



CLINTON COUNTY

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

APPROVED BY CLINTON COUNTY PLANNING COMMISSION
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ARTICLE 1
AUTHORITY, PURPOSE, AND APPLICABILITY

SECTION 101 TITLE

This Ordinance shall be known and may be cited as "The Clinton County Subdivision and Land Development Ordinance".

SECTION 102 AUTHORITY

The Clinton County Subdivision and Land Development Ordinance is enacted and administered under authority of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as re-enacted and amended.

SECTION 103 PURPOSE

It is the intent, purpose, and scope of this Ordinance to promote safety and health, and provide for the general welfare through coordinated development and growth; to assure amenity and convenience of the future built environment; to promote improvement of governmental processes and functions; to guide uses of land and structures, type and location of streets, public grounds and other facilities; to secure the protection of soil and water resources, drainage ways, and ensure adequate sites for recreation, conservation, scenic, and other open space purposes; to promote the conservation of energy through the use of planning practices and to promote the effective utilization of renewable energy sources; to promote development consistent with the character of municipalities under the jurisdiction of this Ordinance; to minimize impacts of development on the county's physical and social environments and on adjoining landowners and communities; and to permit municipalities to minimize such problems as may presently exist or which may be foreseen.

Section 103.1 Comprehensive Plan

It is the purpose of this Ordinance to promote implementation of goals and objectives of the Clinton County Comprehensive Plan as currently adopted and hereafter amended or updated.

Section 103.2 Clean Water Countywide Action Plan

It is the purpose of this Ordinance to promote implementation of goals and recommended best management practices and projects of the Clinton County Clean Water Countywide Action Plan as currently approved and hereafter revised or updated.

Section 103.3 Pennsylvania Wilds

It is the purpose of this Ordinance to promote opportunities to protect and improve quality of life, cultural heritage, natural assets, and responsible and innovative economic development presented by the Pennsylvania Wilds Initiative.

SECTION 104 JURISDICTION AND APPLICABILITY OF ORDINANCE

Section 104.1 Covered municipalities

Plans for subdivisions, land developments, and mobile home parks located within municipalities in Clinton County which have not enacted their own Subdivision and Land Development Ordinance shall be submitted to, reviewed by, and approved by Clinton County in accord with this Ordinance before they may be recorded in the Clinton County Register and Recorder's Office.

Section 104.2 Other laws and regulations

Review and approval under the Clinton County Subdivision and Land Development Ordinance is in addition to, does not supersede, and does not release any party from compliance with approvals required by other applicable ordinances, resolutions, or regulations of a municipality, Clinton County, the Commonwealth of Pennsylvania, or the United States Government. It shall be the responsibility of the applicant to comply with other applicable laws, rules, or regulations.

Section 104.3 Subject properties

Within municipalities under the jurisdiction of this Ordinance, no subdivision or land development of any lot, tract, or parcel of land shall be made, no mobile home park shall be initiated or altered, and 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 or travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Ordinance.

Section 104.4 Sale and improvement of lots

Within municipalities under the jurisdiction of this Ordinance, no lot in a subdivision may be sold or leased, no permit to erect, alter, or move any building upon land in a subdivision or land development plan may be issued, and no building, permanent or temporary, may be erected in a subdivision or land development plan unless and until a subdivision or land development plan has been approved in accordance with the requirements of this Ordinance and recorded in the Clinton County Register and Recorder's Office, and until the improvements required by this Ordinance, in any part of the approved plan, have either been constructed or guaranteed by a form of surety meeting the requirements of this Ordinance.

Section 104.5 Previously approved plans

Any redivision or combining of lots or adjustment of lot lines within a plan previously approved and/or recorded, or any rearrangement of structures, parking areas, access points, graded land surfaces or other elements within a land development plan previously approved and/or recorded, shall be subject to the provisions of this Ordinance.

Section 104.6 Plans not legally recorded

Any lot, subdivision plan, or land development plan not recorded or illegally recorded prior to enactment shall not be given legal status by enactment of this Ordinance.

SECTION 105 DISCLAIMER OF LIABILITY

The provisions of this Ordinance are designed to establish standards which, when consistently enforced, will achieve the purposes cited in Section 103 of this Ordinance. The degree of protection sought by the standards and requirements of this Ordinance for the present and future residents and landowners within Clinton County is considered reasonable for regulatory purposes. This Ordinance in no way implies that compliance with the minimum requirements for subdivisions, land developments, and mobile home parks will render such subdivisions, land developments, or mobile home parks free from inconveniences, conflicts, dangers, and damages. This Ordinance shall not create liability on the part of Clinton County or any of its officers, officials, appointees, or employees for any damages that may result from reliance on this Ordinance or any administrative decision lawfully made hereunder.

SECTION 106 CONFLICTS

Where any provision of this Ordinance is found to be in conflict with an ordinance, rule or regulation, or other provision of law of a municipality, Clinton County, the Commonwealth of Pennsylvania or Federal Government, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

SECTION 107 VALIDITY OF ORDINANCE

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

SECTION 108 EFFECTIVE DATE

This Ordinance shall become effective after 30 days following enactment and shall remain effective until amended or rescinded by the Clinton County Board of Commissioners.

SECTION 109 REPEALER

This Ordinance shall repeal and replace the Clinton County Subdivision and Land Development Ordinance enacted August 27, 1974, as amended.

ARTICLE 2 DEFINITIONS

SECTION 201 INTERPRETATION

For the purpose of this Ordinance, words used in the present tense include the future tense, the terms "shall" and "will" are always mandatory, and the word "may" is permissive. Unless otherwise expressly stated, the following words shall, for the purpose of this Ordinance, have the meaning herein indicated.

Definitions followed by "(MPC)" are taken from the Municipalities Planning Code as in effect at the time of enactment of this Ordinance. If the definitions in said act shall hereafter be revised by amendment, the corresponding definitions in this Ordinance shall be considered revised to reflect the revised definitions in said act.

AGRICULTURAL PURPOSES: The use of land or buildings for the production and preparation for market of poultry, livestock, and their products, and in the production, harvesting, and preparation for market or use of agricultural, agronomic, horticultural, silvicultural, and aquacultural crops and commodities, provided it shall not include processing and preparation of products not cultivated on the land or buildings in question.

ALLEY: A minor right-of-way providing secondary vehicular access to the side or rear of two or more properties.

APPLICANT: A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns. (MPC)

APPLICATION FOR DEVELOPMENT: Every application, whether preliminary, tentative or final, required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan. (MPC)

AVERAGE DAILY TRAFFIC (ADT): The average number of vehicles passing a specified point for a stated period of time, divided by the number of days during that period of time.

BEST MANAGEMENT PRACTICE (BMP): Activities, facilities, designs, measures, or procedures used to manage stormwater impacts from regulated activities, to meet state water quality requirements, to promote groundwater recharge, and to otherwise meet the purposes of this Ordinance.

BUILDING: A structure having walls and a roof which is used for the shelter, housing or enclosure of persons, animals, or property. The word "building" shall include any part thereof. Included shall be all mobile or manufactured homes and trailers to be used for human habitation.

BUILDING, ACCESSORY: A detached, subordinate structure located on the same lot as the principal building, serving a purpose customarily incidental to the use of the principal building.

BUILDING, PRINCIPAL: A building in which the principal use of the site is conducted.

CABIN DEVELOPMENT: A type of campground in which camping sites are delineated and leased or rented for placement of cabin structures for camping purposes.

CAMPGROUND: A tract or tracts of land, or any portion thereof, providing one or more camping sites for recreational vehicles (RVs), tents, camping cabins, or a mix thereof, which may also include auxiliary structures, for transient, intermittent, and recreational camping purposes with or without a fee being charged for the occupancy of such sites.

CAMPING SITE: An area of land delineated in a campground for the placement of tents or a single recreational vehicle or camping cabin and for the exclusive use of its occupants.

CARTWAY (OR ROADWAY): Cartway is the paved portion of a street from the edge of paving to the edge of paving, or from curb face to curb face. The cartway may include travel lanes, parking lanes, and deceleration and acceleration lanes. For unpaved roads, the cartway is the edge of the improved gravel travel lane.

CLEAR SIGHT TRIANGLE: A triangular area of unobstructed vision on corner lots formed by a 100 ft. sight line along the edge of the right-of-way for an arterial or collector street, by a 75 ft. sight line along the edge of the right- of-way for a local street, and by a line joining these two sight lines at the greatest distance from their intersection.

CLINTON COUNTY: A 6th Class county located centrally in the Commonwealth of Pennsylvania.

COMMON PLAN: A common plan of development consists of a contiguous area where multiple separate and district land disturbing activities may be taking place at different times, on different schedules, but under one (1) proposed plan. The common plan can be depicted as an announcement of or piece of documentation (including a sign, public notices, hearing, permit, advertisement, drawing, zoning request or computer design), or physical demarcation (boundary signs, survey, lot stakes) indicating that planned construction activities may take place.

COUNTY ENGINEER: A professional engineer as registered in the Commonwealth of Pennsylvania either employed by Clinton County or engaged by contract with Clinton County to perform functions specified by this Ordinance.

COVENANT: A valid promise or contract, usually stated in a deed.

CUL-DE-SAC STREET: A street with one end open to traffic and pedestrians and the other end permanently terminated by a circular or bulb-shaped turn-around.

CURB RETURN RADIUS: The curved connection of curbs, or curved edges of cartways, where two cartways or driveways come together to form an intersection of cartways and driveways. The purpose of the curb-return is to guide vehicles that are turning corners and to separate pedestrian areas at intersections. A curb return radius is typically measured in feet and represents a measurement from the face of the curb or cartway edge to the center of a circular arc.

DECISION: Final adjudication of any board or other body granted jurisdiction under any land use ordinance or the MPC to do so, either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be appealable to the court of common pleas of the county and judicial district wherein the municipality lies. (MPC)

DESIGN STORM: The magnitude and temporal distribution of precipitation from a storm event measured in probability of occurrence (e.g., a 5-year storm) and duration (e.g., 24 hours) used in the design and evaluation of stormwater management systems.

DETERMINATION: Final action by an officer, body or agency charged with the administration of any land use ordinance or applications thereunder, except the following:

- (1) the governing body;
- (2) the zoning hearing board; or
- (3) the planning agency, only if and to the extent the planning agency is charged with final decision on preliminary or final plans under the subdivision and land development ordinance or planned residential development provisions.

Determinations shall be appealable only to the boards designated as having jurisdiction for such appeal. (MPC)

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

DEVELOPMENT PLAN: The provisions for development, including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the development plan" when used in this act shall mean the written and graphic materials referred to in this definition. (MPC)

DRIVEWAY: A private way providing for vehicular access from a street to, and for vehicular circulation within, a lot or property.

DWELLING: A building, structure, or shelter designed for or occupied exclusively as the residence or sleeping place of one or more persons.

DWELLING UNIT: One or more rooms in a dwelling structure designed for use by one or more individuals living together as a single housekeeping unit, with cooking, living, sanitary and sleeping facilities. Recreational vehicles, camping cabins, lodging facilities, rooming or boarding houses, or personal care or nursing homes shall not be considered as dwelling units for the purposes of this Ordinance.

EASEMENT: A defined right or privilege for a limited use of land granted by the owner to another party.

ENERGY FACILITY: For the purpose of this Ordinance, an energy facility includes: a wind or solar energy facility principally used to capture wind or solar energy, convert it to electrical energy or thermal power, and supply electrical or thermal power primarily for off-site use; or a natural gas compressor station used to compress natural gas from oil and gas wells operating as a midstream facility for delivery of oil and gas to a transmission pipeline, distribution pipeline, processing plant, or storage.

ENGINEER: A professional engineer licensed as such in the Commonwealth of Pennsylvania and competent in the profession as established under the Pennsylvania Engineer, Land Surveyor, and Geologist Registration Act.

EROSION: The natural process by which the surface of the land is worn away by water, wind, or chemical action.

FEMA: Federal Emergency Management Agency.

FLAG LOT: A lot not substantially fronting on a street for which access is provided to the street by means of a strip of land.

FLOOD: A temporary inundation of normally dry land areas.

FLOODPLAIN: Any land area susceptible to inundation by water from any natural source or delineated by applicable FEMA maps and studies as being a special flood hazard area.

FLOODWAY: The channel of the watercourse and those portions of the adjoining floodplains that are reasonably required to carry and discharge the 100-year flood. Unless otherwise specified, the boundary of the floodway is as indicated on maps and flood insurance studies provided by FEMA. In an area where no FEMA maps or studies have defined the boundary of the 100-year floodway, absent evidence to the contrary, the floodway shall be assumed to extend from the stream to 50 feet from the top of the bank of the stream.

GRADE: The vertical alignment or slope of a land surface as it exists or as modified by excavation and/or fill activities.

HOST MUNICIPALITY: The city, borough, or township within which a proposed subdivision or land development is located.

IMPERVIOUS SURFACE or AREA: A surface that prevents the infiltration of water into the ground.

IMPROVEMENTS: Those physical changes to the land necessary to produce usable lots from raw acreage including but not limited to: grading, streets, curbs, sidewalks, stormwater management facilities, monuments, water supply facilities, and sewage disposal facilities.

KARST: A type of topography or landscape characterized by surface depressions, sinkholes, rock pinnacles/uneven bedrock surface, underground drainage, and caves. Karst is formed on carbonate rocks, such as limestone or dolomite.

LAND DEVELOPMENT: Any of the following activities:

- (1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (i) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
 - (ii) 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.
- (2) A subdivision of land.
- (3) Development in accordance with MPC section 503(1.1). (MPC)

In accord with MPC section 503(1.1), this Ordinance excludes the following activities from the definition of land development:

- (i) 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;
- (ii) the addition of an accessory building, including farm buildings used for agricultural purposes, on a lot or lots subordinate to an existing principal building; or
- (iii) the addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this subclause, 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 proper authorities.

LAND DEVELOPMENT, COMMERCIAL: A land development as defined herein used for the carrying on or the office of any business, including the provision or sale of goods, services, food, beverages, accommodations, entertainment, or recreation, also including any other land development the Planning Commission finds to be of similar character and impact, but not including an industrial or residential land development.

LAND DEVELOPMENT, INDUSTRIAL: A land development as defined herein used for manufacturing, processing, and other industrial purposes, including factories, foundries, mills, processing plants, refineries, warehouses, mines, and slaughterhouses, also including any other land development the Planning Commission finds to be of similar character and impact.

LAND DEVELOPMENT, MAJOR: A land development as defined herein which includes one (1) non-residential building of more than 2,000 square feet, two (2) or more non-residential buildings; any residential development which includes four (4) or more residential units or two (2) or more residential buildings; or any recreational vehicle park or campground.

LAND DEVELOPMENT, MINOR: A land development as defined herein which includes one (1) non-residential building of no more than 2,000 square feet.

LAND DEVELOPMENT, RESIDENTIAL: A land development as defined herein used for full-time residential purposes and occupancy, including a single residential building containing four (4) or more dwelling units or two (2) or more residential buildings on a lot.

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

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 total horizontal land area of a lot calculated exclusive of any portion of the right-of-way of any public or private street or lane.

LOT DEPTH: The mean horizontal distance between the front lot line and the rear lot line.

LOT LINE REVISION: A subdivision in which an existing property line is altered, moved, or removed and in which a new lot may or may not be created.

LOT WIDTH: The mean horizontal distance between the side lot lines.

MARKER: A metal stake pin placed to designate the boundary and corners of lots in a subdivision for the purpose of property survey reference and to aid identification of property boundaries.

MOBILE HOME: A transportable, single family dwelling intended for permanent occupancy, contained in one unit, or in two or more 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. (MPC)

MOBILE HOME LOT: A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile home. (MPC)

MOBILE HOME PARK: A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes. (MPC)

MONUMENT: An object placed in the ground in accord with the terms of this Ordinance to serve as a permanent survey reference point.

MPC: Municipalities Planning Code.

MUNICIPALITIES PLANNING CODE: The Pennsylvania Municipalities Planning Code, Act 247 of 1968 as reenacted and amended, which provides the enabling authority for this Ordinance.

MUNICIPAL ENGINEER: A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for a municipality, planning agency or joint planning commission. (MPC)

ON-LOT SEWAGE DISPOSAL SYSTEM: An individual system located on and serving a single lot for the collection, treatment, and disposal of sewage in accord with requirements of the municipality and the Commonwealth of Pennsylvania.

