



WARREN COUNTY SUBDIVISION and LAND DEVELOPMENT ORDINANCE

Adopted 2004
Amended August 14, 2022

WARREN COUNTY PLANNING COMMISSION
204 4th Ave., Warren, PA 16365

Warren County
Subdivision & Land Development
Ordinance

(Adopted 2004)
Amended 08/14/2022

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TABLE OF CONTENTS

Article I – General Provisions	Page 5
Section 101. Short Title	Page 5
Section 102. Effective Date	Page 5
Section 103. Purpose	Page 5
Section 104. Application and Scope of Regulations	Page 5
Section 105. Jurisdiction of the Warren County Planning and Zoning Commission Relative to This Ordinance	Page 6
Section 106. Adoption by Reference, Administration	Page 7
Section 107. Severability	Page 7
Section 108. Sanctions and Penalties	Page 7
Article II – Plan Requirements and Processing Procedures	Page 10
Section 201. Types of Subdivisions and Developments	Page 10
Section 202. Single Point of Contact	Page 10
Section 203. Sketch Plan	Page 10
Section 204. Procedure for Obtaining Approval of a Minor Subdivision	Page 11
Section 205. Procedure for Obtaining Approval of Preliminary Plan	Page 12
Section 206. Procedure for Obtaining Approval of a Final Plan Major Subdivision (Plan Requirements, Section 208)	Page 14
Section 207. Minor Subdivision Plan Requirements	Page 18
Section 208. Preliminary Plan Requirements	Page 20
Section 209. Final Plan Requirements	Page 23
Article III – Design Standards	Page 27
Section 301. Application	Page 27
Section 302. General Principles	Page 27
Section 303. Streets and Roads	Page 27
Section 304. Lots	Page 31
Section 305. Blocks	Page 33
Section 306. Easements	Page 33
Section 307. Sanitary Sewerage Systems	Page 34
Section 308. Water Supply and Distribution Systems	Page 34
Section 309. Storm Drainage	Page 34
Article IV – Mobile Home Park Regulations	Page 36
Section 401. Applicability	Page 36
Section 402. Certification of Registration	Page 36
Section 403. Plan Requirements	Page 36
Section 404. Design Requirements	Page 39
Section 405. Utility	Page 42
Article V – Recreational and Recreational Vehicle Park Requirements	Page 43
Section 501. Applicability	Page 43
Section 502. Permits	Page 43

Section 503. Plan Requirements	Page 43
Section 504. Design Requirements	Page 46
Section 505. Plans and Compliance	Page 48
Section 506. Recording of Plan	Page 48
Article VI – Land Development Standards	Page 49
Section 601. Jurisdiction	Page 49
Section 602. Provisions for Minor Land Developments	Page 49
Section 603. Provisions for Major Land Developments	Page 50
Section 604. Procedures for Major Land Development	Page 50
Section 605. Preliminary Site Plan	Page 50
Section 606. Final Plan Review	Page 50
Section 607. Site Plan	Page 51
Section 608. Design Standards for Major Land Developments	Page 52
Section 609. Assurance for Completion and Maintenance of Improvements	Page 55
Section 610. Additional Criteria for Commercial and Industrial Major Land Developments	Page 55
Section 611. Additional Criteria for Multi-Family Dwellings	Page 56
Section 612. Additional Criteria for Communication Towers	Page 57
Section 613. Additional Criteria for Solar Development	Page 59
Article VII – Definitions	Page 78
Section 701.	Page 78
Article VIII- Administration	Page 84
Section 801. Administrative Officer	Page 84
Section 802. Modification of Specific Subdivision and Land Development Plan Requirements	Page 84
Section 803. Revision and Amendment	Page 84
Section 804. Mediation Option	Page 84
Section 805. Planning and Zoning Commission Records	Page 85

**ORDINANCE NUMBER 1 OF 2004 , KNOWN AS “THE WARREN
COUNTY SUBDIVISION AND LAND DEVELOPMENT ORDINANCE,
ADOPTED”**

BE IT ORDAINED by the Board of Warren County Commissioners that the Warren County Subdivision and Land Development Ordinance be hereby adopted.

**ARTICLE I
GENERAL PROVISIONS**

Section 101 Short Title

This Act shall be known and may be cited as the “Warren County Subdivision and Land Development Ordinance, Adopted.”

Section 102 Effective Date

This Act, as amended, shall take effect on December 8, 2004.

Section 103 Purpose

These regulations are adopted for the following purposes:

1. To assist in the orderly, efficient, and integrated development of the County;
2. To promote the health, safety, and welfare of the residents of the County;
3. To ensure equitable handling of all subdivision and land development plans by providing uniform procedures and standards;
4. To improve land records by establishing standards for surveys and plats;
5. To implement the Warren County Comprehensive Plan.

Section 104 Application and Scope of Regulations

1. On and after the effective date of this Ordinance, no lot in a subdivision may be sold or leased; no permit to erect or move any building upon the land in a subdivision or land development plan may be issued; and, no building, permanent or temporary, may be erected in a subdivision land or development plan unless and until a subdivision plan or a land development plan has been approved in accordance with the requirements of this Ordinance and recorded in the office of the Warren County Recorder of Deeds, and until the improvements required by this Ordinance, if part of the approved plan, have either been constructed or guaranteed by a bond.

2. In their interpretation and application, the provisions of this Ordinance are held to be the minimum requirements adopted for the protection of public health, safety, morals, and general welfare.
3. This Ordinance shall not apply to any lot or lots, subdivision, or land development plan created and lawfully recorded before the enactment of this Ordinance. However, any lot, subdivision, or development plan illegally recorded or not lawfully recorded before enactment, shall not be given legal status by the enactment of this Ordinance.
4. Any re-division or combining of lots or adjustment of lot lines within a subdivision plan previously approved and/or recorded, or any rearrangement of structures, parking areas, access points, graded land surfaces, or other elements within an already approved land development plan, shall be subject to the provisions of this Ordinance.

Section 105 Jurisdiction of the Warren County Planning and Zoning Commission Relative to this Ordinance

1. In accordance with the provisions of Article V and Section 501 of the Pennsylvania Municipalities Planning Code, the County of Warren, acting through the Board of County Commissioners, does hereby designate the Warren County Planning and Zoning Commission as the agency for the acceptance, review and/or approval of all subdivision and land developments within the County of Warren.
2. All subdivisions of land and land developments, except as noted in Section 3 below, within Warren County are regulated by the Warren County Subdivision and Land Development Ordinance. It shall not be lawful to record any plan required to be approved by the Planning and Zoning Commission in any public office unless the same shall bear thereon by the endorsement of the approval of the Planning and Zoning Commission. The disapproval of any such plan by the Planning and Zoning Commission shall be deemed a refusal of the privilege to record said plan.
3. The rules and regulations governing subdivision and land development as herein outlined shall not be applicable in those municipalities that have a locally-adopted subdivision and land development ordinance in accordance with Article V of the Pennsylvania Municipalities Planning Code, as amended.
4. Applications for subdivision and land development located within a municipality that has adopted a subdivision and land development ordinance as outlined in Article V of the Pennsylvania Municipalities Planning Code shall be forwarded upon receipt by the municipality to the Planning and Zoning Commission for review and recommendations. Such municipalities shall not approve such applications until the Warren County Planning and Zoning Commission's review

is received or until the expiration of 30 days from the date the application was forwarded to the Planning and Zoning Commission.

