- 2.) The final plan must conform to the details previously outlined in the preliminary plan or, in the case of filing of final plan subsequent to conditional approval of the preliminary plan, contain those changes requested by the Board.
- 3.) The Board shall require that no plan be finally approved until all improvements are made or until the developer posts financial bond security to guarantee the improvements.
- 4.) The Board shall review the plan for conformance with the approved preliminary plans and all requirements of these rules and regulations. A written statement from the Township or Borough Secretary that appropriate bond or other security has been posted or those required improvements have been installed according to specifications shall be required. Within 90 days of receipt or complete information, the Board shall approve or disapprove such plan, stating in writing its reasons for disapproval.
- 5.) If the plan is not approved, a list of the defects in

it with reference to the section of the Ordinance they violate must be remitted to the developer along with the decision.

- 6.) Notification of the decision must be written and delivered personally or by mail within fifteen (15) days to the developer's last known address.

Section 1006 - Design Standards:

- 1.) The following site location standards shall be required:

- a.) A recreational development will have a gross area of at least five (5) contiguous acres of land.
- b.) The site shall be free from adverse influence by swamps, marshes, garbage or rubbish disposal areas or other potential breeding places for insects and rodents.
- c.) The site shall not be subject to flooding or subsidence.
- d.) The site shall not be subject to hazard or nuisance, such as excessive noise, vibration, smoke, toxic matter, radiation, heat, odor or glare.
- e.) Recreational Developments shall have direct access to an arterial or collector street. No entrance or exit shall be permitted on a local road through a residential area. Evidence shall be submitted showing that the proper driveway permits have been obtained.
- f.) When abutting residential districts, a setback buffer area shall be fifty (50) feet as measured from the property line or zoning boundary line whichever may be applicable.

- 2.) The following individual site standards shall be required:

- a.) The location of recreational vehicle sites shall be carefully related to topography in order to preserve as much of the natural setting as possible.
- b.) Sites 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. If the site is intended for a mobile home or more permanent structures, the minimum lot width shall be fifty (50) feet and shall have a minimum area of five thousand (5,000) square feet. Such sizes are considered to be the minimum necessary to accommodate either a

recreational vehicle, mobile home or permanent structure and related outdoor facilities (grill, picnic tables, benches, etc.).

- c.) Front setback for individual units shall be fifteen (15) feet from the front and side lot line of any interior road or street. However, structures such as bathhouses, administration offices, recreation centers and other ancillary facilities of a permanent nature shall be set back from adjacent or access streets seventy-five (75) feet as measured from the centerline of such street.

Side Setback - 5' minimum

Rear Setback - 5' minimum

- 3.) The following street system standards shall be required:

- a.) The internal road system may be privately owned and maintained.
b.) Roads will be designed for safe and convenient access to all individual sites.
c.) Roads will provide a sound and all weather driving surface. They will be free from mud, dust, and standing water.
d.) Roads shall meet the following width requirements:

Surface	Width
One or two-way, with no parking	22 feet
One or two-way, with parking on one side only	28 feet
One or two-way, with parking on both sides	34 feet
Right of way for all roads no less than -	33 feet

- e.) Cul-de-sac streets shall be provided with a turn-around having an outside diameter of at least eighty (80) feet.

- 4.) The following standards shall pertain to ancillary services:

- a.) The developer may include certain ancillary services such as Laundromat, camp store, grocery store, office, bathhouse, caretaker's residence, etc., provided that such uses shall be strictly for the use and convenience of those persons utilizing the recreational development.
b.) Where individual water and sewer connections are not provided, a common service building containing water,

- toilet and bath facilities shall be located not more than five hundred (500) feet from all dependent sites.
- c.) All public or community water and/or sewer systems shall be designed and constructed in accordance with Article 5, Sections 503 and 505 (respectively) of this Ordinance.

Section 1007 - Storm Drainage:

Any Recreational Development shall provide for Storm water drainage in accordance with Article 5, Section 502 of this Ordinance. Special consideration shall be given to the avoidance of problems created from the concentration of run-off onto adjacent properties.

Section 1008 - Recording Plan:

Recording the approved final plan shall follow the procedure as outlined in Article 3, Section 304.2 of this Ordinance.