PA DEP: The Pennsylvania Department of Environmental Protection.

PENNDOT: The Pennsylvania Department of Transportation.

PERVIOUS AREA: Any area not defined as impervious.

PLANNING COMMISSION: The Clinton County Planning Commission.

PLANNING DEPARTMENT: The Clinton County Planning Department.

PLANNING DIRECTOR: The duly appointed Director of the Clinton County Planning Department.

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

PRIVATE LANE: A privately-owned roadway permitted by this Ordinance to serve a maximum of three (3) lots and provide access for said lots to a public street.

PUBLIC SEWER SYSTEM: A system of sewage collection, conveyance, treatment, and disposal owned and/or operated and maintained by a public utility, municipal authority, or a municipality or group of municipalities.

PUBLIC WATER SYSTEM: A system of drinking water supply, treatment, and distribution owned and/or operated and maintained by a public utility, municipal authority, or a municipality or group of municipalities.

RECREATIONAL VEHICLE (RV): A vehicular portable structure designed as a temporary dwelling for travel, recreational, and vacation use. The term includes vehicles:

- A. Built on a single chassis
- B. Not more than 400 square feet, measured at the largest horizontal projections
- C. Designed to be self-propelled or permanently towable
- D. Not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use
- E. Fully licensed, inspected and ready for highway use. An RV is ready for highway use if it is on wheels or a jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions.

RECREATIONAL VEHICLE (RV) PARK: A type of campground in which camping sites are delineated and leased or rented for placement of recreational vehicles for camping purposes.

REGULATED ACTIVITIES: Any earth disturbance activities or any activities that involve the alteration or development of land in a manner that may affect stormwater runoff.

REMOVED RUNOFF: The volume of runoff that is captured and not released directly into the surface waters of this Commonwealth during or after a storm event.

REPORT: Any letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant other than a solicitor to any other body, board, officer or consultant for the purpose of assisting the recipient of such report in the rendering of any decision or determination. All reports shall be deemed recommendatory and advisory only and shall not be binding upon the recipient, board, officer, body or agency, nor shall any appeal lie therefrom. Any report used, received or considered by the body, board, officer or agency rendering a determination or decision shall be made available for inspection to the applicant and all other parties to any proceeding upon request, and copies thereof shall be provided at cost of reproduction. (MPC)

RIGHT-OF-WAY: For purposes of this Ordinance, a right-of-way is land dedicated or reserved and shown on a subdivision or land development plan for primary use as a public or private street or lane.

RIPARIAN BUFFER: A permanent area of trees and shrubs located adjacent to streams, lakes, ponds, and wetlands.

ROADWAY: See CARTWAY.

RUNOFF: Any part of precipitation that flows over the land.

SEASONAL HOME LOT: A lot on which may be constructed one single-family detached dwelling intended for intermittent recreational or leisure use as a seasonal or second home, and not intended to be for full-time residential occupancy or to serve as the permanent address of the occupants.

SETBACK: The minimum distance which a building, structure, or facility must be separated from a street, property line, or other feature as identified in a provision in this Ordinance.

STORMWATER: Drainage runoff from the surface of the land resulting from precipitation or snow or ice melt.

STORMWATER MANAGEMENT FACILITY: Any structure, natural or man-made, that, due to its condition, design, or construction, conveys, stores, or otherwise affects stormwater runoff. Typical stormwater management facilities include, but are not limited to: detention and retention basins; open channels; storm sewers; pipes; and infiltration facilities.

STORMWATER MANAGEMENT SITE PLAN: The plan prepared by the developer or his representative indicating how stormwater runoff will be managed at the development site in accordance with this Ordinance.

STREET: Includes, street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used for vehicular traffic or pedestrians whether public or private. (MPC) The term street includes the entirety of the right-of-way. The following definitions apply to street classifications as used in this Ordinance:

- A. Arterial: A street devoted to accommodating larger volumes of traffic and longer distances of travel in and through an area, and providing land service as a secondary function.
- B. Collector: A street designed and located to accommodate internal traffic movement within the municipality, connect neighborhoods and developed areas with arterial streets, and provide land service. A collector does not accommodate long, through trips and is not continuous for any appreciable length.
- C. Local: A street designed to provide access to abutting properties, to provide frontage for access to private lots, and carry traffic having destination or origin on the street itself.

STREET, PRIVATE: A street including the entire right of way which is privately owned and maintained by a single party or through private agreement and not offered for dedication.

STREET, PUBLIC: A street including the entire right-of-way dedicated for public vehicular use which has been accepted for ownership and maintenance by the municipality or the Commonwealth of Pennsylvania.

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

SUBDIVIDER: The owner, or legally authorized agent of the owner, of the subdivision.

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 devisees, transfer of ownership or building or lot development: Provided, however, That the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted. (MPC)

SUBDIVISION, MAJOR: A subdivision as defined by this Ordinance which includes creation of six (6) or more lots or other divisions of land and/or involves installation of public improvements regulated by this Ordinance.

SUBDIVISION, MINOR: A subdivision as defined by this Ordinance which includes creation of no more than five (5) lots or other divisions of land, or which includes lot line revisions, and which does not involve installation of public improvements regulated by this Ordinance.

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

WATERS OF THIS COMMONWEALTH: Any and all rivers, streams, creeks, rivulets, impoundments, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs, and all other bodies or channels of conveyance of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of this Commonwealth.

WATERSHED: Region or area drained by a river, watercourse, or other surface water of this Commonwealth.

WETLANDS: Areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal conditions do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas. The term includes, but is not limited to, areas officially inventoried and/or delineated as wetlands by governmental or other authorities.

YARD: The area(s) of a lot which must remain free of buildings or other structures.

ARTICLE 3 ADMINISTRATION

SECTION 301 GENERAL ADMINISTRATION

This Ordinance shall be administered by the Clinton County Planning Department and Clinton County Planning Commission.

Section 301.1 Clinton County Planning Department

- A. The Planning Department shall be the point of contact for communications and for receipt of applications and plans under this Ordinance, and shall ensure orderly and expeditious processing of subdivision and land development applications and plans
- B. The Planning Department shall keep public records of correspondence, reviews, decisions, modifications and waivers, and other actions on applications and plans under this Ordinance.
- C. The Planning Department shall have authority to review and render decisions on applications and plans for Minor Subdivisions and Minor Land Developments.

Section 301.2 Clinton County Planning Commission

- A. The Planning Commission shall have authority to review and render decisions on applications and plans for Major Subdivisions, Major Land Developments, and Mobile Home Parks.
- B. The Planning Commission shall have authority to review and render decisions for all Subdivisions or Land Developments that include requests for modifications or waivers, and for all Subdivisions or Land Developments for which decisions include conditions.

SECTION 302 FEES

All applications for subdivisions and land developments submitted to the Planning Department shall be accompanied by payment of fees prescribed by a schedule established and adopted by resolution of the Clinton County Board of Commissioners. Fees may include costs allowed by and shall meet requirements of the Municipalities Planning Code. The payment of fees under this section shall not relieve the plan submitter from payment of other fees that may be required by any other ordinance, law, or regulation.

Section 302.1 Review fee

The schedule shall prescribe a review fee to be paid with each application to cover necessary and reasonable costs of reviewing applications.

Section 302.2 Inspection fee

The schedule shall prescribe inspection fees to cover the reasonable and necessary expenses incurred in connection with the inspection of any improvements required by this Ordinance

to be installed with a subdivision or land development.

Section 302.3 Disputes

Any disputes over the amount of review or inspection fees shall be resolved following procedures and requirements prescribed by the Municipalities Planning Code.

SECTION 303 MODIFICATIONS AND WAIVERS

In considering a decision on a subdivision or land development plan, the Clinton County Planning Commission may grant a modification or a waiver of one or more of the requirements, criteria, or standards contained in this Ordinance, provided that such modification or waiver will not be contrary to the public interest or the purposes of this Ordinance.

Section 303.1 Criteria

A modification or waiver may be granted for either of the following reasons:

- A. **Hardship:** The literal enforcement of one or more requirements in this Ordinance will cause undue hardship because of peculiar conditions pertaining to the land in question and the modification or waiver is the minimum necessary to afford relief. Financial hardship is not and will not be considered a hardship. The burden of the proof of hardship lies on the applicant and must be demonstrated to the satisfaction of the Planning Commission; or,
- B. **Alternative:** An alternative standard can be demonstrated to the satisfaction of the Planning Commission, with input from the County Engineer where appropriate, to provide equal or better results in achieving the objectives of this Ordinance.

Section 303.2 Request in writing

A request for a modification or waiver shall be submitted by the applicant in writing along with the applicant's plan submission and shall be considered part of the plan. The request shall state in full the grounds and facts of the hardship or evidence of equal or better result on which the request is based, and the provision or provisions of this Ordinance involved, and the minimum modification necessary for remedy.

Section 303.3 Decisions

All decisions on modifications and waivers requested for any type of plan – subdivision or land development, major or minor – shall be rendered by the Planning Commission.

SECTION 304 AMENDMENTS TO ORDINANCE

The Clinton County Board of Commissioners may amend this Ordinance by appropriate action taken in accordance with the Municipalities Planning Code. The Clinton County Planning Commission shall provide a recommendation on all proposed amendments either by preparation and submission to the Board of Commissioners of a proposed amendment, or review of a proposed amendment referred to the Planning Commission by the Board of Commissioners.

SECTION 305 ENFORCEMENT

Under authority of the Municipalities Planning Code, Clinton County may institute preventive and enforcement remedies to ensure compliance with this Ordinance. Authorized remedies and associated requirements and procedures shall be as prescribed by the Municipalities Planning Code.

ARTICLE 4 APPLICATION PROCEDURES

SECTION 401 APPLICABILITY

The procedures for application submission, review, and decision in this section shall apply to Preliminary and Final Plans for all Subdivisions and Land Developments regulated by this Ordinance.

SECTION 402 TYPES OF SUBDIVISIONS AND LAND DEVELOPMENTS

The Clinton County Subdivision and Land Development Ordinance regulates the following types of subdivisions and land developments:

TABLE 402 – TYPES OF SUBDIVISIONS AND LAND DEVELOPMENTS			
Type	Description	Submission	Decision by
Minor Subdivision	A subdivision as defined by this Ordinance which includes creation of no more than five (5) lots or other divisions of land, or which includes lot line revisions, and which does not involve installation of public improvements regulated by this Ordinance.	Final Plan	Planning Department
Major Subdivision	A subdivision as defined by this Ordinance which includes creation of six (6) or more lots or other divisions of land and/or involves installation of public improvements regulated by this Ordinance.	Preliminary and Final Plans	Planning Commission
Minor Land Development	A land development as defined by this Ordinance which includes one (1) non-residential building of no more than 2,000 square feet.	Final Plan	Planning Department
Major Land Development	A land development as defined by this Ordinance which includes one (1) non-residential building of more than 2,000 square feet, two (2) or more non-residential buildings; any residential development which includes four (4) or more residential units or two (2) or more residential buildings; or any recreational vehicle park or campground.	Preliminary and Final Plans	Planning Commission
Mobile Home Park	A parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes.	Preliminary and Final Plans	Planning Commission
<p>Note: The Planning Commission shall review and render decisions for all subdivisions or land developments that include requests for modifications or waivers, and for all subdivisions or land developments for which decisions include conditions.</p>			

SECTION 403 GENERAL REQUIREMENTS

Section 403.1 Combined Preliminary and Final Plan

An applicant for a Major Subdivision or a Major Land Development may request and, at the discretion of the Planning Commission considering the scale and nature of the development, be granted a combined Preliminary and Final Plan approval. An application for combined Preliminary and Final Plan approval shall include:

- A. All the information and documentation required by this Ordinance for both a Preliminary Plan and a Final Plan; and
- B. A Final Plan drawing acceptable for recording in accord with the requirements of this Ordinance.

Section 403.2 Final Plan conformance to Preliminary Plan

A Final Plan shall substantially conform in all respects to the Preliminary Plan as previously approved by the Planning Commission, and shall incorporate modifications approved by the Planning Commission and conditions specified by the Planning Commission.

Section 403.3 Final Plan in sections

A Final Plan may be submitted in sections, each covering a portion of the approved Preliminary Plan.

SECTION 404 PRE-APPLICATION CONFERENCE

Section 404.1 Requests for a conference

A prospective applicant or the Planning Department or Planning Commission may request a pre-application conference for the purposes of providing an early exchange of information, promoting an understanding of the character of a development and the applicable regulations of this Ordinance, and expediting the application and review process. At the mutual consent of the parties, the prospective applicant may meet with the Planning Department and/or attend a meeting of the Planning Commission.

Section 404.2 Sketch plan

At the pre-application conference, the prospective applicant may present a sketch plan of the proposed subdivision or land development plus information and other maps showing land characteristics, the number and sizes of lots, proposed public improvements, and other information about elements of the proposed subdivision or land development.

Section 404.3 Advisory purpose

The preparation of or discussion at a pre-application conference of a sketch plan or other maps or renderings does NOT constitute a filing of either a Preliminary or Final Plan. Pre-application conference discussions are advisory only and shall not bind Clinton County to commence a formal review or to approve any proposed plan.

SECTION 405 SUBDIVISION AND LAND DEVELOPMENT REVIEW PROCEDURES

Section 405.1 Application submission

Applications for Preliminary Plans and Final Plans shall be submitted to the Clinton County Planning Department. Submission shall be accompanied by payment of the required application fee.

Section 405.2 Application review

- A. The Planning Department shall review the application for completeness and notify the applicant within seven (7) days of receipt if the application is complete and accepted or incomplete and not accepted. An application shall not be accepted as filed until it is found by the Planning Department to be complete including all plans, information, and the application fee required by this Ordinance.
- B. The Planning Department shall review the application for compliance with the requirements, standards, and criteria of this Ordinance.
- C. For applications for Major Subdivisions and Major Land Developments, the Planning Department shall provide a report of compliance to the Planning Commission noting any elements of the proposed subdivision or land development that do not comply with this Ordinance.

SECTION 406 SUBDIVISION AND LAND DEVELOPMENT DECISION

Section 406.1 Minor Subdivisions and Minor Land Developments

The Clinton County Planning Department shall have authority to render decisions for Minor Subdivisions and Minor Land Developments.

Section 406.2 Major Subdivisions, Major Land Developments, and Mobile Home Parks

The Clinton County Planning Commission shall have authority to render decisions for Major Subdivisions, Major Land Developments, and Mobile Home Parks. The Planning Commission shall consider action on applications for Preliminary Plans and Final Plans at a regular or special meeting. An application must be complete and considered filed at least six (6) calendar days prior to the date of a meeting of the Planning Commission in order to be considered at that meeting.

Section 406.3 Modifications, waivers, and conditions

The Clinton County Planning Commission shall have authority to render decisions on any and all applications for which modifications or waivers are requested or for which conditions are recommended by the Planning Department for consideration.

Section 406.4 Decision options

The Planning Department or Planning Commission as appropriate shall render one of the

following decisions:

- A. Approve an application which complies with the requirements, standards, and criteria of this Ordinance and for which modifications or waivers were granted by the Planning Commission where appropriate.
- B. Deny an application which does not comply with the requirements, standards, and criteria of this Ordinance, and for which neither modifications nor waivers were granted by the Planning Commission.
- C. Approve the application with conditions designed to remedy compliance deficiencies or assure compliance with this Ordinance. An approval with conditions may include modifications or waivers granted by the Planning Commission.

Section 406.5 Decision timing and communication

- A. A decision shall be rendered and communicated to the applicant not later than ninety (90) days following the date of the regular meeting of the Planning Commission next following the date the application is considered filed in accordance with Section 405.2, provided that should the next regular meeting occur more than thirty (30) days following the filing of the application, the said 90-day period shall be measured from the 30th day following the date the application is considered filed.
- B. The decision shall be in writing and shall be communicated to the applicant personally or mailed to the applicant's last known address not later than fifteen (15) days following the decision.
- C. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements that have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon.
- D. When the application is approved with conditions, the decision shall specify the conditions being imposed. The conditions must be accepted by the applicant in writing delivered to the Planning Department within fifteen (15) days of the date the decision was communicated personally or mailed to the applicant. If the applicant rejects or fails to accept the conditions, the conditional approval shall be automatically rescinded and the application denied.
- E. A copy of the written decision shall be forwarded to the host municipality at the time it is delivered or mailed to the applicant.