5. The rules and regulations governing subdivision and land development as herein outlined shall be applicable in those municipalities that have not adopted a subdivision and land development ordinance, including those municipalities having adopted a local zoning ordinance or other adopted ordinance. Provided, however, that where differences occur between the standards of the Warren County Subdivision and Land Development Ordinance and the standards outlined in the local zoning ordinance or other regulations relative to building development, or infrastructure, the standards of a such local ordinance shall apply. All other standards as herein outlined and not provided for within the local zoning ordinance shall be applicable.

Section 106 Adoption by Reference, Administration

As provided by Section 502.C of the Pennsylvania Municipalities Planning Code, any municipality within Warren County may, by ordinance, adopt, by reference, this Subdivision, and Land Development Ordinance. In addition, any municipality within Warren County may, by ordinance, designate the Warren County Planning and Zoning Commission as its official administrative agency for the review and approval of plans.

Section 107 Severability

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

Section 108 Sanctions and Penalties

Preventive Remedies:

- A. In addition to other remedies, the County may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages, and to prevent illegal occupancy of a building, structure, or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or the remedies herein provided.
- B. The County may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Subdivision Ordinance. This authority to deny such a permit or approval shall apply to any of the following applicants:

1. The owner of record at the time of such violation.
2. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
3. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
4. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard to whether such vendee or lessee had actual or constructive knowledge of the violation. As an additional condition for issuance of a permit or the granting of approval to any such owner, current owner, vendee, or lessee for the development of any such real property, the County may require compliance with the conditions that would have applied to the property at the time the applicant acquired an interest in such real property.

Enforcement Remedies:

- A. Any person, partnership, or corporation who or which has violated the provisions of this Ordinance shall, upon being found liable thereof in a civil enforcement proceeding commenced by a municipality, pay a judgment of not more than five hundred dollars (\$500.00) plus all court cost including reasonable attorney fees incurred by the municipality as a result thereof. No judgment shall commence or be imposed, levied, or payable until the date of the determination of a violation by the district justice who shall have the initial jurisdiction in all violation proceedings. If the defendant neither says nor timely appeals the judgment, the municipality may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership, or corporation violating the ordinance to have believed there was no such violation, in which event there shall be deemed to have been only one such violation until the 5th day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.
- B. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, taking the per diem judgment pending a final adjudication of the violation and judgment.

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

ARTICLE II PLAN REQUIREMENTS AND PROCESSING PROCEDURES

Section 201 Types of Subdivisions and Developments

Whenever a subdivision of land is desired to be affected, whether, by conveyance by deed, lease, or subsequent transfer initiated by Article of Agreement (Land Sale Contract), a plan of the layout of such subdivision shall be prepared, filed, and processed according to the provisions of this Ordinance. All land developments, as defined by the Pennsylvania Municipalities Planning Code and this Ordinance, shall also adhere to the provisions of this Ordinance. There are three types of subdivisions defined by this Ordinance. They are defined in detail within the Ordinance, and the following descriptions are for general purposes only:

Minor Subdivisions: Generally, such subdivisions are comprised of detached single-family dwellings, are along existing public roads, do not require the extension of new streets or utilities, and contain ten (10) lots or less. Qualified minor subdivisions are processed as Final Plans.

Major Subdivisions: New subdivisions, which do not qualify as minor subdivisions or as an annexation, are regarded as Major Subdivisions. These developments are required to submit both a preliminary and a final plan, necessitating at least two official meetings of the Warren County Planning and Zoning Commission.

Annexation: These are replats of existing lot lines when no new lot(s) are created.

In addition to subdivisions, these regulations also control Mobile Home Parks, Recreational and Recreational Vehicle Parks, and Land Developments.

Section 202 Single Point of Contact

The Warren County Planning and Zoning Commission shall designate a Subdivision Administrator. The Administrator shall receive all applications for subdivision or land development approval, and all correspondence relating to same and shall issue all letters, notices, and related correspondence.

Section 203 Sketch Plan

Before applying for approval of a preliminary subdivision plan, the subdivider may prepare a sketch plan for informal discussion with the Planning and Zoning Commission or its staff before submitting the official preliminary plan for review. The purpose of the sketch plan is to afford the subdivider advice and assistance to save time and money, suggest professional assistance if needed, and answer any questions the subdivider may have in regard to filing the application or other items required. The sketch plan step

is a tentative and non-binding review. This step shall never be considered a formal preliminary or final plan submission. The following information should be provided:

General Information: The subdivider should be prepared to discuss the proposed subdivision including land characteristics, community facilities and utilities, the number of lots and sizes, business area(s), playgrounds and proposed protective covenants, utilities, road access, and street improvements.

Topographic Map: The location of the proposed subdivision should be shown on the U.S. Geological Survey Map or a comparable substitute for purposes of relating the subdivision to the existing topography, slope gradient, and other physical features. If the use of such maps is impractical, County property maps or similar maps may be used.

Sketch Plan: A sketch plan which shows in simple sketch form the proposed layout of streets, lots, and other features in relation to existing conditions.

Section 204 Procedure for Obtaining Approval of a Minor Subdivision Plan

The Warren County Planning and Zoning Commission will normally designate a subdivision as a minor subdivision if the conditions set forth by this Ordinance are met. These are subdivisions of ten (10) lots or less that do not require the construction of a public road, public storm drains, or public water or sewer facilities. Developments with a private road, which meet these criteria, will also generally be considered minor subdivisions. However, the Commission will reserve the right to designate a subdivision as major if site conditions warrant the same.

1. The applicant shall file six (6) blue-line or black-line copies of a plan of the proposed layout if the plan is to be recorded with a deed or six (6) blue-line or black-line copies and one (1) mylar (or equivalent copy) if the plan is to be recorded in a map book. This plan shall meet the standards set forth under Section 207. No subdivision application shall be considered complete until all supporting documents pertaining to the subdivision have been submitted to the Warren County Planning and Zoning Commission along with the appropriate application and recording fees.
2. All current requirements of the Department of Environmental Protection (DEP) regarding on-lot sewage disposal or sewage disposal facilities must be met and documentation of compliance must be included with the plan.
3. The requirements outlined in Section 204 shall be met before the minor subdivision plan may be considered a complete application.
4. The Planning and Zoning Commission may submit copies of the plan to any public agency which may be concerned with such subdivision and whose consideration is deemed necessary.

5. The Commission shall act on any minor subdivision plan within 90 days of its next regularly scheduled meeting. If the next regular meeting is more than 30 days following the filing of the application, the said 90-day period shall be measured from the 30 days following the day the application was filed. To expedite the processing of minor subdivisions, the Planning and Zoning Commission may appoint a subcommittee, or designate two staff members, to review and approve the same.
6. The decision on any application for approval must be in written form and must be communicated to the applicant personally or mailed to the applicant at his or her last known address within 15 days of such decision.
7. Denial of the application must specify the faults in such application and describe the requirements, which have not been met. It shall further cite the specific provisions of the Warren County Subdivision and Land Development Ordinance or any other municipal ordinance with which it is not consistent.
8. Upon approval of the minor subdivision plan, the subdivider shall, within 90 days, have it recorded in the Office of the Register and Recorder. To insure the timely recording of an approved subdivision plan, the Warren County Planning and Zoning Commission staff shall present the plan for recording to the Register and Recorder's Office. The developer shall pay the fee.
9. The Register and Recorder shall not record any plan not bearing the approval of the Warren County Planning and Zoning Commission. Failure to record said plan within 90 days of approval shall result in said subdivision being deemed null and void and will require the plan to be resubmitted and the plan to be reapproved.
10. Approval of a minor subdivision that was granted based on false or erroneous information provided by the subdivider or his agent(s) shall be deemed to be null and void.
11. Failure to record any proposed deed descriptions, restrictions, or right-of-way agreements with the Register and Recorder's Office as they were submitted with the application shall result in the approval of said subdivision being deemed to be null and void.