ARTICLE 11 - ADOPTION

This Forest County Subdivision and Land Development Ordinance is hereby adopted in accordance with action taken at the January 13, 2000, meeting of the Board of Forest County Commissioners.

ATTEST:

BOARD OF FOREST COUNTY COMMISSIONERS

Virginia Call

Virginia Call, Chief Clerk

Basil D. Huffman

Basil D. Huffman, Chairman

Gerald L. Cussins, Jr.
Gerald L. Cussins, Jr.

Norman J. Wimer
Norman J. Wimer

APPENDIX

APPENDIX PART A: A list of Land Use Control Ordinances in the Municipalities within Forest County.


HICKORY TOWNSHIP - SUBDIVISION ORDINANCE (This Ordinance was ordained and enacted on December 18, 1969. It has jurisdiction over the Forest County Subdivision and Land Development Ordinance. The Hickory Township Supervisors, the elected officials responsible for the administration of the ordinance, control subdivision activity in Hickory Township.

TIONESTA BOROUGH - CODE OF ORDINANCES (This codification of the Ordinances of Tionesta Borough was adopted on June 6, 1995. Jurisdiction and authority over the administration of this codification of ordinances is found in the elected officials to the Tionesta Borough Council. Included in this document is a Zoning Ordinance.)

TOWNSHIPS (general) All Townships have adopted from time to time individual ordinances designed to address separate and particular issues. Consultation with the various Township Supervisors is advisable for anyone considering subdivision and land development within Forest County. All Townships have building permits and sewage disposal permits, each unique to each particular municipality.

APPENDIX PART B: Example of a title block suitable for use on plats and maps to be submitted for review with the Forest County Conservation District and Planning Department.

The information on a map is vital to an understanding of the document. In order to provide a standard format for the title block on proposed maps and plats, the following shows an example for the Minor Subdivision - Final Plan. Major Subdivisions and Part & Parcel Subdivisions would have similar information on their respective title blocks and appropriate revision of the Minor Subdivision title block would be acceptable for submission.

MINOR SUBDIVISION - FINAL PLAN	
TITLE _____	
MUNICIPALITY _____	
OWNER _____	NOTES _____
<div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> DISTRICT: _____ MIN. AREA: _____ MIN. WIDTH: _____ MIN. YARDS: FRONT _____ SIDE _____ REAR _____ </div>	
PROPOSED LAND USE: _____ ACREAGE OF TRACT: _____ DENSITY (D.U.S./ACRE): _____ AREA OF DEVELOPMENT: _____ TOTAL NO. OF LOTS: _____ MIN. LOT SIZE - AREA: _____ WIDTH: _____ DATE REC'D BY F.C.P.C.: _____	NORTH ARROW _____ SHEET OF
SCALE: _____	DATE: _____
	
PLAN IS NULL AND VOID UNLESS RECORDED BY _____ NO DEEDS MAY BE TRANSFERRED UNTIL PLAN IS RECORDED	
FOREST COUNTY PLANNING COMMISSION	
STAFF MEMBER _____	DATE _____
COND. APPROVAL _____	FINAL APPROVAL _____
SUBD. ADMIN. _____	
EXEC. DIR. _____	
COMMENTS _____	
SUBD. NO. _____	
STATE OF PA., CO. OF FOREST ON THIS THE _____ DAY OF _____ 19____ BEFORE ME THE UNDERSIGNED OFFICER, PERSONALLY APPEARED _____ WHO BEING DULY SWORN ACCORDING TO LAW DEPOSES AND SAYS THAT HE/SHE IS THE OWNER AND/OR EQUITABLE OWNER OF THE PROPERTY SHOWN ON THIS PLAN, AND THAT HE/SHE ACKNOWLEDGES THE SAME TO BE HIS/HER ACT AND PLAN AND DESIRES THE SAME BE RECORDED AS SUCH ACCORDING TO LAW. WITNESS MY HAND AND SEAL THE DAY AND DATE ABOVE. MY COMMISSION EXPIRES _____ 19____.	I HEREBY CERTIFY THAT THIS SURVEY AND PLAN ARE CORRECT. <div style="text-align: center;">SEAL</div>
SIGNATURE _____	SEAL _____

APPENDIX C: Review form or application form for use with
Subdivision and Land Development submissions.