Section 406.6 Failure to render decision

Failure of the Planning Department or Planning Commission to render a decision and communicate it to the applicant within the time and in the manner specified shall be deemed an approval of the application, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

SECTION 407 FINAL PLAN SIGNATURE AND RECORDING

Section 407.1 Signature

- A. Upon approval of a Final Plan, the Clinton County Planning Director is authorized to and shall sign the Final Plan indicating approval. If the Final Plan was approved with conditions, the Planning Director shall not sign the plan until after compliance with and completion of conditions imposed for approval.
- B. In the absence of the Planning Director, the Clinton County Planning Commission may designate other staff in the Planning Department or an officer of the Planning Commission to sign indicating approval of a Final Plan.
- C. The affixing of the signature of the Planning Director or authorized designee shall render a Final Plan eligible for recording.

Section 407.2 Recording

- A. Upon the approval of a Final Plan, the developer shall, within ninety (90) days of such final approval, or ninety days (90) after the date of delivery to the applicant of an approved Final Plan signed by the Planning Director or authorized designee following completion of conditions imposed for such approval, whichever is later, record such Final Plan in the Clinton County Register and Recorder's Office.
- B. No subdivision or land development plan within municipalities under the jurisdiction of the Clinton County Subdivision and Land Development ordinance shall be accepted by the Clinton County Register and Recorder's Office for recording unless the plan indicates official approval by the signature of the Planning Director or authorized designee, and the date of approval.
- C. In the event that an approved Final Plan is not recorded within the required ninety (90) day period, said approval shall be deemed voided and rescinded and the plan must be resubmitted and approved in accord with this Ordinance to be eligible for recording.

SECTION 408 MUNICIPALITIES WITH OWN SUBDIVISION ORDINANCE

Plans for subdivisions and land developments located within municipalities which have enacted their own Subdivision and Land Development Ordinance are to be submitted to said municipalities for review and approval under the requirements of their ordinances, provided:

- A. In accord with the Municipalities Planning Code, said plans shall be forwarded upon receipt by the municipality to the Clinton County Planning Department. The Planning Department shall review the forwarded plans and submit a report of comments and/or recommendations to the municipality within 30 days of receipt of said plans. The Planning Department may consult with the Planning Commission in preparing its report.
- B. In accord with the Municipalities Planning Code, said plans shall not be accepted by the Clinton County Register and Recorder's Office for recording unless said plans officially note, by signature of the Planning Director or authorized designee, the review by the Planning Department.

ARTICLE 5
PLAN SUBMISSION REQUIREMENTS

SECTION 501 PRELIMINARY PLANS

A Preliminary Plan shall be submitted for all Major Subdivisions, Major Land Developments, and Mobile Home Parks.

Section 501.1 Required Content and Information

All applications for Preliminary Plan approval submitted under the Clinton County Subdivision and Land Development Ordinance shall include contents and information specified on the accompanying Preliminary Plan Checklist.

The checklist below identifies the contents and information which must be submitted with a Preliminary Plan. Failure to provide required information may result in rejection of the application.		✓
A. Plans shall be professionally prepared according to the following specifications		
1.	Plans shall be drawn at a scale no smaller than one inch equals two hundred feet (1"=200').	
2.	One full-sized copy of the plan sheet(s) and one copy of the stormwater management plan narrative shall be submitted on paper.	
3.	The application form, plan sheet(s), and all accompanying documents shall be submitted electronically. The files shall be in .PDF format submitted by email or by a medium compatible with current technology.	
4.	Upon approval, three full-sized copies of the plan sheet(s) with revision boxes noted and containing original signatures and seals shall be submitted on paper.	
5.	Plan sheets shall be a minimum of 18"x24" except where otherwise authorized by the Planning Department due to the size or nature of the development. All plan sheets shall be the same size and numbered relative to the total number of sheets (i.e., 1 of 5, etc.)	
6.	Plans shall be drawn and surveys performed in conformance with the act of May 23, 1945 (P.L. 913, No. 367), known as the "Engineer, Surveyor, and Geologists Registration Act," and accepted surveying and civil engineering practices. Plans shall contain the signature and seal of the professional that prepared the plan.	
B. The following information shall be included on a Preliminary Plan or submitted with the plan where not practical to be shown on the plan		
1.	Title block including:	
	a. Name of proposed subdivision or land development including the words "Preliminary Plan".	
	b. Location by municipality, county, and state.	
	c. Name(s) and address(es) of the owner(s) and signature of the owner(s) or owner's authorized representative certifying ownership.	

	d. County parcel ID number.	
	e. Name and address of the Registered Professional that prepared the plan.	
	f. Date the plan was prepared.	
2.	North point.	
3.	Scale displayed in graphic and written form.	
4.	Vicinity map showing the proposed subdivision or land development in relation to surrounding features including municipal boundaries, existing and proposed streets, other significant developments, and major physical features.	
5.	Existing streets serving and adjacent to the proposed subdivision or land development, including name, right-of-way widths, and cartway widths.	
6.	Existing features on the tract, including:	
	a. Watercourses, identified FEMA floodplains, wetland areas, and other significant natural features.	
	b. Buildings and land use.	
	c. Sanitary sewers, water mains and fire hydrants, and stormwater management facilities.	
	d. Telephone conduit line, electric power transmission lines, communication towers, oil and natural gas wells and lines, and other significant manmade features.	
7.	Contour lines at vertical intervals of five (5) or fewer feet on plans that involve new streets and/or grading. Plans must show contours before and after grading.	
8.	Datum to which contour elevations refer.	
9.	Existing benchmarks.	
10.	Existing property lines, easements, and rights-of-way, and the purpose for which the easements or rights-of-way have been established.	
11.	Owners' names and county parcel ID numbers of abutting properties.	
12.	Soils information as mapped in the Clinton County Soils Survey.	
13.	For subdivisions, proposed lots, including:	
	a. Lot boundaries with distances displayed in feet and decimal parts thereof, and bearings displayed in degrees, minutes, and seconds.	
	b. The total area of each lot.	
14.	For land developments:	
	a. Proposed buildings and structures including location and configuration, ground level floor area, total floor area, number of stories, height, proposed use, and number and types of dwelling units.	
	b. For mobile home parks, recreational vehicle parks, and campgrounds, proposed layout of mobile home lots and camping sites.	
	c. Points of access from adjacent streets, internal driveways, circulation pattern, and parking and loading areas with spaces shown and number of spaces indicated.	
	d. Walkways and pedestrian circulation.	
	e. Service and waste/recycling storage and disposal areas.	

	f. Screening and landscape plan.	
	g. Outdoor lighting plan.	
15.	Proposed easements and rights-of-way with purposes indicated.	
16.	Proposed streets with names and including:	
	a. Location and width of rights-of-way.	
	b. Location and width of cartways.	
	c. Location and width of sidewalks.	
17.	Existing and proposed deed restrictions or covenants affecting development and use of the tract.	
18.	A plan of the proposed public sanitary sewerage system, if proposed, or a plan showing the proposed location and type of on-lot sewage disposal systems.	
19.	A plan of the public water distribution system, if proposed.	
20.	A plan for stormwater management facilities and measures.	
21.	Evidence to show that effective soil conservation measures are planned and will be implemented.	
22.	Reservations of ground for public or common use.	
23.	Where the preliminary plan covers only a part of the applicant's entire holding and the applicant has intentions for further development, the applicant shall submit a description of the prospective development of the remainder of the land.	
24.	If the applicant intends to undertake and complete proposed public improvements required by this Ordinance after preliminary plan approval and prior to final plan submission, the applicant shall submit engineering and construction information required by Section C of the Final Plan Checklist.	
25.	Payment of the required application fee.	

SECTION 502 FINAL PLANS

A Final Plan shall be submitted for all Subdivisions and Land Developments, including Minor Subdivisions, Major Subdivisions, Minor Land Developments, Major Land Developments, and Mobile Home Parks.

Section 502.1 Required Content and Information

All applications for Final Plan approval submitted under the Clinton County Subdivision and Land Development Ordinance shall meet specifications and standards and include content and information specified on the accompanying Final Plan Checklist.

The checklist below indicates the contents and information which must be submitted with a Final Plan. Failure to provide required information may result in rejection of the application.		✓
A. Plans shall be professionally prepared according to the following specifications		
1.	Plans shall be drawn at a scale no smaller than one inch equals two hundred feet (1"=200').	
2.	One full-sized copy of the plan sheet(s) and one copy of the stormwater management plan narrative shall be submitted on paper.	
3.	The application form, plan sheet(s), and all accompanying documents shall be submitted electronically. The files shall be in .PDF format submitted by email or by a medium compatible with current technology.	
4.	Upon approval, three full-sized copies of the plan sheet(s) with revision boxes noted and containing original signatures and seals shall be submitted on paper.	
5.	Plan sheets shall be a minimum of 18"x24" except where otherwise authorized by the Planning Department due to the size or nature of the development. All plan sheets shall be the same size and numbered relative to the total number of sheets (i.e., 1 of 5, etc.)	
6.	Plans shall be drawn and surveys performed in conformance with the act of May 23, 1945 (P.L. 913, No. 367), known as the "Engineer, Surveyor, and Geologists Registration Act," and accepted surveying and civil engineering practices. Plans shall contain the signature and seal of the professional that prepared the plan.	
B. The following information shall be included on a Final Plan or submitted with the plan where not practical to be shown on the plan		
1.	Title block including:	
	a. Name of proposed subdivision or land development under which it is to be recorded including the words "Final Plan".	
	b. Location by municipality, county, and state.	
	c. Name(s) and address(es) of the owner(s).	
	d. County parcel ID number.	
	e. Name and address of the Registered Professional that prepared the plan.	
	f. Date the plan was prepared.	

2.	North point.	
3.	Scale displayed in graphic and written form.	
4.	Vicinity map showing the proposed subdivision or land development in relation to surrounding features including parent tract boundary, municipal boundaries, existing and proposed streets, other significant developments, and major physical features.	
5.	Existing streets serving and adjacent to the proposed subdivision or land development, including name, right-of-way widths, and cartway widths.	
6.	Existing features on the tract, including:	
	a. Watercourses, identified FEMA floodplains, wetland areas, and other significant natural features.	
	b. Buildings and land use.	
	c. Sanitary sewers, stormwater management facilities, water mains and fire hydrants, water wells, and on-lot sewage disposal systems.	
	d. Telephone conduit line, electric power transmission lines, communication towers, oil and natural gas wells and lines, and other significant manmade features.	
7.	Existing property lines, easements, and rights-of-way, and the purpose for which the easements or rights-of-way have been established.	
8.	Owners' names and county parcel ID numbers of abutting properties.	
9.	For proposed subdivisions, proposed lots, including:	
	a. Lot boundaries with distances displayed in feet and decimal parts thereof, and bearings displayed in degrees, minutes, and seconds.	
	b. The total area of each lot.	
	c. Number to identify each lot.	
	d. A table listing the coordinates of at least two (2) property corners of each subject parcel in accord with Section 612.1 C.	
10.	For proposed land developments:	
	a. Proposed buildings and structures including location and configuration, ground level floor area, total floor area, number of stories, height, proposed use, and number and types of dwelling units.	
	b. For mobile home parks, recreational vehicle parks, and campgrounds, proposed layout of mobile home lots and camping sites.	
	c. Points of access from adjacent streets, internal driveways, circulation pattern, and parking and loading areas with spaces shown and number of spaces indicated.	
	d. Walkways and pedestrian circulation.	
	e. Service and waste/recycling storage and disposal areas.	
	f. Screening and landscape plan.	
	g. Outdoor lighting plan.	
11.	Proposed easements and rights-of-way with purposes indicated.	
12.	Proposed streets with names and including:	

	a. Location and width of rights-of-way.	
	b. Location and width of cartways.	
	c. Location and width of sidewalks.	
13.	Boundary lines of proposed street rights-of-way, easements, and other rights-of-way showing accurate dimensions, bearings, deflection angles, radii, arcs, and central angles of all curves.	
14.	Primary survey control points or benchmarks and location and description of survey monuments and markers.	
15.	Proposed means of providing sanitary sewerage in accordance with this Ordinance and the Pennsylvania Sewage Facilities Act (Act 537), indicating either:	
	a. Service connection to a public sanitary sewerage system, including a letter from the operating authority indicating ability to serve.	
	b. The proposed location and type of on-lot sewage disposal systems, including documentation of Act 537 planning approval.	
16.	A plan of the public water distribution system, if proposed, including a letter from the operating authority indicating ability to serve where connection to an existing system is proposed.	
17.	A plan for stormwater management facilities and measures.	
18.	A letter from the Clinton County Conservation District indicating approval of any earth disturbance activities in accord with applicable state and federal requirements.	
19.	Proposed deed restrictions or covenants affecting development and use of the tract.	
20.	Reservations of ground for public or common use.	
21.	Certifications, seals, and signatures in accord with Section 502.2 of this Ordinance.	
22.	Payment of the required application fee.	
C. Plans shall include the following construction drawings in sufficient detail for proposed improvements required by this Ordinance		
1.	Plan and profile sheets for all proposed streets with horizontal and vertical alignments and existing centerline profiles along with the location and size of storm sewers inlets, and invert elevations.	
2.	Typical cross-sections of proposed streets and sidewalks.	
3.	Design plans for bridges and culverts.	
4.	A plan showing the size and material of water pipes and location of valves and fire hydrants.	
5.	A plan showing the location of manholes, invert elevations, grades, and sizes of sanitary sewers	
6.	A final grading plan showing proposed contours at vertical intervals suitable for illustrating the character and extent of grading.	

Section 502.2 Required certificates, acknowledgements, and approvals

The certificates, acknowledgements, and signature blocks that follow shall be inscribed on the final subdivision or land development plan. The Owner’s Certification, Acknowledgement, and Professional Certification shall be properly completed, signed, and sealed when the plan is submitted to the Planning Department.

OWNER’S CERTIFICATION

(I or We), _____,
(Name of owner or owners; name and title of legally authorized officer or representative)
the undersigned, hereby declare that _____
(I or we or name of partnership, corporation, etc.)
(is or are) the owner(s) of the property shown on this final plan, that the final plan and the proposed subdivision or land development were made with the owner’s(s’) consent, and that the owner(s) desire(s) the final plan to be recorded as such.

In witness whereof (I or we) have set (my or our) hand(s) and seal(s) this
___ day of _____, 20__.

(Owner signature)

(Owner signature)

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLINTON

Before me, the subscriber, a Notary Public in and for said County and Commonwealth, personally appeared the above named

(Name of owner or owners; name and title of legally authorized officer or representative)
who acknowledged the foregoing final plan of subdivision or land development to be (his, her, their) act and deed and desired the same to recorded as such.

WITNESS MY HAND AND NOTARIAL SEAL this ___ day of _____, 20__.

(Notary Public) SEAL

My commission expires the ___ day of _____, 20__.

PROFESSIONAL CERTIFICATION

I, _____, a Professional _____
(Name of professional) (Surveyor, Engineer, Landscape Architect)
of the Commonwealth of Pennsylvania, do hereby certify that this plan shown hereon is my
work; that this plan is true and correct to the standards of the Clinton County Subdivision and
Land Development Ordinance; that the monuments shown thereon exist as located; that the
dimensional and geodetic details are correct; and that the survey has been prepared in
accordance with the "Pennsylvania Engineer, Land Surveyor, and Geologists Registration
Law," PL 913, No. 367.

(Professional's Name) SEAL

(Professional's Registration No.)

(Date)

CLINTON COUNTY PLANNING DEPARTMENT OR PLANNING COMMISSION
APPROVAL

The foregoing plan shown hereon was approved by the Clinton County Planning Department
or Planning Commission the ___ day of _____, 20__.

(Clinton County Planning Director or authorized designee) SEAL

PROOF OF RECORDING

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLINTON

Recorded in the Office of the Register and Recorder of said County and Commonwealth, in
Plan Book Volume _____ Page(s) _____.

Given under my hand and seal this ___ day of _____, 20__.

(Clinton County Register and Recorder)

ARTICLE 6 DESIGN STANDARDS

SECTION 601 APPLICATION OF STANDARDS

The following design standards and requirements shall be applied by the Planning Department and Planning Commission in evaluating plans for proposed subdivisions and land developments.

The standards and requirements contained herein are the minimum standards and requirements for the protection of the public health, safety, and welfare.