Section 205 Procedure for Obtaining Approval of Preliminary Plan – Major Subdivision

1. The applicant shall file six (6) blue-line or black-line copies and one (1) mylar (or equivalent copy) of a preliminary plan of a proposed layout. This plan shall meet the standards set forth under Section 208.1. No preliminary application shall be considered complete until all supporting documents pertaining to the subdivision have been submitted to the Warren County Planning and Zoning Commission

along with the appropriate application form and recording fees. (See Section 208.2)

2. The Planning and Zoning Commission may submit copies of the preliminary plan to any public agency or municipality which may be concerned with such subdivision and whose consideration is deemed necessary.
3. A subdivision plan must be submitted no fewer than ten (10) calendar days before the next Planning and Zoning Commission meeting to be considered at that meeting.
4. The Commission shall act on any preliminary plan within 90 days of its next regularly scheduled meeting. If the next regular Planning Commission meeting is more than 30 days following the filing of the application, the said 90-day period shall be measured from the 30th day following the day the application has been filed.
5. The decision on any application for preliminary plan approval must be in written form and must be communicated to the applicant personally or mailed to him at his last known address within 15 days of such decision. The development can be approved as submitted, approved with conditions, or a denial (see item 6 below). If approved with conditions, the applicant shall indicate, in writing, acceptance of such conditions within 30 days from the date of the notice of same from the Commission to the applicant. If the developer either rejects the conditions or fails to respond within 30 days, the approval of the plat, be it preliminary, or final, shall be rescinded.
6. Denial of the application for preliminary plan approval must specify the faults in such application and describe the requirements which have not been met. It shall further cite the provisions of the Warren County Subdivision and Land Development Ordinance or any other municipal ordinance that the Plan does not meet.
7. Failure of the Warren County Planning Commission to respond to an application within the time period and in the manner designated herein shall constitute an approval of the application in terms presented unless the applicant has agreed to an extension of time or modification of the manner of presentation of the decision.
8. Approval of a preliminary plan which was granted based on false or erroneous information provided by the subdivider or his agent(s) shall be deemed to be null and void.
9. Please note the applicant is granted certain rights relative to changes in applicable ordinances after a subdivision plat, preliminary or final, has been filed. Please see Article V of the Planning Code for further information.

Section 206 Procedure for Obtaining Approval of a Final Plan – Major Subdivision (Plan Requirements, Section 208)

1. Unless a different time period is formally approved by the Commission, final plans must be submitted for approval within one (1) year of the approval of a preliminary plan or the preliminary plan approval is deemed rescinded and must be secured again. This plan shall meet the standards set forth under Section 209.1. No final application shall be considered complete until all supporting documents pertaining to the subdivision have been submitted to the Warren County Planning and Zoning Commission along with the appropriate application form and fees (see also Section 209.2).
2. All current requirements of the Department of Environmental Protection (DEP) regarding on-lot sewage disposal or sewage disposal facilities must be met and documentation of compliance must be included with the plan. On-lot systems must be approved by the appropriate sewage enforcement officer.
3. No final plan can be approved until improvements are completed and a sealed certified report prepared by a licensed professional engineer and/or surveyor certifying that improvements installed to meet the minimum requirement of the Warren County Subdivision and Land Development Ordinance and all additional specifications of the local municipality (municipal authority or public utility) or a guarantee of their completion are offered.

It is the clear intent of these regulations that the amount, and terms of financial guarantees, shall be in accordance with Article V, Section 509 of the Pennsylvania Municipalities Planning Code. Such guarantee shall consist of financial security sufficient in the amount of 110% to cover the cost of the improvements or common amenities including, but not limited to road, stormwater detention and/or retention basins and other related drainage facilities, water facilities, sanitary sewer facilities or similar facilities which may be required and is to be posted with the appropriate municipality. In the event certain improvements are to be dedicated to a public utility or municipal authority, the developer shall conform to the requirements of that authority and provide a written statement from the agency that the improvements have been installed to their satisfaction, or an acceptable financial guarantee has been filed with the authority (see item i. below).

Types of financial security acceptable include Federal or Commonwealth chartered lending institutions' irrevocable letters of credit and restrictive or escrow accounts in such lending institutions. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth. The amount of the financial security required shall be based on an estimate of the cost of completion of the required improvements,

submitted by an applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The municipality, upon the recommendation of the municipal engineer, may refuse to accept such an estimate for good cause shown. If the applicant or developer and the municipality are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the municipality and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the municipality and the applicant or developer. The financial guarantee shall be for one (1) year. If the developer posting the financial security requires more than one (1) year to complete the improvements, the amount of financial security may be increased by an additional ten percent (10%) for each one (1) year period beyond the anniversary date or an amount not exceeding 110% of the cost of completing the required improvements as re-established on or about the expiration of the preceding one (1) year period by using the above bidding procedure. A written statement from the township or borough secretary that appropriate financial security has been posted or that the required improvements have been installed according to the specifications shall be submitted with the plan. When requested by the developer, in order to facilitate financing, the County Planning and Zoning Commission shall furnish the developer with a signed resolution indicating that all other requirements of the Ordinance have been met and intent of approval of the final plan pursuant to the developer obtaining satisfactory financial security.

4. To be released from a municipal/authority/public utility bond, a developer must:
 - a. Notify the County Planning and Zoning Commission and the appropriate municipality (agency) in writing by certified or registered mail of the completion of the improvements.
 - b. Within ten (10) working days of the receipt of the notice of completion, the municipality (agency) shall authorize their engineer to inspect the aforementioned improvements.
 - c. The municipal engineer shall complete the inspections, file a report with the municipality and send a copy by certified mail to the developer and the County Planning and Zoning Commission within 30 days of the authorization to inspect the improvements. The municipality may prescribe that the applicant shall reimburse the municipality for the reasonable and necessary costs incurred for the inspection of improvements per the provisions of the Planning Code.

- d. The municipal engineer's report must be detailed and indicate approval, conditional approval, or disapproval of the improvements inspected. Any disapproval, conditional or partial approval must be accompanied by specific reasons for such a recommendation.
- e. The municipality shall take action based upon the engineer's recommendations and notify the developer and the County Planning and Zoning Commission of the same by registered or certified mail within 15 days of the receipt of the municipal engineer report.
- f. Upon approval of the improvements or if the municipality fails to take action within the time periods designated herein, the developer shall be released from liability.
- g. As the work of installing the required improvements proceeds, the developer posting the financial security may request the municipality to release or authorize the release, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the municipality, and the municipality shall have 45 days from receipt of such request within which to allow the municipal engineer to certify in writing to the governing body that such portion of the work upon the improvements has been completed in accordance with the approved plan. Upon such certification, the governing body shall authorize release by the bonding company or lending institution of an amount as estimated by the municipal engineer that fairly represents the value of the improvements completed or, if the governing body fails to act within the said 45-day period, the governing body shall be deemed to have approved the release of funds as requested. The governing body may, before final release at the time of completion and certification by its engineer, require retention of ten percent (10%) of the estimated cost of the aforesaid improvements.
- h. Where the municipality accepts the dedication of all or some of the required improvements following completion, the governing body may require the posting of financial security to secure the structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plan for a term not to exceed 18 months from the date of acceptance of dedication. Such financial security shall be of the same type as otherwise required in this Ordinance with regard to the installation of such improvements, and the amount of the financial security shall not exceed fifteen percent (15%) of the actual cost of installation of said improvements.
- i. 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 the 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. In these instances, the developer shall present clear evidence to the Commission, and the municipality that the appropriate improvements have been successfully completed or properly bonded. Such evidence shall be in writing from the appropriate agency.