The review form is used when reviewing submissions of maps for subdivisions and for land developments. It is general in character by purpose so that each individual situation may be considered on merit and compliance alone.

APPLICATION & REVIEW

SUBDIVISION & LAND DEVELOPMENT
REVIEW AND APPROVAL

DATE FILED _____
OF LOTS _____
FEE PAID? _____
_____ Check _____ Cash
Received by _____

APPLICANT/SUBDIVISION

Subdivision Name: _____

Municipality: _____

Property Owner: _____

Address: _____

Phone #: _____

Surveyor/Engineer: _____ Phone# _____

STAFF REVIEW

PLAN DATA

[illegible]

_____ Graphic Scale _____ Date _____ Bldg./Non-Bldg. _____

_____ North Point _____ Seal/Surv./Eng. _____ Iron Pins

Findings/Comments: _____

SURVEY REPORT

Lot(s) #	Setback Lines

Lot Size	SURVEY CLOSURE	
Road Name/#		Perimeter
Deed Ref.		Error in
		Closure

Findings: _____

SEWAGE REPORT**CERTIFICATIONS**

____ Approved

____ Survey/Engin'r

____ Disapproved

____ Land Owner

____ Notarization

Findings:

ZONING COMPLIANCE (If Applicable)

Zoning Classification _____

____ Compliance _____ Non-Compliance

Violations (if any) _____

Modification needed (if any) _____

Date Granted: _____

Forest County Conservation District & Planning Depart.

Approval: Date _____ Approved by _____

Denial: Denied by _____

Reasons for

denial: _____

_____**RECEIPT OF PLAN**_____
(Signature)_____
(Date)

Name of the subdivision and the Municipality or Municipalities in which it is located.

Name & Address on the owner and subdivider.

North Point, Graphic Scale, and Date

Block & Lot numbers (in consecutive order); dimensions, minimum area and total number of lots; acreage of whole development, density; and use of land.

Source of title to land of subdivision and all adjoining lots, as shown in the Records office, and names of owners of all adjoining lands.

Lot lines with accurate bearings and distances. Distances to be to the nearest hundredth of a foot.

Accurate boundary lines, with dimensions and bearings, closing with an error of not more than one foot (1') in ten thousand feet (10,000')

Accurate locations and names of existing and recorded streets intersecting or contiguous to the boundaries of the tract.

Street lines with accurate dimensions in feet & hundredths of feet, with bearings of such street lines.

Location and material of all permanent monuments and lot markers.

Easement for utilities and any limitations on such easements.

Setback lines not less than the minimum as fixed by an applicable zoning ordinance, or any other setback lines established by this Ordinance, or by public authority, or those specified in the deed restrictions, whichever is greater.

Setbacks shall be measured from the street right-of-way.

Primary & Secondary Highway: setback of forty (40') feet.

Collector streets and local streets: setback of thirty (30') feet.

Railroad right-of-way centerline: setback of seventy-five (75') feet.

A location map of the subdivision at the 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.

The following certificates, where applicable, to be shown on final plan:

Certification with seal of registered surveyor or engineer, showing the maps to be correct and accurate.

Certificate for approval by the Commission and/or Subdivision Administrator.

Restrictions of all types that will run with the land and become covenants in the deeds of the lots shown on the map. In unzoned municipalities the subdivider shall provide a certificate ensuring that covenants will be incorporated into deeds of lots at the time of transfer of ownership, requiring that setbacks, yards, and off-street parking comply with this Ordinance, and that on residential lots only one principal structure or an arrangement providing for the same density as that for one principal structure shall be permitted.

Such certificates of approval by proper authorities of the State and the municipality as may have been required by the Board, including certificates approving the water supply and sanitary sewer systems servicing the subdivision.

Sewers: Where public sewage is not reasonably accessible and proposed sewage treatment in on-site, subsurface disposal, the subdivider shall submit evidence to the Commission that the proposed development will be suitable for on-site subsurface sewage disposal. The evidence must bear the signature of the municipal sewage enforcement officer or a representative of the Department of Environmental Protection in accordance with the administration of the PA Sewage Facilities Act as amended.

Monuments: Permanent reference monuments, iron pins at lot corners.