The construction of improvements in a subdivision or land development as required herein is the responsibility of the subdivider or developer.

SECTION 602 GENERAL REQUIREMENTS

Section 602.1 Suitability and compatibility

- A. Land shall be suited for the purpose for which it is to be subdivided or developed.
- B. Land which is unsuitable for development because of hazard(s) to life, health, safety and/or property shall not be subdivided and/or developed until such hazard(s) have been eliminated or unless adequate safeguards against such hazards are provided for in the development plan. Such hazards may include but are not limited to land subject to flooding, subsidence, unstable surface conditions, landslide, known pollution or contamination with threatening substances, or other hazards identified in the Clinton County Hazard Mitigation Plan.
- C. Subdivisions and land developments shall be designed to avoid excessive movement of earth and excessive disturbance of natural features, vegetation, waterways, historic sites, and other community assets and landmarks. Where wooded areas or other natural conditions exist, the subdivision or land development shall preserve as much of the original trees and natural conditions as is economically feasible and require that a minimum of grading be done other than grading and excavating which is required in the construction of the improvements in accordance with the standards included herein.
- D. Subdivisions and land developments shall be designed to be harmonious with existing nearby neighborhoods and the community as a whole.
- E. Subdivisions and land developments shall be done in a manner that will not bar adjacent property owners from access to public streets and/or private rights-of-way or access easements or otherwise preclude the development of surrounding land areas.

Section 602.2 Pennsylvania Wilds Design Guide

- A. Applicants shall consult the *Pennsylvania Wilds Design Guide* and consider applying its design principles, themes, and best practices in the design of a subdivision or land development. Applicants shall be found to have made a good faith effort considering the *Design Guide* if they participate in a pre-application conference as provided for in

Section 404 to discuss applicable *Design Guide* principles, themes, and best practices.

- B. Applicants for Major Subdivisions and Major Land Developments shall document in writing with submitted plans that the *Design Guide* was consulted, and shall indicate any *Design Guide* elements incorporated into the subdivision or land development.

SECTION 603 LOT REQUIREMENTS

Section 603.1 General provisions

- A. Lots shall be generally sufficient in size and shape to accommodate the proposed development or use, preserve long-term usability, minimize encroachment of development on non-buildable or constrained lands such as utility lines, water bodies, wetlands, floodplains, or steep slopes, and ensure adequate access and circulation of vehicles and pedestrians.
- B. Every lot in a subdivision shall abut an existing street, a street proposed in the same subdivision plan proposing the lot, or a proposed private lane, as provided for in Section 604.4.
- C. Double frontage lots shall be discouraged except where lots abut along their rear line arterial or collector streets, in which case such lots shall have no right of access to the abutting arterial or collector street.
- D. Lots in which the lot depth exceeds four (4) times the lot width are discouraged.

Section 603.2 Lot Area and Yard Requirements

- A. Proposed subdivision lots and land developments shall comply with the area, width, yard, and setback requirements of the zoning ordinance of the municipality in which the development is located.
- B. A proposed lot not meeting the minimum lot requirements and intended to be conveyed and adjoined to an adjacent property is permitted, provided the following note shall be placed on the plan: *Lot #___ is not a separate building lot and is to be conveyed and become part of adjoining land of (name of landowner)*. Both the lot created in effect by combination with an adjoiner and the remnant lot shall comply with applicable lot area requirements.

Section 603.3 Flag lots

Flag lots as defined by this Ordinance are permitted, provided the main body of the lot – the “flag” – shall meet the applicable lot area and yard requirements, and provided the access strip – the “pole” – shall meet the following requirements.

- A. The access strip shall be a fee-simple part of the flag lot, and shall not be a separate parcel, right-of-way, or easement, and shall not be used for any purpose other than the location of an access driveway.
- B. The access strip shall connect directly to an existing street or a street proposed in the

same subdivision plan proposing the flag lot.

- C. The access strip shall have a minimum width of twenty-five feet (25') where the main body of the flag lot is two (2) or less acres in size and a minimum width of fifty feet (50') where the main body of the flag lot is over two (2) acres in size.

SECTION 604 STREETS

Section 604.1 Planning

- A. Proposed streets shall conform to Clinton County's and the host municipality's adopted comprehensive plans, and county, regional, and state road and highway plans that have been prepared and officially adopted and/or filed as prescribed by law.
- B. Streets shall be logically related to the topography to achieve usable lots and reasonable grades, and to minimize earth moving and disturbance of natural features.
- C. Proposed streets shall be integrated into and be an extension of existing or proposed street systems in the immediate area of the proposed development.
- D. When the subdivision includes lots or remnant tracts or adjoins unsubdivided property, any of which are large enough for further subdivision into streets and lots, new streets or reserved right-of-way not less than fifty (50) feet in width shall be provided at location(s) suitable to enable future access, connection and development.
- E. All applications for Major Subdivisions and Major Land Developments shall provide a statement of the anticipated ADT traffic loading resulting from the development of the land, projected 10 years.

Section 604.2 Access

- A. All proposed new streets or new street networks, whether public or private, shall have access to a public street.
- B. New streets shall be designed to extend existing public rights-of-way, or exhibit geometry that meets the conditions of this ordinance.

Section 604.3 Permits

- A. Access of a proposed street to a PennDOT street or highway shall require provision of a Highway Occupancy Permit (HOP) issued by PennDOT. Provision of a HOP shall be a condition of approval of the subdivision or land development.
- B. Written permission or authorization must be given by the municipality for connection of a proposed street to an existing municipal street. Provision of the aforesaid municipal authorization shall be a condition of approval of the subdivision or land development.

Section 604.4 Private lanes

Private lanes as defined by this Ordinance shall be permitted only under the following specific conditions.

- A. Private lanes shall be limited to provide service to and access by a maximum of three (3) lots.
- B. All lots served by private lanes shall front on the private lane. Flag lots off a private lane are prohibited.
- C. Private lanes must connect directly to an existing public street or a public street proposed in the same subdivision plan proposing the private lane.
- D. Private lanes shall meet street design and construction standards prescribed in this Section.
- E. No lots in addition to the maximum of three (3) lots shall be approved until the private lane is upgraded to meet the specifications for a local street prescribed in this Section.
- F. Ownership, maintenance, and liability associated with all private lanes approved under this provision shall be the responsibility of abutting property owners. A right-of-way, use, and maintenance agreement shall be submitted with the application indicating legal access to the private lane for the proposed abutting lots and maintenance responsibilities to be met by the owners of proposed abutting lots.

Section 604.5 Street design standards

- A. Proposed streets shall meet the requirements set forth in Table 604.5. Standards are a minimum except where indicated.
- B. Proposed streets shall also meet any applicable street design standards of the host municipality more restrictive than or in addition to the standards in the table.

TABLE 604.5 – STREET DESIGN STANDARDS			
	Collector Street	Local Street	Private Lane
Right of Way Width (ft)	50	50	50
Lane Width (ft)	12	10	8 to 10
Cartway Width (ft) - Curbed	28	24	n/a
Cartway Width (ft) – No Curb	24	20	16 to 20
Shoulder Width - Gravel (ft)	4	2	2
Parking Lane (ft) Optional	8	8	8
Bike Lane (ft) Optional	5	5	5
Curb Return Radius (ft)	20 to 40	15 to 35	20
Cross Slope	2%	2%	2%
Cross Slope (max)	8%	8%	8%
Vertical Grade	0.5%	0.5%	0.5%
Clearance (ft)	14.5	14.5	14.5
Operating Speed (max mph)	25 to 35	25	15 to 25
Stopping Sight Distance at Intersection (ft)	2001 AASHTO Greenbook, Table 6-3	2001 AASHTO Greenbook, Table 6-3	2001 AASHTO Greenbook, Table 6-3
Vertical Grade (max)	Design (7% max)	Design (10% max)	8 to 12%
Centerline Curve Radius (ft)	500	250	150
Length Between Curves (ft)	150	100	100
Maximum Cul-De-Sac Length (Ft)	Not Permitted	See Section 604.7	As allowed by Emergency Services

Section 604.6 Intersections

- A. Intersections shall be laid out to intersect at right angles, and no intersection shall have an angle of less than 60 degrees from the main street. Multiple intersections involving the junction of more than 2 streets shall not be permitted.
- B. New intersections shall have a leveling approach to the existing street of less than 4% slope for a minimum of 25 feet.
- C. Intersections on the same side of the street shall be separated by intervals of 600 feet.
- D. Clear sight triangles of 75 feet measured each way from the centerline of the driver’s position shall be provided and maintained at all intersections. No obstructions higher than 36 inches are permitted in the triangle, other than street signs and light poles. The triangle shall initiate at the driver’s viewpoint, 10 feet from the edge of the existing pavement of the proposed intersection.

Section 604.7 Cul-de-sac streets

Cul-de-sac streets may be permitted when through traffic at such a street end is not essential to the existing or future street system in that area, or to the development of adjacent properties in the area. Cul-de-sac streets shall meet the following requirements:

- A. Maximum length of 500 feet for commercial and industrial land developments.
- B. Maximum length of 1,000 feet for land zoned to have a residential density of 4 or more dwelling units per acre.
- C. Maximum length of 1,500 feet for land zoned to have a residential density of less than 4 dwelling units per acre.
- D. Modifications on length may be permitted upon favorable review by emergency service provider(s) of the host municipality, or if a proposed right-of-way will establish a connector street in the future.
- E. The turnaround shall have an outside pavement radius of not less than forty-two feet (42') and a right-of-way radius of not less than fifty feet (50').

Section 604.8 Construction standards

- A. Proposed streets shall meet the requirements set forth in Table 604.8. Standards are a minimum except where indicated.
- B. Proposed streets shall also meet any applicable street design standards of the host municipality more restrictive than or in addition to the standards in the table.
- C. Street shoulders shall be constructed of compacted PennDOT 2A angular limestone, installed to the depth of the wearing, base and subbase combined thickness.

TABLE 604.8 – CONSTRUCTION STANDARDS			
	Paving Course	Paving Material ¹	Paving Section Thickness (in) ^{2,7}
Collector Street	Wearing	9.5 mm WMA 64S-22	1.5
	Base Course	25 mm WMA 64S-22	5
	Subbase Course	PennDOT 2A ^{4,8}	8
	Subgrade	Proofrolled/Stable ³	
Local Street	Wearing	9.5 mm WMA 64S-22	1.5
	Base Course	25 mm WMA 64S-22	4
	Subbase Course	PennDOT 2A ^{4,8}	6
	Subgrade	Proofrolled/Stable ³	
Private Lane ⁵	Wearing		n/a
	Base Course	PennDOT 2A ^{3,8}	4
	Subbase Course	PennDOT 2A ^{6,8}	6
	Subgrade	Stable	

¹ WMA Wearing and Base courses shall be PG 64S-22, or the most up to date Superpave Asphalt Mix design at the time of land development review.

² Streets proposed to handle commercial or industrial loading, or proposed in areas of poorly draining soils, shall be designed in accordance with PennDOT Publication 242 Latest Edition, in accordance with ESAL Loading and soil subgrade conditions. Calculations of cartway pavement sections shall be provided to the County Engineer for review.

³ Public streets to be dedicated to the Municipality shall be proofrolled in the presence of the Municipal Engineer or Roadmaster. Proofrolling shall be performed with a loaded tandem axel dump struck. Installation of 2A shall not be allowed until the proofroll has been passed and documented.

⁴ PennDOT 2A for public streets shall be comprised of angular limestone.

⁵ If a Private Lane is converted into a Local Street due to proposed use, then the Local Street Paving Sections shall be utilized.

⁶ Private subbase courses may utilize imported granular fill, approved by the County Engineer. Examples of clean fill consist of 6-minus, 2RC, 2A Modified or imported shale, all placed and compacted to a standard that results in zero movement under a proofroll.

⁷ Pavement and subbase stone thicknesses are the in-place compacted thicknesses.

⁸ Stone base will be compacted to 100% of the Standard Proctor (ASTM D 698).

Section 604.9 Exceptions to Street Construction Standards

- A. A private street serving a subdivision of up to ten (10) seasonal home lots may be constructed in accordance with the Private Lane standards if approved by the Planning Commission through the modification process.
- B. The Planning Commission will consider the following when considering the modification:
 - 1. The nature of the seasonal use of the properties to be served by the street.
 - 2. The length of unpaved street.
 - 3. The adequacy of the proposed private right-of-way, use, and maintenance agreement.
 - 4. Anticipated traffic count projections, current and future.
 - 5. Hardships associated with paving the street.
 - 6. Environmental and design considerations of unpaved streets.
- C. The private street shall be paved for a minimum of fifty (50) feet at intersections with paved streets.
- D. The developer will utilize the United States Forest Service and the Pennsylvania State University joint guidance on Environmentally Sensitive Road Maintenance and Practices for Dirt and Gravel Roads publication as a resource for roadway grading, crowning, drainage improvements, and environmentally sustainable construction methods.

Section 604.10 Curbs and drainage

- A. Curbing shall be required where determined to be necessary due to roadway geometry prohibiting proper roadway surface drainage.
- B. Curbing shall be concrete with smooth rounded radii. Extruded curbing and plain cement concrete curb are acceptable.
- C. Drainage Channels and Culverts
 - 1. Channels and culverts shall be designed to convey storm events in accordance with Article 7 Stormwater Management.
 - 2. Channels lining and rock thicknesses shall be designed with appropriate scour resistance. Scour shall be calculated in accordance with the Pennsylvania Erosion and Sediment Pollution Control Manual 363-2134-008, Chapter 6.
 - 3. Channels shall have a minimum freeboard of 1 foot for the design storm.
 - 4. Channel geometry shall be parabolic or trapezoidal, with maximum 2:1 side slope steepness.
- D. Where a driveway intersects a drainage channel, an appropriately sized conveyance

culvert shall be sized to pass flow under the driveway entrance.

- E. Culvert outfalls shall be designed with energy dissipators, as depicted in Figures 9.3 and 9.4 of the Pennsylvania Erosion and Sediment Pollution Control Manual 363-2134-008, Chapter 9.

Section 604.11 Street names

The applicant for a development with a proposed street shall follow procedures prescribed by Clinton County GIS Department for naming the street. The GIS Department has authority to assign street names in the county.

SECTION 605 SIDEWALKS

Section 605.1 Where required

Sidewalks shall be provided along proposed streets in either of the following circumstances:

- A. When considered warranted by the Planning Commission to protect the public safety or to accommodate significant pedestrian traffic due to the density, intensity, or type of area development.
- B. Where proposed streets are extensions of existing streets having sidewalks on one or both sides.

Section 605.2 Standards

- A. Sidewalks shall be required on both sides of the street except that the Planning Commission may authorize sidewalks on one side only of U- shaped streets, cul-de-sac streets, or where character of use does not require pedestrian access on both sides of the street.
- B. The minimum width for sidewalks shall be four feet, but the Planning Commission may require a greater width in the vicinity of shopping centers, schools and recreation facilities, or where similar intensive urban uses exist.
- C. Sidewalks, where provided, shall be within the right-of-way and in residential areas, where conditions permit, two and one-half feet from the edge thereof. Sidewalks should line up with adequate walks in adjoining subdivisions or developments.
- D. Sidewalks shall be PennDOT Class A Concrete four (4") inches thick placed upon a minimum four (4") inch layer of PennDOT 2A, and have a minimum two percent transverse slope from property line to curb to facilitate drainage.

SECTION 606 SANITARY SEWERS

All lots created through subdivision and all proposed land developments must have suitable sanitary sewer service.

Section 606.1 Connection to existing system

- A. A proposed subdivision or land development shall connect to a public sewer system and provide public sewer service to its development where an existing public sanitary sewer system is reasonably available with adequate capacity. The extension of sewer mains and the construction of public sewer service for the development shall comply with the design requirements and construction specifications of the municipality, municipal authority, or utility that owns the public sewer system. A public sanitary sewer system shall be deemed to be reasonably available if:
1. The subdivision or land development is within a designated future public sewer service area according to the municipality’s official Act 537 Sewage Facilities Plan; or
 2. The subdivision or land development is in a location or within a distance requiring connection according to the rules and regulations of the public sewer service provider; or
 3. The subdivision or land development is located within a specified distance of a public sanitary sewer system according to the following table.