- j. If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plan as set forth in this section, the municipality shall not condition the issuance of building, grading, or other permits relating to this erection or placement of improvements, including buildings, upon the lots or land as depicted upon the final plan upon actual completion of the improvements depicted upon the final plan. Moreover, if said financial security has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following the improvement of the streets providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted upon the approved plan, either upon the lot or lots or beyond the lot or lots in question if such improvements are necessary for the reasonable use or occupancy of the building or buildings.
5. In the event that any improvements which may be required have not been installed as provided in this Ordinance or in accord with the approved final plan, the governing body of the municipality is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the governing body of the municipality may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.
 6. The Planning and Zoning Commission may submit copies of the final plan to any public agency which may be concerned with such subdivision and whose consideration is deemed necessary.
 7. The Commission shall act on any final plan within 90 days of its next regularly scheduled meeting. If the next regular Planning and Zoning Commission meeting is more than 30 days following the filing of the application, the said 90-day period

shall be measured from the 30th day following the day the application has been filed.

8. Final plans of major subdivisions whose development is projected over a period of years may be given approval section by section provided that:
 - a. A schedule of completion dates for all sections is submitted and adhered to;
 - b. A single preliminary plan is submitted and approved for the entire development;
 - c. Completion of each section of development represents the entire development of an integral unit within the subdivision; and
 - d. Each section of a phased subdivision, except the last section, shall contain at least twenty-five percent (25%) of the total dwellings as depicted on the preliminary plan unless otherwise approved by the Commission.
9. Upon approval of the final plan, the developer shall, within 90 days, have it recorded in the Office of the Register and Recorder. Should the plan be on a mylar (or equivalent media), the staff of the Warren County Planning and Zoning Commission shall have it recorded in the Office of the Register and Recorder, once appropriate fees have been paid. The Register and Recorder shall not record any plan not bearing the approval of the Warren County Planning and Zoning Commission. Failure to record said plan within 90 days of final approval will result in said subdivision approval being deemed null and void and require the plan to be resubmitted and the plan to be reapproved.
10. Approval of a major subdivision, which was granted based on false or erroneous information provided by the subdivider or his agent(s), shall be deemed to be null and void.
11. Failure to record any proposed deed descriptions, restrictions, or right-of-way agreements with the Register and Recorder's Office as they were submitted with the subdivision application shall result in the approval of said subdivision being deemed to be null and void.

Section 207 Minor Subdivision Plan Requirements

A minor subdivision is a subdivision containing ten (10) or fewer lots where no public road must be built to serve the newly created lot(s), there are no utility extensions, wherein the Commission may waive the requirements of submitting a preliminary subdivision plan provided the final subdivision plan meets all the requirements of these regulations and improvements required. Regardless of the passage of time, from 1989 forward, only ten (10) new lots may be created from a single parcel of land without entering into a full review for a major subdivision. If eleven (11) or more lots are

eventually created from a single parcel of land, the full subdivision review shall include the entire parcel, including the original ten (10) lots created by minor subdivision approval.

1. The size requirements for plans submitted for recording with a deed or within a map book shall be as established by the Register and Recorder's Office. It is preferred that the plan be drawn at a scale of 1" = 100' or larger. However, in any case, the plan must be drawn at the largest practical scale and must be legible. Determinations regarding practicality and legibility shall be made by the Planning Director. A determination of impracticality or illegibility may be appealed to the Planning and Zoning Commission. All plans must contain the following information:
 - a. Title block with the name of the subdivision, municipality, developer, date, scale notation, surveyor, engineer (if required), north arrow, tax parcel number, and zoning classification. A blank space 1½" by 2½" will be provided in the lower right or left corner for the Planning and Zoning Commission stamp or seal.
 - b. Graphic scale.
 - c. Location map showing the relation of the tract to the surrounding area and to the remaining property from which lot(s) are being subdivided and including the parent tract in its entirety. A separate insert map of the parent tract is acceptable. These maps need not be drawn to scale.
 - d. Survey map of tract boundaries, and proposed lots, with bearings and distances certified by a registered surveyor. Lot lines with distances and bearings of all straight lines and arcs. Distances are to be measured to the nearest hundredth of a foot.
 - e. Proposed building setback lines with distances plus all existing buildings, septic systems, and/or test pits on the newly created parcel(s). All existing buildings, septic systems, and/or test pits on the residual tract or notation of their existence must also be included.
 - f. Existing and proposed easements and areas that are to be dedicated to public use, if any.
 - g. The names of existing and proposed streets within and abutting the subdivision shall be shown including the right-of-way and cartway widths and dimensions.
 - h. Certification, with a seal, by a Pennsylvania registered surveyor. Certification with a seal, by a Pennsylvania, registered engineer, if needed.

- i. All lots, or parcels meant for annexation, must be numbered and labeled accordingly. The residual lot (if any) shall be designated Lot 1.
 - j. Each lot shall be labeled as to its size in acres or square feet, or such information shall be included in tabular form upon the plan.
 - k. For minor subdivisions with private roads, see also Section 303.
2. Additional material to be submitted:
- a. Official Planning and Zoning Commission application form.
 - b. Copies of any existing or proposed deed restrictions.
 - c. If the parcel being created by subdivision does not meet the general requirements of a lot (i.e. width, square footage, etc.) and/or is intended to be annexed to an existing (original) lot, the applicant shall provide a copy of the deed language to be recorded. It shall either: (1) describe by survey, and as one parcel only, both the original lot and the lot to be annexed, or (2) describe as individual parcels both the original lot and the lot to be annexed and shall include the following language: “The two parcels herein described are to hereinafter be considered annexed and treated as one solitary parcel for tax purposes, and the parties hereto, for themselves, their successors and assigns, agree that the premises herein described will not be subdivided without further review and approval of the Warren County Planning and Zoning Commission.”
 - d. Evidence that all requirements of the Pennsylvania Department of Environmental Protection which pertain to subdivisions have been satisfied. A sewage permit may not be required for a subdivision annexation using either of these two alternatives provided that either the original lot or the lot being annexed has an existing, operational sewage system and the proposed annexation is approved by the appropriate Sewage Enforcement Officer.

Section 208 Preliminary Plan Requirements – Major Subdivision

1. The size requirements for plans submitted for recording with a deed or within a map book shall be established by the Register and Recorder’s Office. It is preferred that the plan be drawn at a scale of 1” = 100’ or larger. However, in any case, the plan must be drawn at the largest practical scale and must be legible. Determinations regarding practicality and legibility shall be made by the Planning Director. A determination of impracticality or illegibility may be appealed to the Planning and Zoning Commission. If the preliminary plan is drawn in two (2) sections, a key showing the sections shall be provided. All plans must contain the following information:

- a. Title block with the name of the subdivision, municipality, developer, date, scale notation, surveyor, engineer, north arrow, tax parcel number, and zoning classification. A blank space 1½” by 2½” will be provided in the lower right or left corner for the Planning and Zoning Commission stamp or seal.
- b. Graphic scale.
- c. Location map showing the relation of the tract to the surrounding area and to the remaining property from which lot(s) are being subdivided and including the parent tract in its entirety. A separate insert map of the parent tract is acceptable. These maps need not be drawn to scale.
- d. Survey map of tract boundaries, and proposed lots, with bearings and distances certified by a registered surveyor.
- e. Topography of the area at five (5) foot intervals.
- f. The names of all owners of all immediately adjacent unplotted land, and their tax parcel identification number, the names of all proposed or existing subdivisions immediately adjacent, and the locations and dimensions of all existing streets, roads, railroads, public sewers, aqueducts, water mains, and feeder lines, fire hydrants, gas, electric, and oil transmission lines, watercourses, floodplains, wooded areas and other significant features within 400 feet of any part of the property proposed to be subdivided and the location of all buildings and approximate location of all tree masses within the property.
- g. The full plan of the development, showing the location of all proposed streets, roads, alleys, utility easements, parks, playgrounds, and other public areas; sewer and water facilities; proposed building setback lines for each street; proposed lot lines and approximate dimensions of lots; lot numbers and/or block numbers in consecutive order; and all streets and other areas designed for appurtenant facilities, public use, or proposed to be dedicated or reserved for future public use, together with the conditions of such dedications or reservations.
- h. Proposed street names.
- i. Certification, with a seal, by a Pennsylvania registered surveyor. Certification with a seal of a Pennsylvania registered engineer if needed.
- j. Proposed building setback lines with distance plus all existing buildings, septic systems, and/or test pits on the newly created parcel(s). All existing buildings, septic systems, and/or test pits on the residual tract or notation of their existence must also be included.

- k. All lots, or parcels meant for annexation, must be numbered and labeled accordingly. The residual lot (if any) shall be designated as Lot 1.
 - l. Each lot shall be labeled as to its size in acres or square feet, or such information will be present in tabular form on the plan.
2. Additional material to be submitted:
- a. Official Planning and Zoning Commission application form.
 - b. Copies of existing or proposed deed restrictions.
 - c. Tentative centerline profiles and typical cross-sections for each proposed public street on the preliminary plan (these plans may be submitted as separate sheets) and a Memorandum of Understanding, fully signed by the developer and the municipality, which states that the developer and officials of the municipality have met and agreed to the construction standards which are to be used for the project. The memorandum shall clearly state that the municipality will accept the road upon its being constructed to its specifications and that the developer understands the specifications to be used. A copy of those specifications shall be attached to the copy of the memorandum when submitted to the Warren County Planning and Zoning Commission.
 - d. Preliminary designs of any bridges or culverts which may be required. These designs may be submitted as separate sheets. Stream crossings will require a permit from the Department of Environmental Protection.
 - e. Where the preliminary plan submitted covers only a part of the subdivider's entire holding, a sketch of the prospective future street system of the unsubmitted part shall be furnished; the street system of the submitted part will be considered in the light of adjustments and connections with future streets in the part not submitted.
 - f. Where a street or driveway will enter a State highway, a driveway permit will be required from the Pennsylvania Department of Transportation.
 - g. Drawings of present and proposed facilities for stormwater management, sanitary sewers, and water mains.
 - h. Erosion and Sedimentation Control Plan, where needed (as determined by the Warren County Soil Conservation District) prepared following the Erosion and Sediment Control Standards of the Pennsylvania Department of Environmental Protection.

- i. Where sewage disposal is to be provided by on-lot facilities, the subdivider shall contact the appropriate sewage enforcement officer and show that officer's approval.

Where the sanitary sewage is to be supplied by a connection to an existing system, the developer shall present clear evidence that the system operator knows of the proposed development is capable of accepting the projected flow the development will generate, and generally commits to accepting the proposed development. If a new treatment system is to be developed, clear evidence that it will be acceptable to the Pennsylvania Department of Environmental Protection and a proposed operational plan has been drafted.

- j. Public Water: Where the development is to be connected to a public water system, a written statement from the system that it is aware of the development and has the capacity to provide service. Evidence of preliminary service approval will also be required.

Section 209 Final Plan Requirements – Major Subdivision

1. The size requirements for plans submitted for recording with a deed or within a map book shall be as established by the Register and Recorder's Office. It is preferred that the plan be drawn at a scale of 1" = 100' or larger. However, in any case, the plan must be drawn at the largest practical scale and must be legible. Determinations regarding practicality and legibility shall be made by the Planning Director. A determination of impracticality or illegibility may be appealed to the Planning and Zoning Commission. If the final plan is drawn in two (2) sections, a key showing the sections shall be provided. All plans must contain the following information:
 - a. Title block with the name of the subdivision, municipality, developer, date, scale notation, surveyor, engineer, north arrow, tax parcel number, and zoning classification. A blank space 1½" by 2½" will be provided in the lower right or left corner for the Planning and Zoning Commission stamp or seal.
 - b. Graphic scale.
 - c. Block and lot numbers (in consecutive order); the total number of lots, and acreage of the whole development.
 - d. Location map showing the relation of the tract to the surrounding area and to the remaining property from which lot(s) are being subdivided and including the parent tract in its entirety. A separate insert map of the parent tract is acceptable. These maps need not be drawn to scale.
 - e. Lot lines with bearings and distances of all straight lines and arcs. Distances are to be measured to the nearest hundredth of a foot. The area of all lots

shall be shown in acres or square feet rounded to the nearest hundredth of a foot. All lots shall be numbered sequentially with the residual lot, if any, as number 1.

- f. Pedestrian ways or sidewalks, if applicable.
- g. Accurate dimensions of existing public land and any property to be dedicated or reserved for the public, semi-public, or community use.
- h. Contours at vertical intervals of five (5) feet unless otherwise specified.
- i. Accurate boundary lines, with bearings and distances, provide a survey of the tract.
- j. Accurate distances and directions to the nearest established street corners or official monuments. Reference corners shall be accurately described on the plan.
- k. Accurate locations of all existing and recorded streets intersecting the boundaries of the tract.
- l. Complete curve data for all curves included in the plan, including radius, delta angle, tangent, arc, and chord.
- m. Street lines with accurate dimensions in feet and hundredths of feet, with the bearing of such street lines.
- n. Street names.
- o. Location and description of all permanent monuments and lot markers.
 - 1. A minimum of two (2) concrete monuments being 6" x 6" in cross section 2' 6" minimum length, with 1/2" steel rod running the length of the monument. The two concrete monuments shall be set on the perimeter boundary and be intervisible with each other at a minimum distance of two hundred (200) feet apart if possible. All other permanent markers shall be either 1" iron pipes or 5/8" rebars with a cap, showing the name of the individual surveyor or the company and the registration number of the responsible surveyor. These markers shall be set at all corners and angle points of the tract boundaries abutting proposed lots and at all street right-of-way intersections and such intermediate points as may be required, i.e. PCs and PTs of curves that are not property corners.
- p. Easements for utilities and any limitations on such easements.

- q. Setback lines, not less than the minimum as fixed by the applicable zoning ordinance, or any other setback lines as established by these regulations, or by public authority, or those specified in the deed restrictions, whichever is greatest.
 - r. Certification, with a seal, by a registered surveyor and/or engineer, as may be required.
 - s. Proposed building setback lines with distances plus all existing buildings, septic systems, and/or test pits on the newly created parcel(s). All existing buildings, septic systems, and/or test pits on the residual tract or notations of their existence must also be included.
2. Additional material to be submitted:
- a. Appropriate official Planning and Zoning Commission application form completed and necessary fees.
 - b. Restrictions of all types, will run with the land and become covenants in the deeds of lots shown on the plan.
 - c. All covenants running with the land governing the reservation and maintenance of dedicated or undedicated land or open space shall bear the certificate of approval of the Commission's solicitor as to their legal sufficiency.
 - d. Final profiles, typical cross sections, specifications for street improvements, sanitary and storm sewerage, and water distribution systems shall be shown on one (1) or more separate sheets.
 - e. Certificate of the dedication of streets and other public property. (This is the offer of dedication).
 - f. Where lot sizes are based on public water and/or public sewer facilities, assurance that is acceptable to the Commission that such facilities will be installed and service provided.
 - g. Such certifications of approval by proper authorities of the State and the municipality as may be required by the Commission, including certificates approving the water supply system and sanitary sewer system of the subdivision.
 - h. One of the following for guaranteeing improvements:

- 1) A certification from the municipal engineer that all improvements and installations in the subdivision required by these regulations have been made or installed in accordance with specifications; or
- 2) A certificate from the subdivider that financial security satisfactory to the Commission has been filed with the municipality, public utility, or municipal authority for all improvements and installations required for final approval of the subdivision, and evidence thereto.
 - i. Letter from the Warren County Conservation District stating that the Erosion and Sedimentation Control Plan has been approved and that a land disturbance permit has been issued for earth-moving activities.
 - j. Evidence that all requirements of the Pennsylvania Department of Environmental Protection, which pertain to subdivisions have been satisfied.