TABLE 605.1 – CRITERIA FOR WHEN A PUBLIC SEWER SYSTEM IS DEEMED REASONABLY AVAILABLE	
Size of Development	Distance from a Public Sewer System*
1-4 Building Lots or EDUs	200 Feet
5-14 Building Lots or EDUs	500 Feet
15+ Building Lots or EDUs	1,000 Feet

*The distance shall be measured from the most feasible connection point in the proposed development to the nearest available public sewer line of sufficient size to provide service following a feasible route for connection.

- B. Where sanitary sewer service will be provided by connection to a public sewer system, the applicant shall provide an ability to serve letter from the municipality, municipal authority, or utility that owns the system.
- C. Where sanitary sewer service will be provided by connection to a public sewer system, but the service area is not part of an existing Act 537 planning document, it shall be the applicant’s responsibility to prepare an Act 537 plan update for review and approval by PA DEP, and to submit documentation of approval with the subdivision or land development application.

Section 606.2 Existing system not available

Where connection to and service by a public sanitary sewer system will not be provided in accord with the above provisions, the subdivision or land development shall provide sanitary sewer service by:

- A. Installation of individual on-lot sewage disposal systems as approved by the municipality, its sewage enforcement officer, and the PA DEP; or
- B. Construction of a private sanitary sewer system consistent with the municipality's official Act 537 Sewage Facilities Plan, approved and permitted by the PA DEP, and designed and installed according to PA DEP's Pennsylvania Domestic Wastewater Facilities Manual.

Section 606.3 Non-Building Lots

Where acceptable by and complying with the policies and rules of the municipality and the PA DEP in administering Act 537 sewage facilities planning, a lot that is otherwise buildable according to the provisions of this Ordinance and applicable municipal ordinances may be created and designated non-building without providing suitable sanitary sewer service. The final subdivision plan shall contain a notation, meeting municipal and PA DEP policies and rules, for each such lot declaring the lot to be for non-building purposes until such time that suitable sanitary sewer service is provided, and indicating an application for and approval of a new subdivision is required to remove the non-building notation.

SECTION 607 WATER SUPPLY

Section 607.1 Connection to existing system

- A. A proposed subdivision or land development shall connect to a public water system and provide public water service to its development where an existing public water system is reasonably available with adequate capacity. The extension of water mains and the construction of public water service for the development shall comply with the design requirements and construction specifications of the municipality, municipal authority, utility, or other entity that owns the public water system. A public water system shall be deemed to be reasonably available if:
 - 1. The subdivision or land development is within a designated future public water service area according to an official public water supply or service plan of the municipality or appropriate authority or utility; or
 - 2. The subdivision or land development is in a location or within a distance requiring connection according to the rules and regulations of the public water system provider; or
 - 3. The subdivision or land development is located within a specified distance of a public water system according to the following table.

TABLE 606.1 – CRITERIA FOR WHEN A PUBLIC WATER SYSTEM IS DEEMED REASONABLY AVAILABLE	
Size of Development	Distance from a Public Water System*
1-4 Building Lots or EDUs	200 Feet
5-14 Building Lots or EDUs	500 Feet
15+ Building Lots or EDUs	1,000 Feet

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

- B. Where water service will be provided by connection to a public water system, the applicant shall provide an ability to serve letter from the municipality, municipal authority, utility, or other entity that operates the system.

Section 607.2 Existing system not available

- A. Where connection to and service by a public water system will not be provided in accord with the above provisions, the subdivision or land development may provide water service by construction of a private water system approved and permitted by the PA DEP and designed and installed according to PA DEP’s Public Water Supply Manual.
- B. Where water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, water shall be supplied by a certificated public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority, or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be submitted as evidence.

SECTION 608 OTHER UTILITIES

Provision of easements or rights-of-way for and location of natural gas, electric, cable, fiber optic and telephone, and other public utilities shall comply with requirements and standards of the applicable public utility company(ies).

SECTION 609 GEOHAZARDS

It is in the public interest to regulate development that will result in the creation of a geohazard that will pose a threat to human health, private or public property, or the environment.

- A. A geohazard is a geological and/or environmental condition that involves long-term or short-term geological processes that could be affected by earth surface manipulation during construction activities. Because a geohazard can take millennia to form with no apparent manifestation at the time of planning and design, it is the developer’s responsibility to identify potential geohazard concerns and subsequent mitigation efforts to protect the long-term integrity and promote environmental pollution resistance of the facility proposed for construction.

- B. The developer shall provide a statement within the notes on the subdivision or land development plan indicating that the design professional has evaluated the development site for geohazards and that potential geohazards exist, or do not exist.
- C. If the design professional identifies the potential for the geohazards listed below, a geohazard mitigation plan shall be prepared for the site. The geohazard mitigation report shall be prepared by a Registered Engineer or Geologist. The following are considerations for the identification of geohazards that are common to Clinton County.
 - 1. Presence of Acid Producing Rock – Identify any proposed disturbances to Acid Producing Rock (APR). Disturbances can result in acidic runoff to streams and wetlands, impacting the water quality through precipitation of metals and impacts to vegetation. Natural APR pertains to geologic formations that have pyritic shale or coal, that when exposed to the atmosphere will produce acid mine drainage. APR is also present in areas of the County that were utilized for coal mining or coal strip-mining activities.
 - 2. Existing Slides – Identify areas of the property that have been identified as historic landslides by Regulatory Agencies or through the use of LIDAR Mapping. Slides are caused by weak soil or rock strata, compounded by perched water above or below the soil or rock layer, that are located on existing steep topography.
 - 3. Steep Slopes – Identify proposed grading cuts or fills that will result in slopes steeper than 2 to1. Provide recommendations for the reinforcement of steep slopes by a Registered Professional Engineer to avoid movement of cut or fill masses.
 - 4. Easily Erodible Soils – Identify areas of easily erodible soils where concentrated stormwater or stream water will flow as a result of site development.
 - 5. Karst Topography – Identify sinkholes or shallow karst topography that could result in the formation of sinkholes during land development and construction of stormwater management facilities.
- D. The burden of proof will be upon the developer to identify the presence, or absence, of geohazards and to prepare the mitigation efforts to avoid damage to human life and property and to protect the environment.

SECTION 610 EARTH DISTURBANCE APPROVAL

For subdivisions and land developments involving earth disturbance activities, the applicant shall provide a letter from the Clinton County Conservation District indicating approval of activities in accord with applicable state and federal requirements.

SECTION 611 MONUMENTATION

Section 611.1 Monuments

- A. Monuments shall be set at all outer boundary locations where permanent monuments did not exist at the time of the perimeter survey unless site conditions preclude the installation, and the missing monument shall be noted on the final plan. Existing

monuments shall not be removed.

- B. Monuments shall be noted as found or set on the final plans.
- C. All subdivision or land development plans will provide a table listing the coordinates of at least two (2) property corners of the parent tract and each proposed lot. Coordinates will be provided in the Pennsylvania State Plane Coordinate System, North Zone, U.S. Feet NAD-83.
- D. The precision of the monuments and markers will be made in accordance with the most recent Standards of Practice for Professional Land Surveyors in the Commonwealth of Pennsylvania. Refer to Section F entitled PSLS Classification and Measurement Standards for Boundary Surveys.
- E. Monuments shall consist of either:
 - 1. Solid steel rods a minimum of one-half (0.5) inches in diameter and a minimum of twenty-four (24) inches in length, centered in a cylinder of concrete a minimum of nine (9) inches in diameter and a minimum of twenty-four (24) inches in depth, poured in place.
 - 2. Steel pipes a minimum of three-fourths (0.75) inch in diameter and a minimum of 24 inches in length, centered in a cylinder of concrete a minimum of nine (9) inches in diameter and a minimum of twenty-four (24) inches in depth, poured in place.
 - 3. Precast (i.e. manufactured) reinforced concrete monuments measuring a minimum of four (4) inches by four (4) inches by a minimum of twenty-four (24) inches in length.
 - 4. Such other monuments as the Planning Commission may approve.
- F. Monuments, including the rod or pipe and the concrete, shall be placed flush with the ground.
- G. Monuments shall not be placed until street grading has been completed.

Section 611.2 Survey markers.

- A. Markers shall be set at each existing and proposed lot corner. If it is impossible or impractical to set a survey marker precisely on the corner, then survey markers may be established on the line of the lot and offset a distance from the actual corner. Such distance shall be so noted on the final plan.
- B. Markers shall consist of solid steel rods a minimum of one-half (0.5) inches in diameter and twenty (20) inches long or such other marker as the Planning Commission may approve.
- C. Markers shall be set two (2) inches above the surrounding grade.
- D. A wooden stake or other suitable object shall be placed or found near each survey marker as a witness with a notation made on it which identifies the lot by number, letter, or name of landowner.

ARTICLE 7 STORMWATER MANAGEMENT

In accordance with the intent and requirements of PA Storm Water Management Act 167 of 1978, the stormwater management provisions contained in this section are intended to provide protection against uncontrolled stormwater runoff, and to insure that downstream property owners and water courses are not adversely affected by increases in stormwater runoff resulting from subdivision and land development.

SECTION 701 CORE REQUIREMENTS

- A. A stormwater management plan shall be submitted with applications for subdivisions or land developments where:
 - 1. There will be an increase the total impervious area of the tract;
 - 2. Slopes of the site or adjacent areas could result in accelerated storm water runoff as the lot(s) within the proposed subdivision are developed; or,
 - 3. Areas of poor drainage or existing stormwater runoff problems are known to occur within, directly adjacent to, or immediately down gradient from the proposed subdivision.
- B. All subdivision and land development proposals shall meet the requirements of stormwater management regulations in effect in the host municipality, or in the absence of such regulations, shall meet the requirements of this ordinance and those of Section 612 of the Clinton County Zoning Ordinance in municipalities where applicable.
- C. The Planning Department or Planning Commission may request the Clinton County Conservation District to review and comment on stormwater management plans proposed to control runoff within a subdivision or land development. Review comments generated by the Clinton County Conservation District will be utilized to generate the technical review comments prepared by the Planning Department and Planning Commission.
- D. An all-encompassing storm water management plan will be proposed for phased and/or multi-lot subdivisions or multi-lot land developments, as defined by the common plan of development. The Developer should consult with the County Engineer and the Clinton County Conservation District for land developments that propose phased development.

SECTION 702 GENERAL PROVISIONS

The purpose of this section is to promote the health, safety, and welfare within the county and its watersheds though minimizing harm and maximizing benefits through provisions designed to:

- A. Meet the water requirements mandated under state law.
- B. Preserve natural drainage systems.
- C. Manage stormwater runoff close to the source, and reduce runoff volumes and mimic

predevelopment hydrology.

- D. Provide procedures and performance standards for stormwater planning and management.
- E. To protect water resources by maintaining groundwater recharge and preventing the degradation of surface and groundwater water quality.
- F. Prevent the erosion of stream banks and streambeds.
- G. Provide proper operation and maintenance of all stormwater best management practices (BMPs) implemented within the County.

SECTION 703 WAIVERS FROM STORMWATER MANAGEMENT REQUIREMENTS

A. Requirements for waivers

1. A waiver from any stormwater management requirement of this Ordinance shall not relieve the applicant from implementing all other applicable requirements of this Ordinance or from implementing such measures as are necessary to protect public health, safety, and welfare, property, and water quality.
2. A waiver shall not relieve the applicant from complying with the requirements for special protection waters designated by PA DEP as high quality (HQ) or exceptional value (EV) waters, or any other current or future State or municipal water quality protection requirements.
3. Waivers shall be at the discretion of the Planning Commission based upon a review and recommendation from the County Engineer that considers the site including the topography, soils, conditions, and other factors that are deemed appropriate.
4. Prior to granting the waiver, the applicant must provide documentation that the increased flows from the site leave the boundaries of the site in the same manner as the pre-development condition, and that there will be no adverse impacts to the properties along the flow path.

B. General Waivers

1. Any regulated activity on parcels that propose less than 5,000 square feet of total impervious area may be granted a waiver from provisions Section 706 B. and Section 707 of this Ordinance provided the impervious area is disconnected (i.e., promotes overland flow and infiltration of stormwater and does not discharge stormwater directly through other means of runoff conveyance that concentrates and/or accelerates flows or directs flows on to neighboring property). These criteria shall apply even if the development is to occur in phases.
2. Waivers shall be at the discretion of the Planning Commission based upon a review and recommendation from the County Engineer that considers site conditions, topography, soils, and other factors deemed appropriate.
3. Developments meeting the waiver criteria must still submit a description of the

stormwater management measures provided.

SECTION 704 FINANCIAL SECURITY

Where a subdivision or land development involves installation of stormwater management facilities specified in an approved stormwater management plan required by this Ordinance, performance guarantees shall be provided and installation of improvements shall occur in accord with Article 10 of this Ordinance.

SECTION 705 GENERAL REQUIREMENTS

- A. The management of the stormwater of both temporary and permanent facilities on the site during construction and upon completion of construction shall be in compliance with this section.
- B. Site designs shall minimize impervious area and surfaces, and shall promote infiltration.
- C. The anticipated peak rate of stormwater runoff from the site during and after development shall not exceed the peak rate of runoff of the site prior to development activities. This shall be measured in accordance with the standards within this Ordinance.
- D. Any stormwater runoff generated from development that discharges into any water bodies or wetlands shall be done in accordance with all Federal and State requirements, and shall be adequately treated to prevent water quality degradation of the receiving water body.
- E. Infiltration shall maintain annual rates of groundwater infiltration.
- F. Annual recharge from post development site shall mimic the annual recharge from the pre-development site conditions.
- G. Applicant shall consult the Pennsylvania Stormwater Best Management Practices Manual.
- H. All stormwater designs are subject to the approval of the County Engineer. The County Engineer may request specific information on the design and or the operating features of the proposed stormwater controls in order to determine their suitability and adequacy to meet the requirements and standards of this ordinance.
- I. All stormwater management facilities shall be designed by a registered Professional Engineer or Landscape Architect with their qualifications listed on the front cover of the plan narrative.
- J. Any existing points of concentrated drainage that discharge onto adjacent properties shall not be altered without the permission of the affected property owner(s). This point shall also be subject to any applicable discharge criteria specified within this Ordinance.
- K. Plans shall include a statement, signed by the landowner, acknowledging the stormwater management system to be a permanent management system that cannot be altered or removed unless the Planning Commission approves a revised plan.

- L. All applicants for subdivision and land development approval shall submit a letter of approval from the Clinton County Conservation District where land disturbance is proposed.
- M. The design of all BMPs and conveyances shall incorporate sound engineering principles and practices in a manner that does not aggravate existing stormwater problems as identified by the County. The County reserves the right to disapprove any design that would result in construction in an area affected by existing stormwater problem(s) or continuation of an existing stormwater problem(s).

SECTION 706 DESIGN CRITERIA

- A. PA DEP has developed the PCSM Spreadsheet (spreadsheet) to facilitate calculations necessary for completing the stormwater analysis required by § 102.8(g) for PCSM Plans. The County recommends at the discretion of the County Engineer all land development projects requiring a stormwater management plan to utilize the spreadsheet and provide a copy with the intent to streamline PCSM calculations and help applicants demonstrate compliance with the stormwater management requirements.

Applicants should check PA DEP's website periodically for updates to the spreadsheet and instructions. In general, the County will accept older versions of the spreadsheet no more than 6 months following the revision date of the spreadsheet. The County also reserves the right to request completion of the latest version of the spreadsheet for any project.

- B. Storm frequencies for 2-, 5-, 10-, 25-, 50-, and 100-year design storm events shall be evaluated and no greater runoff rate shall be permitted after development than what existed prior to development.
- C. Where the subdivision or land development is traversed by a water course, drainageway, channel, or stream, there shall be provided a drainage easement conforming substantially with the line of such water course, drainageway, channel, or stream, and of such width as will be adequate to preserve the unimpeded flow of natural drainage or for the purpose of widening, deepening, improving or protecting such drainage facilities.
- D. All storm sewer pipes, grass waterways, open channels, swales, and other stormwater carrying facilities that service drainage areas within the site must be able to convey post-development runoff for the 10-year design storm event.
- E. New storm sewers shall be designed to convey post-development runoff without surcharging inlets for the 10-year design storm event.
- F. All water obstructions (bridges, culverts, outfalls, or stream enclosures) shall have ample waterway opening to carry expected flows, based on a minimum post development peak for the 25-year design storm event and shall have a minimum of one (1) foot of freeboard measured below the lowest point along the top of the roadway. All applicants shall submit a letter of approval from the Clinton County Conservation District showing permit requirements for such features have been satisfied.