ARTICLE III DESIGN STANDARDS

Section 301 Application

1. The following land subdivision principles, standards, and requirements will be applied by the Planning and Zoning Commission in evaluating plans for proposed subdivisions.
2. The standards and requirements outlined herein shall be considered minimum standards, and requirements for the promotion of public health, safety, morals, and general welfare.
3. Municipal regulations or legal restrictions, which impose more restrictive standards and requirements than those herein outlined, shall prevail.
4. Where literal compliance with the standards herein specified is impractical, the Planning and Zoning Commission may modify or adjust the standards to permit reasonable utilization of property while securing substantial conformance with the objectives of these regulations. (See Section 802).

Section 302 General Principles

1. In planning and executing a subdivision, the applicant shall comply with all laws, codes, rules, and ordinances of the local municipality, County, Commonwealth, and Federal governments and all duly constituted agencies thereof.
2. No land shall be subdivided which is unsuitable for development because of flooding, poor drainage, adverse earth or rock formations, or any other condition likely to be harmful to the health, safety, or welfare of future residents. Such lands shall remain unsubdivided until the conditions causing the unsuitability are corrected.
3. In designing a subdivision, the proposed lot design shall be related to surrounding properties.
4. Reserve strips (strips of land remaining in the developer's ownership), including those controlling access to streets, shall not be permitted.

Section 303 Streets and Roads

1. Local streets in a new development shall be laid out to discourage thru traffic, but provisions for the extension and continuation of local streets into and from adjoining areas are required. Developers must also note that any new road which enters into an existing state or local road will need permission to do so. Clear evidence of such approval will be required.

2. If lots resulting from the subdivision are large enough to permit re-subdivision, or if a portion of the tract is not subdivided, adequate street rights-of-way to permit further subdivision shall be provided as necessary.
3. Dead-end streets shall be prohibited except as stubs to provide future street extension into adjoining tracts (which shall be designed as temporary cul-de-sacs or a "T"), or when designed as permanent cul-de-sacs or "T".
4. Proposed streets shall be designed in careful relation to topography, natural drainage, the surrounding road network, and the uses designed to be served in the development; they shall be properly integrated with the existing and proposed system of thoroughfares as established in local municipal and County comprehensive plans.
5. Local or the minimum design standards in Table I "Design Standards for Streets," (below), are hereby required. For circumstances not covered in Table I, PennDOT's Publication M will be followed.

**TABLE I
DESIGN STANDARDS FOR STREETS**

	Local	Collector	Arterial
Right-of-Way	50'	50'-60'	80'
Cartway Width	20' w/s 28' w/c	22' w/s 32' w/c	24' w/s 44' w/c
Maximum Grade	10%	8%	6%
Minimum Grade	1%	1%	1%
Minimum Radius of Curve	125'	300'	500'
Minimum Length of Tangents Between Curves	100'	100'	200'
Minimum Sight Distance	100'	200'	300'
w/s – with shoulder w/c – with curb			

6. The following minimum standards for cul-de-sacs shall be required:
 - a. Cul-de-sacs, permanently designed as such, shall not exceed 660 feet in length unless topography or other factors justify a greater distance. But, in no event can a cul-de-sac be used to service no more than 20 dwelling units.
 - b. Cul-de-sacs shall have a minimum radius to the cartway width or curb line of 45 feet.
 - c. Cul-De-Sac Design: The preferred cul-de-sac design is to be completely paved. Depending upon expected traffic flow, a center-based or off-center base facility with a 30-foot radius may be accepted. Any cul-de-sac proposing a center island must be approved by the local municipality.

- d. If a dead-end street is designed to serve six (6) or fewer dwelling units, a “T” turnaround may be used. The length of the “T” must be at least 60 feet and the school district shall be consulted to determine if the arrangement presents a problem for student busing.
 - e. Where possible, cul-de-sacs or other dead-end streets shall be so designed as to allow access to adjacent, undeveloped land.
7. The following shall be the minimum requirements for intersections:
- a. Intersections involving the junction of more than two (2) streets are prohibited.
 - b. Streets shall intersect as nearly as possible at right angles. No street shall intersect another at an angle of fewer than 75 degrees.
 - c. Local streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of 125 feet from intersections involving other streets.
 - d. Intersections with collector streets shall not be located at intervals of less than 450 feet as measured from the centerlines.
 - e. Minimum curb or edge of pavement radii at intersections involving only minor streets shall be not less than 20 feet, and not less than 25 feet for intersections involving collector streets. Radii for commercial or industrial subdivisions shall have curb radii of at least 25 feet, but higher requirements may be imposed depending upon expected truck traffic volume and type.
 - f. There shall be a clear sight triangle of 75 feet, measured along the centerline from the point of intersection. No buildings or obstructions are permitted in the area.
8. Wherever new roads are proposed in a subdivision, the appropriate officials of the municipality shall be involved in the approval process for the subdivision insuring that new roads and surface water drainage systems are designed and constructed in conformance with municipal standards.

Generally, if a local municipality has its own road and stormwater standards that shall be used in place of any criteria outlined in the Ordinance. All communications to the local municipality, relative to streets and storm drainage, shall be in writing and the municipality shall be responsible to appoint an engineer to oversee and approve, the construction of such improvements. If the local community decides not to appoint an engineer for such inspections, the Commission, at its discretion, may appoint one. Regardless of which body appoints the engineer, the cost shall be borne by the developer consistent with

the procedures outlined in Article V, Section 501 of the Municipalities Planning Code.

9. The following requirements for street names shall apply:
 - a. Streets that are extensions of, or in alignment with, existing named streets shall bear the names of the existing streets. The County Planning Commission shall approve new street names.
 - b. Permanent street signs, of a design approved by the municipality, shall be provided at every intersection.

10. The following additional requirements shall apply:
 - a. Sidewalks may be required in subdivisions if needed to access a public school or major recreation attachment. For a development whose residential density is two (2) dwelling units per net residential acre or greater, sidewalks will be required. If required, sidewalks shall conform to the following:
 - 1) Sidewalks shall commence at least one (1) foot inside the right-of-way line and extend toward the curb line.
 - 2) Sidewalks shall be at least four (4) feet wide. All sidewalks shall be concrete at least four (4) inches thick and conform to PennDOT specifications.
 - b. Street trees shall be permitted provided that they are planted between the sidewalks and the building line, a minimum of 15 feet from the edge of the sidewalk pavement, and not within the clear sight triangle. Street trees shall be chosen as appropriate to the location (overhead utilities, underground utilities, etc.). Trees shall be selected from lists provided by such organizations as Penn State University.