- G. Stormwater discharge facilities and easements must be designed such that development as proposed shall not adversely affect or cause hazard to existing use of adjacent parcels.
- H. Roof drains, foundation drains, and sump pumps shall discharge to the land surface or infiltration/vegetative BMPs to promote overland flow and infiltration of stormwater. All drains shall not discharge stormwater directly onto sidewalks, pavement, streets, or neighboring property.
- I. The design storm volumes to be used in the analysis of peak rates of discharge should be obtained from the Precipitation-Frequency Atlas of the United States, Atlas 14, Volume 2, U.S. Department of Commerce, National Oceanic and Atmospheric Administration (NOAA), National Weather Service.

SECTION 707 WATER QUALITY REQUIREMENTS

- A. The green infrastructure and low impact development practices provided in the PA DEP BMP Manual shall be utilized for all regulated activities wherever possible. Water quality volume controls shall be implemented using the Design Storm Method in Subsection 1. or the Simplified Method in Subsection 2. below. For regulated activity areas equal or less than one acre that do not require hydrologic routing to design the stormwater facilities, this Ordinance establishes no preference for either methodology; therefore, the applicant may select either methodology on the basis of economic considerations, the intrinsic limitations on applicability of the analytical procedures associated with each methodology and other factors. As required in Section 706, the PA DEP PCSM spreadsheet must be provided to demonstrate stormwater management compliance.
 - 1. The Design Storm Method (CG-1 in the PA DEP BMP Manual) is applicable to any size of regulated activity. This method requires detailed modeling based on site conditions.
 - a) Do not increase the post-development total runoff volume for all storms equal to or less than the 2-year 24 hour duration precipitation.
 - b) For modeling purposes:
 - 1) Existing (predevelopment) non-forested pervious areas must be considered meadow in good condition.
 - 2) 20% of existing impervious area, when present, shall be considered meadow in good condition in the model for existing conditions.
 - 2. The Simplified Method (CG-2 in the PA DEP BMP Manual) provided below is independent of site conditions and should be used if the Design Storm Method is not followed. This method is not applicable to regulated activities greater than one acre or for projects that require design of stormwater storage facilities. For new impervious surfaces:
 - a) Stormwater facilities shall capture at least the first two (2) inches of runoff from

all new impervious surfaces.

- b) At least the first one inch of runoff from new impervious surfaces shall be permanently removed from the runoff flow, i.e., it shall not be released into the surface waters of this Commonwealth. Removal options include reuse, evaporation, transpiration, and infiltration.
 - c) Wherever possible, infiltration facilities should be designed to accommodate infiltration of the entire permanently removed runoff; however, in all cases at least the first 0.5 inch of the permanently removed runoff should be infiltrated.
- B. Where non-structural practices are employed in the site design, the water quality volume can be reduced in accordance with the conditions outlined in Pennsylvania Stormwater Best Management Practices Manual for non-structural practices.
- C. The design of the facility shall consider and minimize the chances of clogging and sedimentation potential. Orifices smaller than three (3) inches in diameter are not recommended. However, if the design engineer can provide proof that the smaller orifices are protected from clogging by use of trash racks, etc. smaller orifices may be permitted.
- D. To accomplish adequate water quality treatment the final water quality volume shall be treated by an acceptable BMP from the list presented in Pennsylvania Stormwater Best Management Practices Manual or an equivalent practice approved by the County Engineer. The applicant may submit original and innovative designs to the County Engineer for review and approval. Such designs may achieve the water quality objectives through a combination of BMPs.
- E. In selecting the appropriate BMPs or combinations thereof, the applicant shall consider the following:
- 1. Total contributing area.
 - 2. Permeability and infiltration rate of the site soils.
 - 3. Slope and topography.
 - 4. Seasonal high water table.
 - 5. Depth to bedrock.
 - 6. Proximity to building foundations and wellheads.
 - 7. Erodibility of soils.
 - 8. Subgrade stability and susceptibility to sinkhole formation
 - 9. Land availability and configuration of the topography.
 - 10. Peak discharge and required volume control.
 - 11. Stream bank erosion.

12. Efficiency of the BMPs to mitigate potential water quality problems.
 13. The volume of runoff that will be effectively treated.
 14. The nature of pollutants being removed.
 15. Creation and protection of wildlife habitat.
 16. Enhancement of aesthetic and property values.
 17. Maintenance requirements.
- F. Stormwater hotspots - If a site is designated as a stormwater hotspot, it has important implications for how stormwater is managed.
1. Stormwater hotspots include the following:
 - a) Vehicle salvage yards and recycling facilities*
 - b) Vehicle service and maintenance facilities
 - c) Vehicle and equipment cleaning facilities*
 - d) Fleet storage areas (bus, truck, etc.)*
 - e) Industrial sites
 - f) Marinas (service and maintenance)*
 - g) Outdoor liquid container storage
 - h) Outdoor loading/unloading facilities
 - i) Public works storage areas
 - j) Facilities that generate or store hazardous materials*
 - k) Commercial container nursery
 - l) Golf courses
 - m) Other land uses and activities as designated.
 2. A greater level of stormwater treatment is required at hotspot sites to prevent pollutant wash off after construction.
 3. For areas designated as hotspots design and implementation of a Stormwater Pollution Prevention Plan may be required containing operation practices at the site to reduce the generation of pollutants by preventing contact with rainfall.

* Signifies that Stormwater Pollution Plan implementation may be required for these land uses or activities under the U.S. EPA NPDES stormwater program.

4. Stormwater Pollution Prevention Plans shall follow the requirements of the U.S. EPA NPDES stormwater program.
5. The following land uses and activities are not normally considered hotspots: residential streets and rural highways, residential development, institutional development, commercial and office developments, non-industrial rooftops, pervious areas except for golf courses and nurseries. Large highways and retail gasoline outlet facilities are not designated as hotspots, though it is important to ensure that stormwater plans for these facilities adequately protect groundwater.

SECTION 708 RIPARIAN BUFFER REQUIREMENTS

Where a riparian buffer is required for a regulated activity, the riparian buffer shall be established as follows:

- A. The buffer shall be perpendicular from the top of the stream bank landward:
 1. High Quality or Exceptional Value Watersheds (minimum of 150 feet width);
 2. Impaired streams - a minimum of 150 feet;
 3. All other watersheds - a minimum of 50 feet; or
 4. As determined by a stream corridor study approved by PA DEP and the Planning Commission.
- B. The riparian buffer shall be located between any development and all perennial and intermittent streams or ponds. The perennial and intermittent streams and riparian boundaries shall be shown on all applications for subdivision and/or land development. Existing uses within the buffer are permitted to continue but not to be expanded. Placement of new structures or roadways within the riparian buffer shall be prohibited, unless specifically permitted by the Planning Commission or County Engineer. Where a wetland exists within the buffer area, the buffer shall be extended landward to provide a minimum buffer of 25 feet (25'), as measured perpendicularly from the wetland boundary.
- C. The buffer shall consist of native species appropriate for local conditions and shall meet or exceed standards set forth in Natural Resources Conservation Service Conservation Practice Standard Riparian Forest Buffer Code 391.
- D. Where wetlands are located partially or entirely within a buffer, the buffer shall be extended to encompass the wetland and shall be widened by a distance sufficient to provide a 25 foot (25') riparian forest buffer measured perpendicularly from the wetland boundary.
- E. The following uses shall be permitted in the buffer:
 1. Footpaths, trails, and bike paths provided that:
 - a) Width is limited to five feet (5').

- b) Width may be increased provided a corresponding increase in the buffer is provided.
 - c) Construction shall have minimal impact to the buffer.
 - d) Applicants shall submit a letter of approval from the Conservation District for all footpaths, trails or bike paths added to a riparian buffer.
2. Stream crossings, provided the crossing is designed and constructed in such a manner as to minimize the impact to the buffer. The riparian buffer shall be restored to its original condition, to the maximum extent practical, upon completion of construction. All applicants shall submit a letter of approval for any stream crossing from the Clinton County Conservation District.
 3. Utility lines, provided that the crossing is designed and constructed in such a manner as to minimize the impact to the inner buffer and provided that there is no practical alternative to avoid locating the utility within the buffer. The riparian buffer shall be restored to its original condition, to the maximum extent practical, upon completion of construction.
 4. Maintenance and restoration of the riparian buffer.
 5. Projects conducted with the objective of improvement, stabilization, restoration, or enhancement of the stream bank, stream channel, floodplain, watershed hydrology, riparian buffers, or aquatic habitat and maintenance activities associated with such projects. These projects include but are not limited to agricultural and stormwater management best management practices. Such projects must receive appropriate permits and approvals from the PA DEP or the Clinton County Conservation District prior to starting the project.
 6. Minor private recreational uses for the property owner. Such uses include non-affixed benches, fire rings and similar uses. Such uses do not include structures such as cabins, sheds, pavilions, garages dwellings, or similar structures.
- F. Disturbance of the riparian buffer shall be limited to the area necessary to perform an allowable use.
 - G. Where possible and practical, disturbances shall be installed and restored prior to beginning the next phase.
 - H. Allowable activities shall not cause stormwater flow to concentrate.
 - I. Any vegetation removed for allowable activity shall be replaced immediately upon completion of the activity. Where mature trees are removed, such trees shall be replaced with the largest practical tree of acceptable native species.
 - J. E&S controls shall be installed and maintained in a manner consistent with PA Code Title 25 Chapter 102. In the absence of a site specific management plan, the following maintenance guidelines shall apply:

1. Buffers shall be inspected periodically for evidence of excessive sediment deposition, erosion, or concentrated flow channels. Prompt action shall be taken to correct these problems and prevent future occurrence.
2. Trees presenting an unusual hazard of creating downstream obstructions shall be removed. Such material shall be removed from the floodplain or the riparian forest buffer (whichever is widest); or cut into sections and chipped to prevent the possibility of creating obstructions downstream. Wherever possible, large stable debris should be conserved.
3. Vegetation should be inspected periodically to ensure diverse vegetative cover and vigorous plant growth consistent with buffering objectives.
 - a) remove invasive plant species that may threaten the natural diversity and integrity of the buffer.
 - b) Periodic cutting of trees may be necessary to promote vigorous growth, remove disease, and encourage regeneration.
4. Excessive use of fertilizers, pesticides, herbicides, and other chemicals shall be avoided. These products should be used only when absolutely necessary to maintain buffer vegetation and control invasive plants.

SECTION 709 FLOODPLAIN MANAGEMENT

The requirements of this section are intended to protect property owners from increased flood hazards resulting from inappropriate development in the floodplain and to protect potential buyers from purchasing land which may not be suitable for development. Plans shall also comply with the applicable Federal Emergency Management Agency (FEMA), the National Flood Insurance program and the Pennsylvania Floodplain Management Act (Act 166 of 1978) and all municipal floodplain management regulations. The 100-year floodplain and floodway shall be clearly delineated on the plan.

- A. The inclusion of a floodplain within lots in order to meet the minimum lot area and/or yard requirements is allowed provided each lot contains sufficient area exclusive of the 100-year regulatory floodplain for buildings and, when applicable, for on-lot sewage disposal systems and replacement areas.
- B. The Planning Commission may require the applicant, as a stipulation of a plan approval, to include the following note on the plan and similar reference to the deed for lots containing floodplain areas: "NOTE: Lot(s) No. ___ are completely or partially within the regulatory floodplain and any development on such lots shall occur in accordance with all federal, state, and local floodplain management regulations. In addition, lending institutions may require the mandatory purchase of flood insurance for home mortgages."
- C. Any development proposed within the floodplain must be in accordance with any local floodplain ordinance and PA DEP permit requirements.
- D. When a site is adjacent to or traversed by a watercourse that does not have a 100-year

regulatory floodplain and floodway delineated, all structures shall be setback a minimum of fifty (50) feet from the top of the nearest stream bank.

SECTION 710 MAINTENANCE

- A. An agreement shall be entered into between the applicant and the municipality, and or County specifying the following:
 - 1. That the stormwater management system shall be maintained in proper working order.
 - 2. The legal entity responsible for maintaining the stormwater management system.
 - 3. That the site shall continue to meet all of the design criteria of the stormwater management controls as approved by the municipality and or Clinton County.

SECTION 711 STORMWATER MANAGEMENT PLAN CONTENTS

In addition to the plan requirements outlined in Article 5 of this Ordinance, applicants are required to submit the following materials to evaluate stormwater management.

- A. A narrative that describes the stormwater management concept.
- B. A description of the permanent stormwater management techniques and construction specifications.
- C. Complete structural, hydraulic, and hydrological calculations for the entire stormwater management system, including the PA DEP PCSM Spreadsheet.
- D. Profiles, both horizontal and vertical, of all open channels including the hydraulic capacity.
- E. Identification of the total upstream drainage that flows through the site.
- F. Identification of the runoff volumes and peak flows that may affect the adjacent properties.
- G. Identification of the runoff volumes and peak flows that may affect any existing municipal stormwater collection system.
- H. Overland drainage paths.
- I. The proposed location of both structural and nonstructural improvements shall be shown on the plot plan. The Planning Commission may also require the subdivider to include on the plot plan topographic contours at five-foot intervals in order to better evaluate the proposed storm water control techniques.
- J. Separate, detailed specifications, including cross-sections, profiles, etc., shall be submitted for all structural storm water control improvements, such as swales, seepage pits, and retention and detention basins.

- K. The developer shall submit with the stormwater management plan a proposal for ownership and maintenance of all storm water control improvements within the subdivision or land development, in accordance with the following provisions.
 - 1. Where the developer proposes to dedicate such improvements to the municipality, a deed which dedicates the land to be used for storm water control improvements to the municipality shall be recorded with the final plan. A copy of the deed and a letter from the municipality stating their intent to accept ownership and maintenance responsibility for the improvements shall be submitted with the subdivision or land development plan.
 - 2. Alternatively, an ownership & maintenance agreement, which specifies ownership and assigns maintenance responsibility for the proposed improvements to either the developer or among property owners within the subdivision or land development, shall be recorded with the final plan and referenced in the deeds to each property within the subdivision or land development.
- L. Provide a Declaration of Adequacy and Highway Occupancy Permit from PennDOT when the utilization of a PennDOT storm drainage system is proposed.

ARTICLE 8 LAND DEVELOPMENTS

SECTION 801 APPLICATION OF STANDARDS

The following design standards and requirements shall be applied by the Planning Department and Planning Commission in evaluating plans for proposed land developments. Land developments shall comply with these standards in addition to standards in Article 6 and Article 7.

The standards and requirements contained herein are the minimum standards and requirements for the protection of the public health, safety, and welfare.

The construction of improvements in a land development as required herein is the responsibility of the developer.

SECTION 802 GENERAL REQUIREMENTS

- A. Land developments shall provide to adjacent landowners adequate privacy, light, air, and protection from noise through building design, street layout, buffering through screening or plantings, and building orientation and location.
- B. Buildings shall be placed in consideration with the site's topography, existing vegetation, and surrounding land uses, taking into account energy conservation, solar access, and pertinent natural features.
- C. Existing natural features should be recognized and integrated into the site layout. Natural features such as streams, hillsides, wetlands, unique habitat, woods, and similar natural resources should be considered strong design determinants and be incorporated into the overall site plan to strengthen the unique quality of the land.
- D. The placement of open space and preservation of scenic views should be a fundamental design decision. Open space lands should provide for a variety of benefits including recreation, natural resource protection, scenic views and vistas, and buffers for site elements and land uses.
- E. Movement within a site and access to the site should be designed for the safety and convenience of various types of users. Cross access between properties and joint access are encouraged to improve circulation and improve access safety.
- F. The development of a site should use methods that reduce energy, water, and fuel consumption needs of the property. Opportunities to utilize renewable energy sources, conserve and reuse water resources, and reduce fuel consumption should be considered.
- G. The configuration of a land development should reduce potential health hazards to the future users and to the community as a whole.

SECTION 803 DESIGN REQUIREMENTS

Section 803.1 Driveways

- A. No driveway may be connected to a public right-of-way and no driveway connection to a public right-of-way may be altered without obtaining an access permit from PennDOT or the municipality.
- B. Every land development shall be on a lot adjacent to a public street or have access to a public street via private street or private right of way agreement.
- C. Unless clearly impractical or inappropriate, land developments which abut two or more streets shall have direct access only to the street of less function and classification.
- D. Where land developments are created having frontage on expressways, arterial, and collector streets, any proposed street development pattern will provide frontage to local streets within the subdivision.
- E. All driveways located adjacent to a street intersection will be spaced as follows:
 - 1. There shall be a minimum ten-foot tangent distance between the curb return radius of the intersecting roadway and the curb return radius of the first permitted driveway.
 - 2. The distance from the edge of pavement of the intersecting roadway to the curb return radius of the first permitted driveway shall be a minimum of 20 feet on curbed roadways and 30 feet on uncurbed roadways
- F. Only one driveway shall be permitted for residential land developments and not more than two driveways shall be permitted for non-residential land developments.
- G. If the property frontage exceeds 600 feet, an additional driveway may be permitted.
- H. The land development plan shall include a note that traffic control during driveway installation will be performed in accordance with the PennDOT Traffic Control Manual.
- I. To promote safety, driveway design shall ensure that:
 - 1. Sight distance is adequate to safely allow each permitted movement to be made into or out of the access driveway.
 - 2. The free movement of normal roadway traffic is not impaired.
 - 3. The driveway will not create a hazard.
 - 4. The driveway will not create an area of undue traffic congestion on the street.
 - 5. The driveway will not create a hazard to pedestrians or bicyclists, or impair pedestrian or bicycle use or access of the public right of way.
- J. Driveways will be separated into four design standards based on the amount of traffic they are expected to serve.
 - 1. Minimum Use Driveway – Not more than 25 vehicles per day for multi-family

dwelling with 5 units or less.

- a) Widths: Driveways shall be single lane. The minimum width shall be 10 feet and the maximum width shall be 20 feet.
 - b) Curb Return Radius: The minimum curb return radius shall be 10 feet but not exceed 25 feet, unless specifically designed for buses and trucks.
 - c) Transition Area: Minimum use driveways shall have a 10 ft minimum transition area starting at the roadway edge and a maximum 8% change in grade in the landing area from the shoulder to the main driveway.
 - d) Driveway Slope: Not to exceed 12% beyond the landing area.
2. Low Volume Driveways – 25 to 750 vehicles per day for office buildings, schools or car washes.
- a) Widths:
 - 1) The minimum width for a single lane driveway shall be 12 feet and the maximum width shall be 20 feet.
 - 2) The minimum width for a two-lane driveway shall be 20 feet and the maximum width shall be 24 feet
 - b) Curb Return Radius: The minimum curb return radius shall be 10 feet but not exceed 25 feet, unless specifically designed for busses and trucks.
 - c) Transition Area: Low volume driveway use driveways shall have a 10 ft to 40 ft minimum transition area starting at the roadway edge and a maximum 8% change in grade in the landing area from the shoulder to the main driveway. The transition area shall be defined by site use and vehicle clearance requirements.
 - d) Driveway Slope: Not to exceed 12% beyond the landing area.
3. Medium Volume Driveways – 750 to 1500 vehicles per day including hotels, fast food restaurants and service stations with convenience stores.
- a) Widths: In accordance with Title 67, Section 441 of the Pennsylvania Code.
 - b) Curb Return Radius: In accordance with Title 67, Section 441 of the Pennsylvania Code.
 - c) Transition Area: Medium volume driveway use driveways shall have a 40 ft minimum transition area starting at the roadway edge and a maximum 8% change in grade in the landing area from the shoulder to the main driveway.
 - d) Driveway Slope: Not to exceed 8% beyond the landing area.
4. High Volume Driveways – Greater than 1500 vehicles per day including industrial and commercial uses, large shopping centers and large office and apartment

complexes.

- a) Widths: In accordance with Title 67, Section 441 of the Pennsylvania Code.
 - b) Curb Return Radius: In accordance with Title 67, Section 441 of the Pennsylvania Code.
 - c) Transition Area: High volume driveways shall have a 40 ft minimum transition area starting at the roadway edge and a maximum 8% change in grade in the landing area from the shoulder to the main driveway.
 - d) Driveway Slope: Not to exceed 3% beyond the landing area.
- K. Driveways shall be constructed at right angles to the public right of way. Relief of the right-angle requirement may be granted if site geometry and grading will prohibit this standard. Sight distance and grading requirements shall remain applicable.
- L. Driveways shall not be designed or constructed to block or impair the ability of the municipality to maintain the public right of way, including maintenance, improvements, sweeping and snow/ice removal.
- M. Driveways impacting sidewalks will be constructed in full compliance with the standards established in the Americans with Disabilities Act.
- N. In the event that driveway construction is stopped, the drainage and grade of the public right-of-way shall be restored to original conditions by the permittee.
- O. Drainage facilities in the shoulders and driveway crossings shall be constructed in accordance with Article 7 Stormwater Management.

Section 803.2 Lighting

Outdoor lighting associated with a proposed land development shall have objectives to minimize adverse offsite impacts of light trespass and obtrusive light, to curtail light pollution, and to promote economic and health benefits of Dark Skies. Outdoor lighting shall:

- A. Be downward directed and full cutoff or fully shielded.
- B. Be located, mounted, shielded, and aimed so as not to present a hazard to drivers or pedestrians on adjacent streets or public ways, and so as not to create a nuisance by projecting or reflecting objectionable light onto a neighboring use or property.
- C. Have “warm” color temperatures of a maximum of 3,000 Kelvin for LED lighting.
- D. Provide illumination to no more area and be no brighter than needed to ensure public safety and productive use and security of the property.

Section 803.3 Noise

Except where otherwise prescribed in this Ordinance, a land development shall be designed so that the sound level of normal operations shall not exceed an average of 55 dBA for a 10

minute period measured at the nearest property line bordering the land development. The sound level shall be measured with a sound level meter that conforms to the specifications published by the American National Standards Institute (ANSI).

Section 803.4 Screening

- A. Screening requirements shall be applicable under the following circumstances:
1. Where a proposed commercial or industrial land development abuts an existing residential use or property in a zoning district primarily dedicated to residential uses.
 2. Along the entire perimeter except for the street frontage of any mobile home park.
- B. Screening is not required if the features to be screened are set back four hundred (400) feet or more from the lot line along which screening would otherwise be required.
- C. Where required, screening may be accomplished through the use of any one or a combination of the following methods.
1. Screen plantings
 - a) Plant or vegetative materials, including shrubs or evergreens, used in screen plantings shall be of such species as will produce, within three (3) years, a complete visual screen six (6) feet in height and shall be of such density as is necessary to serve as barrier to visibility, glare, and/or noise between adjacent properties.
 - b) Proposed trees and shrubs shall be healthy, typical of their species, have normal growth habits, well-developed branches, and vigorous root systems.
 - c) Screen planting shall be placed so that, at maturity, it will be no closer than five (5) feet to any street right-of-way or property line.
 - d) All required screen plantings shall extend the entire length of the common boundary between a proposed commercial or industrial land development and abutting existing residential use or zoning district primarily dedicated to residential uses.
 - e) Where proposed shrubs are used, the maximum distance between plant centers shall be eight (8) feet.
 - f) Existing natural vegetation may be included as required screen plantings where it will achieve the intended purposes.
 2. Fences or walls
 - a) In lieu of, or in addition to, screen plantings as set forth above, the Planning Commission may consider the use of a fence or wall as an acceptable barrier to potentially objectionable noise, glare, and/or visibility between adjacent properties.

- b) Fences or walls used to provide required screening shall be at least six (6) feet in height and be of such type as is necessary to achieve the intended purposes.
3. Berms or other natural landforms
- a) In lieu of, or in addition to, screen plantings as set forth above, the Planning Commission may consider the use of an earthen berm or other existing or proposed landform as an acceptable barrier to potentially objectionable noise, glare, and/or visibility between adjacent properties.
 - b) Berms or landforms used to provide required screening shall be of such height and of such type as is necessary to achieve the intended purposes.
 - c) Any berm or landform used to provide required screening shall be owned and maintained in satisfactory condition by the property owner, and may not be altered except for usual maintenance.
- D. Features to be screened. In addition to the above requirements, the following land development features shall be screened on the lot on which development is proposed:
- 1. Loading and unloading areas;
 - 2. Parking lots for seven (7) or more vehicles;
 - 3. Outdoor storage of products, raw materials, refuse and waste materials, and junk;
 - 4. Mechanical equipment, vents, fans and the like.
- E. Screening location on the lot
- 1. For screening required in 803.4 A. 1. and 2. above, screening shall be located within a buffer area along the property line of the proposed land development.
 - 2. For screening required in 803.4 D. above, screening may be located anywhere on the lot provided it effectively shields the features to be screened.
- F. Required width of buffer area. The minimum width of buffer area containing screening required in 803.4 A. 1. and 2. above shall be as follows:
- 1. Fifty (50) feet for a proposed industrial land development.
 - 2. Twenty (20) feet for a proposed commercial land development or mobile home park.
- G. Performance standards
- 1. The developer should consider placing structures and features on the land in a manner that would lessen the extent and cost of required screening. Examples of sensitive design include the following:
 - a) Situating development in or behind existing vegetation such as woodlots or hedgerows.

- b) Consolidating development in the smallest possible land area.
 - c) Situating development far from the lot line.
 - d) Situating development behind landform crests.
- H. Screening plan. To assure compliance with screening requirements, the applicant shall provide a screening plan to enable the County to assess whether proposed screening will create an effective buffer at necessary points. The screening plan may include any one of the following: plot plan with view analysis, landscaping and grading plan, topographic profiles and cross-sections, or photographic evidence. The screening plan shall be drawn to scale and proposed plants shall be indicated, including type, quantity, size at planting time, and spacing.
- I. Maintenance requirements. The land development plan shall include a note indicating that screen plantings, fences, and/or berms or landscape features provided to meet requirements of this section shall be maintained permanently by the property owner and shall not be altered, except for usual maintenance.

SECTION 804 RESIDENTIAL LAND DEVELOPMENTS

The following standards shall apply to residential land developments excluding mobile home parks.

Section 804.1 Arrangement of buildings.

- A. Adequate provision must be made for light, air, access, and privacy in the arrangement of the buildings to each other.
- B. Building groups must be arranged in order to be accessible by emergency vehicles.
- C. The front or rear of any building shall be no closer to the front or rear of any other building than 40 feet.
- D. The side of any building shall be no closer to the side, front, or rear of any other building than 30 feet.
- E. No portion of a building shall be located closer than fifty (50) feet to a residential dwelling unit on an adjacent property.
- F. No driveway or parking lot shall be closer than fifteen (15) feet to the front of any building, nor ten (10) feet to the side or rear of any building, except that space may be provided for loading and unloading which is closer to the building it is intended to serve than is herein provided.

Section 804.2 Open space

- A. A minimum of ten (10) percent of the gross area of the development shall be reserved by the developer as common open space for the use of all residents of the development. Such open space may include areas of land and water, but shall exclude all streets, parking

areas, structures, or service lanes. This area shall be easily accessible to all units.

- B. Applicants shall submit a proposal indicating the ultimate ownership and maintenance responsibilities for all common open space areas. Where no conveyance of land area is proposed, the applicant shall submit a plan for the maintenance of all common open space areas.

SECTION 805 COMMERCIAL LAND DEVELOPMENTS

Commercial land developments shall be designed to:

- A. Minimize detrimental effect on the character of the area or neighborhood where they are proposed to be located.
- B. Create no offensive or objectionable noise, vibration, smoke, dust, odor, glare, or heat detectable at or beyond the property line of the lot containing the commercial land development.
- C. Ensure convenient and safe traffic circulation and parking.
- D. Ensure adequate access for services, delivery, and pickup.

SECTION 806 INDUSTRIAL LAND DEVELOPMENTS

Industrial land developments shall be designed to meet the following requirements:

- A. Industrial or manufacturing land developments shall provide direct access to a street or highway which is capable of accommodating the anticipated levels and types of industrial and employee traffic. Where access is proposed onto a state highway, a copy of the applicant's PennDOT-issued Highway Occupancy Permit shall be provided with the land development application.
- B. Compliance with the following minimum performance standards, in addition to all applicable local, State or Federal codes or regulations (including PA DEP pollution control standards) shall be required. The developer shall present sufficient documentation with the land development application to indicate that each of the applicable performance standards will be met.
 - 1. Sound. The volume of sound inherently and recurrently generated shall be controlled so as not to cause a nuisance to adjacent uses.
 - 2. Vibration. No vibrations shall be discernible beyond the property lines of the industry.
 - 3. Odor. No emission of odorous gas or other odorous matter shall be permitted in such quantity as would be readily detectable along or beyond the lot lines of the industrial operation without the use of instruments.
 - 4. Toxic or noxious matter. No discharge of any toxic or noxious matter in such quantity as would be detrimental or dangerous to public health, safety, comfort, or welfare, or

would cause injury or damage to property, businesses, or the surrounding natural environment shall be permitted.

5. Heat. No direct or reflected heat shall be detectable at any point along or beyond the property lines of the industry.
6. Dust and fly ash. No solid or liquid parts shall be emitted in such quantities as would be readily detectable at any point along or beyond the property lines of the industry or as would produce a public nuisance or hazard.
7. Smoke. No smoke shall be emitted in such quantity as would become a nuisance.
8. Fire, explosion, and chemical hazards. In all activities involving, and in all storage of flammable and explosive materials, the owner or operator of the industrial facility shall provide adequate safety devices against the hazard of fire, explosion, leaks or spills, and appropriate firefighting and fire suppression equipment and devices standard in the industry, or as may be required by the Occupational Safety and Hazards Administration (OSHA).
9. Radio waves or electrical disturbances. No activities shall be permitted which emit radio waves or electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance.

SECTION 807 CAMPGROUNDS

The regulations of this Section shall apply to all campgrounds including recreational vehicle parks and cabin developments as defined by this Ordinance.

Any development which creates lots for transfer of ownership, or for recording of lots whether for transfer or lease, shall be considered a subdivision and shall meet all requirements for subdivisions in this Ordinance.

Section 807.1 General Requirements

- A. Campgrounds shall be designed for intermittent recreational use, not to exceed one hundred eighty (180) days during any calendar year by any one occupant. No camping site or unit placed thereon shall be used for year-round residential occupancy or maintained as a permanent residence.
- B. Camping sites shall not exceed a gross density of five (5) camping sites per acre.
- C. All camping sites and auxiliary campground structures shall be located at least 40 feet from the campground boundary lines, including public rights-of-way.
- D. All camping sites shall abut and have 40 feet of frontage on a street in the campground internal street system, except for walk-in tent campsites which may be permitted up to a maximum of two hundred fifty (250) feet from an internal street.
- E. A campground internal street system shall be provided which shall be designed and constructed in accordance with Table 807.1. It shall be the responsibility of the

campground owner to maintain all such streets within the campground.

TABLE 807.1 – CAMPGROUND INTERNAL STREET SYSTEM REQUIREMENTS		
	Serving 1-5 camping sites	Serving 6 or more camping sites
Minimum cartway width	12 feet	16 feet
Cartway construction ¹		
Minimum wearing surface ²	4 inches	4 inches
Minimum subbase ³	6 inches	6 inches
Maximum grade	20%	15%

¹All components of the street structure shall be in accordance with PennDOT specifications Form 408.

²Depth of 2RC or equivalent material after compaction by a 10-ton roller or equivalent.

³Depth of shale or equivalent material after compaction by a 10-ton roller or equivalent.

- F. No more than one (1) recreational vehicle or camping cabin shall be located on any camping site.
- G. Off-Street Parking Requirements. A minimum of two (2) vehicle off-street parking spaces shall be provided for each camping site plus one (1) additional off-street parking space shall be provided for every five (5) camping sites in the campground.
- H. A minimum of ten (10) percent of the gross area of the campground shall be reserved as common open space for the use of all occupants of the campground. Such open space may include areas of land and water, but shall exclude all streets, parking areas, or structures. At least a portion of the open space shall be set aside for recreational use. Such recreation area shall be suitable for outdoor recreation activities and shall be easily accessible to all camping sites. Applications for all campgrounds shall include a proposal indicating the ultimate ownership and maintenance responsibilities for such common open space and recreation areas.