11. In the event that a minor subdivision includes any private street and right-of-way:
 - a. Copies of proposed deed descriptions on right-of-way agreements shall be submitted to the Planning and Zoning Commission before approval of the subdivision. Failure to record said deed descriptions or right-of-way agreements within 90 days of final approval shall result in said subdivision's approval being deemed null and void.
 - b. A statement signed by the subdivider which indicates his/her intention for said street, right(s)-of-way to remain privately owned shall be submitted to the Planning and Zoning Commission before final approval of the subdivision.

c. A statement shall be affixed on the subdivision plan indicating that it is the subdivider's intention that said right(s)-of-way is to remain privately owned and the municipality will be under no obligation to maintain, plow or accept the streets.

12. No subdivision plan which will require access to a highway under the jurisdiction of the Pennsylvania Department of Transportation shall receive final approval unless the plan contains the following notice: "A Highway Occupancy Permit is required according to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the 'State Highway Law,' before driveway access to a state highway is permitted."

Section 304 Lots

1. Lot dimensions and areas shall not be less than specified by the provisions of the applicable zoning ordinance for the municipality in which the subdivision is located. Those areas that are used for public rights-of-way shall not be counted toward the total lot size.

2. If zoning ordinances are not applicable, lot size and widths shall meet the following minimum requirements:

a. Residential lots with private wells and septic tanks¹:

Area: 1 acre
Width: Minimum 150 feet

b. Residential lots with public water and septic tanks¹

Area: 15,000 square feet
Width: Minimum 100 feet

c. Residential lots with public sanitary sewer and no public water system:

Area: 10,000 square feet
Width: Minimum 80 feet

d. Residential lots with public water and sanitary sewers:

Area: 7,500 square feet
Width: Minimum 65 feet

e. Exceptions to lot requirements as set forth by Section 304. Lots intended for utility substations, such as sewage pump stations, electric substations, gas, telephone, and water substations, may be exempt from the lot size requirements of Section 304 if:

- The lot will be used only for the location of utility system appurtenances and will not be used for storage, office, repair facilities, and the like.
- The lot meets all other requirements of this Ordinance or any other County regulations and local regulations.

¹Regardless of the standards set forth above, any parcel with on-lot sewage must be approved by the appropriate SEO. This approval may require an increase in the above lot sizes.

3. All newly created lots shall abut a public street, road, or a recorded right-of-way at least 50 feet in width with road frontage equal to or exceeding the minimum lot width prescribed in this section. Documentation proving legal right-of-way must be submitted with the final plan. In lieu of the required frontage, the developer may, as an option, provide a cul-de-sac, which meets the requirements of this Article.
4. Side lot lines shall be at or near right angles or radial to street lines.
5. Corner lots shall have an additional 20 feet in width to permit sufficient set back from both streets. At all street intersections, no obstructions to vision (other than an existing building, post, column, fence, or tree) exceeding 24 inches in height above the established grade of the street at the property line shall be erected or maintained on any lot within a clear sight triangle.
6. Building setback lines shall not be less than specified by provisions of the zoning ordinance for the municipality.
7. If there is no zoning ordinance or local setback ordinance, the following setback minimums shall be required:
 - a. Arterials and collector streets shall require a setback of 40 feet.
 - b. Local streets shall require a setback of 35 feet.
8. Double frontage lots are prohibited except where employed to prevent vehicular access to major traffic.
9. If remnants of land exist after subdividing, they shall be incorporated into existing or proposed lots, or dedicated to public use, if acceptable to the municipality.
10. "Flag" lots shall not be created when lots can be designed that directly access a public or private street.

The County Planning Commission staff may, when situations warrant, recommend to the Commission's Minor Subdivision Review Committee the approval of the plotting of a "flag" lot for non-commercial uses provided that:

A. The "flagpole" or access portion of the "flag" lot shall maintain a minimum width of at least thirty (30) feet from the front lot line to the front edge of the "flag" and shall not change direction more than once.

B. The "flagpole" shall not be a private street, but shall be an integral portion of the lot.

C. The area of the lot located within the "flagpole" shall not be counted toward meeting the minimum lot requirement size for the district in which the "flag" lot is located.

D. The "flagpole" shall serve only as access to the lot for a driveway and utilities and no structure(s) may be placed on it.

Section 305 Blocks

1. The length, depth, and shape of blocks should be determined with regard to the proposed use of land, topography, zoning requirements, and conventional vehicular and pedestrian circulation.
2. Blocks shall have a maximum length of 1,600 feet, and so far as practical, a minimum length of 500 feet.
3. Residential blocks shall be two (2) lot depths in width, except where reverse frontage lots border arterial roads.

Section 306 Easements

1. Utility easements shall meet with the approval of the utility company involved.
2. To the fullest extent possible, such easements shall be centered on or adjacent to rear or side lot lines or within the right-of-way. Utilities are not to be installed under the cartway. A strip for utility lines should be located within the required right-of-way.
3. Where a subdivision is traversed by a watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural drainage.

Section 307 Sanitary Sewerage Systems

1. Subdivisions shall be connected to a public sanitary sewer system unless the subdivider shows that connection to the sanitary sewer system is not feasible. Any development of 15 dwelling units or more, which is within five hundred (500) feet of a local sewer system, shall be required to connect to that system if sufficient capacity is available.
2. All public or community sanitary sewer systems shall be designed and constructed in accordance with the requirements of the Pennsylvania Department of Environmental Protection.
3. If the proposed lot or lots are to be served by an existing sanitary sewer system, the location and size of the existing sanitary sewer system connection shall be shown on the plan. Also, written notice from the municipality or sewer authority stating that the subdivision is to be served by sanitary sewers and that tap-ins are permitted.

Section 308 Water Supply and Distribution Systems

1. Subdivisions shall be connected to a public water system unless the subdivider shows that connection to the public water system is not feasible. Any development of 15 dwelling units or more, which is within 500 feet of a water system, shall be required to connect to that system if sufficient capacity is available.
2. All public or community water systems shall be designed and constructed in accordance with the requirements of the Pennsylvania Department of Environmental Protection.
3. If water is to be provided by means other than private wells owned and maintained by individual owners of lots within the subdivision, applicants shall present evidence to the Planning and Zoning Commission that the subdivision is to 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 acceptable evidence.

Section 309 Storm Drainage

1. The Planning and Zoning Commission may require the subdivider to submit an Erosion and Sedimentation Control Plan for the subdivision. Storm sewers, culverts, and related facilities shall be required, as necessary, to permit the unimpeded flow of natural watercourses and insure the drainage of low points

along the street line. Facilities shall be designed to handle the runoff from the entire drainage area.

2. When adequate existing storm sewers are readily available, the subdivider shall connect his stormwater facilities to these existing sewers. In areas of severe runoff, curbs and gutters may be required.
3. Special consideration shall be given to the avoidance of problems, which may arise from the concentration of runoff onto adjacent properties.
4. Where needed, stormwater retention facilities will be provided. A statement from the developer will be included relative to the ownership and maintenance of any such facility.

ARTICLE IV MOBILE HOME PARK REGULATIONS

Section 401 Applicability

Mobile home parks are defined as a parcel of land under single ownership, which has been planned and improved for the placement of mobile homes for non-transient use consisting of three (3) or more mobile home lots.

Mobile home parks shall meet all standards contained in this Article.

1. The standards set forth under this section are intended for those mobile home parks where lots within the park are for rental or lease only.
2. Where it is intended by the owner or developer to offer mobile home lots for sale, the development shall be regarded as a standard subdivision, and the standards set forth under Article III, Design Standards shall be applicable.

Section 402 Certification of Registration

All applications for the Certificate of Registration shall be made by the owner of the mobile home park or his authorized representative.