Section 807.2 Sewer and water facilities requirements

- A. Sewer and water facilities provided by campgrounds shall meet the requirements of this Ordinance and be approved by the host municipality and PA DEP as applicable.
- B. Any camping site not having access to or not served by approved sanitary sewer facilities serving the campground shall be provided with an approved individual onlot sewage system meeting the requirements of the host municipality and PA DEP.

SECTION 808 ENERGY FACILITY LAND DEVELOPMENTS

Land developments for energy facilities as defined by this Ordinance shall meet the following requirements:

Section 808.1 General requirements

- A. Development of an energy facility shall comply with all applicable local, state, and

federal environmental, safety, and other regulations. Evidence of compliance shall be submitted with the land development application.

- B. Design of the energy facility shall conform to applicable industry standards. The applicant shall submit evidence of having obtained any applicable certificates of design compliance from equipment manufacturers or other certifying organizations.
- C. The applicant shall submit an impact statement assessing potential environmental, cultural, and viewshed impacts, how such impacts will be avoided or mitigated, and how mitigation measures will be maintained.
- D. The applicant shall submit a combined management and decommissioning plan. At a minimum it shall contain:
 - 1. Owner contact information
 - 2. A description of how facilities and equipment will be inspected and maintained
 - 3. A description of how the site and the features required by this Ordinance will be maintained
 - 4. A description of how and when structures, facilities, and equipment will be removed at the end of their useful lives, and how and when the site will be returned to its pre-energy facility state.

Section 808.2 Location requirements

- A. No structure or facility shall be located within three hundred (300) feet of an existing residential structure.
- B. All structures and facilities shall be set back from the perimeter boundary line of the energy facility site property or easement at least a distance of the greater of fifty (50) feet or 1.5 times the height of a structure or facility on the site, and shall be set back at least fifty (50) feet from the edge of a perennial watercourse.
- C. All natural gas compressor station equipment shall comply with the following minimum setback distances:
 - 1. Two hundred (200) feet from adjoining properties and public street rights-of-way.
 - 2. Seven hundred fifty (750) feet from any existing residential structure not located on the project parcel or any school, church, hospital or other occupied building.

Section 808.3 Access and security requirements

- A. At a minimum, a twenty-five-foot-wide access road must be provided from a state or municipal street or highway into the site.
- B. An energy facility site shall be completely enclosed by a minimum six-foot-high fence with a self-locking gate.

- C. Warning signs shall be placed on the fencing surrounding the site providing notice of the potential dangers and the contact information in case of an emergency.

Section 808.4 Impact mitigation requirements

- A. Outdoor lighting shall not be permitted except to the extent required for safety or applicable federal, state, or local authority. Where provided, lighting shall meet standards of Section 803.2.
- B. Noise from any structure, equipment, or operations on an energy facility site shall not exceed 55 dBA at the nearest property line. The applicant shall provide technical support documentation indicating that the noise standard will be achieved.
- C. Shadow flicker from a wind energy facility shall not exceed 30 hours per year and/or 30 minutes per day measured to the exterior wall of any dwelling or other occupied building. The applicant shall provide technical support documentation indicating that the shadow flicker standard will be achieved.
- D. All structures or equipment shall be placed such that concentrated solar radiation or glare does not project onto nearby structures or roadways.
- E. For land areas on the site not occupied at ground level by structures, equipment, or vegetative screening, the design shall include installation and establishment of perennial ground cover, which may include grasses, wildflowers, and pollinators. The applicant shall submit a plan for regular maintenance of ground cover vegetation.
- F. In forested areas:
 - 1. Where tree removal will be conducted to accommodate an energy facility, a fifty (50) foot forested buffer strip shall be left standing between the energy facility and any public street or any private street not controlled by the applicant.
 - 2. A six (6) foot firebreak shall surround the perimeter fence.

Section 808.5 Decommissioning and removal

- A. The energy facility and all related equipment shall be removed within 12 months of the date when use had been discontinued or abandoned by the facility owner and/or operator, or upon termination of the useful life of same.
- B. The energy facility owner is required to notify the Clinton County Planning Department immediately upon cessation or abandonment of the operation. The facility shall be presumed to be discontinued or abandoned if no energy is generated, produced, or processed by the facility for a period of 12 consecutive months.
- C. The energy facility owner will then have 12 months in which to dismantle and remove the facility, all related equipment or appurtenances, buildings, roads, foundations, and other associated facilities from the property. The owner shall also restore the land to its original condition, including forestry plantings of the same type/variety and density as the original, without invasive species. If the owner fails to dismantle and/or remove the

facility and restore the land within the established time frame, Clinton County may complete the decommissioning and land restoration at the owner's expense, including Court costs and attorney's fees.

- D. Prior to land development Final Plan approval, the owner shall provide financial security in the form of a decommissioning bond, a surety bond, to guarantee the availability of funds sufficient to secure the expense of dismantling said energy facility and restoring the land to its original condition as specified herein.

ARTICLE 9 MOBILE HOME PARKS

SECTION 901 DESIGN STANDARDS

Section 901.1 Minimum Tract Area and Maximum Density Requirements

A mobile home park shall have a gross area of at least five (5) contiguous acres of land. Overall density of the park shall not exceed five (5) mobile home lots per acre of gross area of the park provided that all other applicable requirements of this Ordinance can be met.

Section 901.2 Mobile Home Lot Area and Width Requirements

The minimum mobile home lot shall contain no less than 7,500 square feet. The minimum width of any mobile home lot shall be not less than 60 feet.

Section 901.3 Mobile Home Pad Requirements

All mobile home lots within the mobile home park shall be improved to provide a permanent foundation for the mobile home. Such pads shall be properly equipped to render the parcel useable and shall be maintained in satisfactory condition by the developer or park owner. At a minimum the following requirements shall be met:

- A. The pad shall be equal to the length and width of the mobile home proposed to use the lot, but in no case shall be less than 12 feet in width nor less than 60 feet in length.
- B. The pad shall not heave, shift or settle unevenly under the weight of the mobile home due to frost action, inadequate drainage, vibration or other forces acting on the structure, and shall be designed to uniformly support the mobile home in a level position. Each pad shall also be provided with anchors and tie-downs designed to meet at least industry-approved standards for wind resistance and shall be otherwise be designed and installed to meet all applicable Building Code requirements.
- C. Each pad shall be equipped with properly designed and approved water and sewer connections, and shall be provided with approved electric service connections.

Section 901.4 Mobile Home Lot Requirements

Each mobile home lot shall meet the following requirements.

- A. Space and grading. Each mobile home lot shall provide space and grading adequate to accommodate an entrance patio or porch and a storage shed or similar accessory structure typical of a residential lot.
- B. Setbacks from Public Streets. All mobile homes and auxiliary park buildings shall be set back at least 25 feet from the edge of any adjoining street right-of-way, including internal mobile home park streets.
- C. Side and Rear Yard Setbacks. All mobile homes, including attached porches, patios,

decks, or carports, shall be set back a minimum of ten (10) feet from the side and rear lot lines of the mobile home lot.

- D. **Minimum Distance between Mobile Homes.** Each mobile home, including attached porches, patios, decks, or carports, shall be located at least 20 feet from any other mobile home in the park.
- E. **Minimum Distance between Mobile Homes and Auxiliary Buildings.** All mobile home lots shall be located at least 25 feet from any auxiliary park building.
- F. **Park Perimeter Screening Requirements.** Screen plantings or fencing may be required to be provided at various points along the perimeter of the mobile home park to separate the park from adjacent land uses. Screening may also be required to effectively conceal auxiliary park buildings from mobile home lots, park streets or public streets.

Section 901.5 Grading and Ground Cover Requirements (Soil Erosion and Sedimentation Control Plans)

The ground surface in the park shall be graded and equipped to drain all surface water in a safe, efficient manner. Exposed ground surfaces in the park shall be covered with stone screenings, or other solid material, or be stabilized or otherwise protected with a vegetative cover capable of preventing soil erosion.

Section 901.6 Mobile Home Lot Access

All mobile home lots shall abut and have frontage on a street of the mobile home park internal street system.

Section 901.7 Off-Street Parking Requirements

A minimum of two (2) stabilized off-street parking spaces shall be provided on each mobile home lot within the mobile home park. One (1) additional off-street parking space shall be provided for each mobile home lot in the park for visitor parking.

Section 901.8 Mobile Home Park Internal Street and Drainage System Requirements

Streets and drainage control systems shall be constructed in accordance with the street standards outlined in the Clinton County Subdivision and Land Development Ordinance except that street widths shall be as follows:

- A. Where parking is permitted on both sides, a minimum cartway width of 36 feet shall be required.
- B. Where parking is limited to one side, a minimum cartway width of 28 feet shall be required.
- C. Where no parking is permitted on either side of the street, a minimum cartway width of 20 feet shall be required.

Section 901.9 Common Open Space Requirements

A minimum of five (5) percent of the gross park area or 1,000 square feet per unit, whichever is greater, shall be reserved by the developer as common open space for the use of all residents of the park. At least a portion of this area shall be set aside for recreation use. Such recreation area shall be suitable for outdoor recreational activities and shall be easily accessible to all units. Applications for mobile home parks shall include a proposal regarding the ultimate ownership and maintenance responsibilities for such common open space and recreation areas.

SECTION 902 UTILITIES AND PARK FACILITIES

Section 902.1 Water Supply System

An adequate supply of water shall be provided by the developer for mobile homes, service buildings and other accessory facilities. Where a public water system of satisfactory quantity, quality and pressure is available, connection shall be made to it and its supply shall be used exclusively. Where a satisfactory public water system is not available, the developer shall design, install, and maintain a private water system according to the standards of and with the approval of the PA DEP.

Section 902.2 Sewage Disposal System

An adequate and safe sewage system shall be provided by the developer in all mobile home parks for conveying and disposing of sewage from mobile homes, service buildings and other accessory facilities. Mobile home parks shall be connected to public sewer systems, where possible. Where a satisfactory public sewage disposal system is not available, the developer shall design, install and maintain an approved private sewage system according to the standards of the PA DEP.

Section 902.3 Other Utility Systems

Telephone, electric, television cable, natural or bottled gas, fuel oil or other utilities shall be provided by the developer in accordance with plans approved by the appropriate utility company. Underground installation of the utility distribution and service lines is required for approval of the mobile home park proposal.

Section 902.4 Service and Other Auxiliary Park Buildings

Service, maintenance and management buildings, recreation or community buildings and commercial sales buildings required for the management, servicing, and maintenance of the park and for the well-being of park residents may be permitted within the boundaries of the mobile home park. The entire area of these buildings, however, shall be used for the management, servicing and maintenance requirements of the park and park residents.

Section 902.5 Solid Waste Collection, Storage and Disposal

Arrangements for the collection, storage and disposal of solid wastes generated by the proposed mobile home park shall be made by the developer and submitted for approval as a

part of the plan submission process.

Section 902.6 Park Management

Each mobile home park shall have a resident manager who shall be responsible for maintaining the park in accordance with the requirements of this Ordinance and the terms and conditions of the park's approval.

SECTION 903 RULES AND REGULATIONS OF THE PARK

The developer shall submit a copy of the proposed rules and regulations to be followed by tenants of the mobile home park as a part of his application for such a use. Included shall be regulations requiring that:

- A. Each mobile home shall be skirted. (Skirting shall include materials which have been prefabricated for this specific purpose or similar materials, but shall not include bales of hay, straw, interior plywood, or like materials.)
- B. Garbage and trash shall be placed in appropriate receptacles.
- C. Each mobile home shall be installed in accordance with all applicable Building Code requirements.

ARTICLE 10 INSTALLATION OF IMPROVEMENTS

SECTION 1001 PERFORMANCE REQUIREMENTS

Before approving any Major Subdivision or Major Land Development plan, the Clinton County Planning Commission shall require a written and signed developer's agreement that necessary grading, paving and street improvements, sidewalks, street lights, fire hydrants, water mains, storm sewers, sanitary sewers, and other site improvements, as required by this Ordinance, shall be installed by the applicant in strict accordance with the design standards and specifications of this Ordinance, within a specified time period. Said agreement shall also provide for site maintenance during construction, and development related activities including, but not limited to maintenance of adjacent streets and roads, hours of operation, temporary signage, and inspection schedules.

SECTION 1002 PERFORMANCE GUARANTEE

The Clinton County Planning Commission shall ensure that the required improvements have been installed according to this Ordinance by either of two alternatives prescribed below and in accordance with the Municipalities Planning Code:

Section 1002.1 Completion of Improvements Prior to Final Approval

Prior to final plan approval, the applicant shall complete, in a manner satisfactory to the County Engineer and the Planning Commission, all improvements required in this Ordinance and as specified in the preliminary subdivision or land development plan approved by the Planning Commission, and shall offer for dedication the same to the host municipality and/or Clinton County as appropriate in accordance with these regulations. Final plan approval shall not be granted until the dedication of improvements has been accepted by the host municipality and/or Clinton County.

Section 1002.2 Guarantee of Completion of Improvements

In lieu of requiring the completion of all improvements prior to final subdivision or land development plan approval, the applicant shall enter into an agreement with Clinton County whereby the applicant shall guaranty, by deposit with Clinton County of financial security, the completion of all improvements required by this Ordinance and as specified in the proposed final plan, including but not limited to streets, stormwater management facilities, related drainage facilities, recreational facilities, buffer and screen plantings, or other amenities, in a manner satisfactory to the County Engineer and the Planning Commission. The final plat or record plan shall not be signed nor recorded until the written financial improvements agreement is executed and financial security satisfactory to Clinton County has been posted.

- A. Financial security shall be of a type and in amounts prescribed by, and meet requirements of, the Municipalities Planning Code.
- B. Procedures and requirements for administering financial security, including release of

financial security and remedies to effect completion of improvements, shall be as prescribed by the Municipalities Planning Code.

- C. Clinton County may enter into an agreement with the host municipality by which the municipal engineer of the host municipality, with approval and authorization of the host municipality governing body, acts on behalf of the County Engineer in administering financial security procedures and requirements. Under such agreement, Clinton County shall retain responsibility and authority to take required actions of the governing body.
- D. If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the municipality, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this section.

Section 1002.3 Guarantee of structural integrity and maintenance

- A. The applicant shall be responsible for maintenance of all required improvements after certification of their completion for a period of eighteen (18) months or until acceptance of improvements whichever is later.
- B. Following completion of required public improvements and prior to acceptance by the host municipality and/or Clinton County, the applicant shall post financial security to secure the structural integrity of the improvements and to guarantee the proper functioning of those improvements in accordance with the design standards of this Ordinance. Financial security shall be of a type prescribed by the Municipalities Planning Code and shall be for a period of 18 months from the date of acceptance of the improvements. The amount of the maintenance security shall be 15% of the actual cost of installation of the improvements

SECTION 1003 DEDICATION OF IMPROVEMENTS

- A. Streets and other public improvements shown on a subdivision or land development plan to be recorded shall be offered for dedication to the host municipality and/or Clinton County by formal notation thereof on the plan, or the applicant/owner shall note on such plan where any improvements have not been offered for dedication.
- B. Upon completion of the inspection and approval of the public improvements, the developer shall submit a request in writing to accept the dedication of the public improvements. The request for acceptance shall include deeds of dedication and all other legal descriptive documents. The governing body of the host municipality and/or the Clinton County Board of Commissioners may accept dedication of the approved public improvements by legal action in accord with appropriate local government code.
- C. Every street or other improvement shown on a subdivision or land development plan shall be deemed to be a privately owned street or improvement until such time as the same shall have been offered for dedication to the host municipality and accepted by


ordinance or resolution, or until it shall have been condemned for use as a publicly owned street or improvement.

SECTION 1004 PRIVATE OWNERSHIP AND MAINTENANCE OF IMPROVEMENTS

Where ownership and maintenance of improvements required by this Ordinance and installed in accord with this Section is to be the private responsibility of individual lot owners, a homeowners' association or similar entity, or an organization capable of carrying out maintenance responsibilities, ownership and maintenance responsibilities shall be set forth in agreements, perpetual covenants, or deed restrictions binding on the landowners and their successors in interest.

ARTICLE 11
ENACTMENT

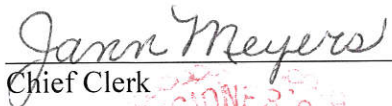
This Ordinance is hereby enacted at a regular meeting of the Board of Commissioners of Clinton County, Pennsylvania, held on the 26th day of January, 2023.


Chair


Vice Chair


Commissioner

ATTEST:


Chief Clerk