Section 403 Plan Requirements

1. No person, firm, or corporation proposing to operate a mobile home park in Warren County, shall proceed with any construction work on the proposed park until they have obtained from the Planning and Zoning Commission written approval of the preliminary plan of the proposed park, according to procedures outlined herein.
2. Preliminary and final plans, as required, shall comply in form and content with Sections 204 and 205 of these regulations insofar as applicable and the standards set forth herein.
3. All plans must be filed with the office of the Planning and Zoning Commission at least ten (10) calendar days before the Commission's next scheduled meeting. The application must be complete, on the appropriate form and all necessary fees paid.

403.1 Pre-Application Procedure

1. The mobile home park developer should meet with the Planning and Zoning Commission or staff, before formal application, to discuss his plans and prepare a suitable sketch and plans sufficient to give a general understanding of the proposal. The Planning and Zoning Commission shall inform the

developer as to the general suitability of the plans and any modifications required by this Ordinance if deemed advisable. This step is voluntary and will never be considered a formal plan submission.

403.2 Preliminary Plan

1. The developer shall then prepare and submit a preliminary plan at least ten (10) days before the next Planning and Zoning Commission meeting, together with improvement plans and other supplementary material, as required.
2. Where a mobile home park is proposed for construction in a series of stages, a preliminary plan for the development of the entire tract of land shall be submitted along with the detailed plans and specifications for the initial stage, as well as any subsequent stages.
3. Preliminary plans, as required, shall comply in form and content as follows, insofar as applicable and the standards set forth herein.

403.3 Plan Preparation Requirements

All applications to Planning Commission shall contain the following:

1. Name, mailing address, legal address, and telephone number of the applicant.
2. The interest of the applicant in the proposed mobile home park.
3. Location, address, and legal description of the entire proposed mobile home park site.
4. Complete engineering plans and specifications of the proposed mobile home park showing:
 - a. The area and dimensions of the entire tract of land;
 - b. The land uses occupying the adjacent properties;
 - c. The number, size, and location of the proposed mobile home sites and other parking areas;
 - d. The location, right-of-way and surfaced roadway width, roadway design, and walkways;
 - e. The proposed interior vehicular and pedestrian circulation patterns;

- f. The location of service buildings, sanitary stations, and any other existing or proposed structures;
 - g. The location of water and sewer lines and riser pipes;
 - h. Plans and specifications of the water supply, sewage disposal, and refuse facilities. These plans shall be approved by the municipality, any appropriate authority or public utility, the Municipal Sewage Enforcement Officer, or the Pennsylvania Department of Environmental Protection, as appropriate, before final plan approval;
 - i. Plans and specifications of all buildings constructed or to be constructed within the mobile home park.
 - j. The locations and details of area lighting, electric, and gas systems as related to all applicable codes and sound engineering practices.
5. Soil Erosion and Sedimentation Control Plan: The owner shall submit to the Warren County Conservation District a soil erosion and sedimentation control plan. Such a plan shall be prepared by a registered Pennsylvania professional engineer and shall be as per Conservation District guidelines as may be applicable. Such a plan shall be approved before the commencement of site preparation and construction.
6. Stormwater Management: The owner shall prepare and submit, for review and approval to the Planning Commission, a stormwater management plan in accordance with these regulations. Such a plan shall indicate the proposed stormwater handling system, proposed water retention, and release schedule to eliminate the effects of uncontrolled water runoff on adjacent properties. The plan shall be referred to the Warren County Soil Conservation District for review and comment before plan approval.

403.4 Planning Commission Action

- 1. The Planning and Zoning Commission shall review the preliminary plan in accordance with Section 205 of this Ordinance.

403.5 Nature of Approval

- 1. Approval of a preliminary plan by the Planning and Zoning Commission shall not constitute approval of the final plan or roads or other improvements therein but it is rather an expression of approval of the layout submitted on the preliminary plan as a guide to the preparation of the final plan, which shall be submitted for approval to the Planning and Zoning Commission upon fulfillment of the requirements.

403.6 Final Plan

1. Upon completion of any conditions that may be required by the Planning and Zoning Commission and/or upon completion of required improvements or the alternate posting of acceptable surety, the developer may apply for approval of final plans.

403.7 Planning and Zoning Commission Review

1. The Planning and Zoning Commission shall review the final plan in accordance with Section 205 of this Ordinance.

403.8 Filing

1. Following approval, the developer shall file one copy of the approved plan with the Warren County Recorder's Office within 90 days. Should the developer fail to file such plan within the said period, the approval shall be null and void.

403.9 Recording of Plan

1. Upon approval of the plan, preliminary or final, the developer shall, within 90 days, have it recorded in the Office of the Register and Recorder. Should the plan be on a mylar (or equivalent media), the staff of the Warren County Planning and Zoning Commission shall have it recorded in the Office of the Register and Recorder, once appropriate fees have been paid. The Register and Recorder shall not record any plan not bearing the approval of the Warren County Planning and Zoning Commission. Failure to record said plan within 90 days of approval will result in said approval being deemed null and void and require the plan to be resubmitted and the plan to be re-approved.

Section 404 Design Requirements

1. Minimum Area of Tract or Park: The minimum area of the tract or park shall be five (5) acres. The site shall be designed so that soil conditions, groundwater level, drainage, and topography shall not create hazards to the property, health, or safety of the occupants or adjacent property owners.
2. Length of Residential Occupancy: Parks shall be designed to serve the long-term placement of mobile homes.
3. Individual Lots: The planning and location of individual lots shall be guided by the following requirements:
 - a. Access: Each lot shall be directly accessible from an approved internal street without the necessity of crossing any other space.

- b. Size: Each mobile home lot shall have a minimum lot width of 50 feet and a minimum area of 5,000 square feet.
- c. Yard Requirements:
 - i. Mobile homes shall be parked on each lot so that there will be a minimum of ten (10) feet between the mobile home, appurtenant structures, and any adjacent side or rear lot line.
 - ii. There shall be a minimum of 25 feet between an individual mobile home, attached structure, and accessory structure, and the paved area or cartway of a private interior park street or common parking area. The setback from the right-of-way of any public street or highway shall be 50 feet.
 - iii. Mobile homes shall be located a minimum of 15 feet from any structures on adjacent lots or common open spaces.
 - iv. Secondary entranceways may utilize stoops, landings, patios, or awnings which may extend to a depth of five (5) feet within yard requirements.
- d. Identification: Each lot shall have a number placed on the lot in the form of a sign or directly on the mobile home. It shall be arranged in such a way that it is visible from the road on which the mobile home or lot is fronting.
- e. Skirting: The plans shall specify that skirting shall be provided on all mobile homes.
- f. Drainage: Drainage and stormwater management plans shall be submitted with the preliminary plan. (See also 403.3.5)

4. Mobile Home Stands:

- a. The location of each mobile home stand shall be at such elevation, distance, and angle in relation to the access street so that the removal of the mobile home is practical.
- b. The size of each mobile home stand shall be suitable for the general market to be served by the individual park, be sufficient to fit the dimensions of mobile homes anticipated, and sufficient to handle any appurtenant structures and appendages, including prefabricated "Florida rooms," carports and storage structures.

- c. One percent (1%) to five percent (5%) gradient longitudinal crown or cross gradient for surface drainage shall be provided.
 - d. Mobile home stands shall be either concrete pads or piers. The piers shall be set at least 36 inches deep.
 - e. Each mobile home shall follow national insurance and/or manufacturer's standards for tie-downs.
5. Internal Street System: The internal street system in privately owned mobile home parks shall be privately owned, constructed, and maintained in accordance with the applicable sections outlined in Article III, Design Standards of this Ordinance, excepting street widths, which shall be governed by the following minimum requirements:

Interior Street	Cartway Width
One or two-way, with no parking	22 feet
One or two-way, with parking on one side only	28 feet
One or two-way, with parking on both sides	34 feet

6. Street Widths at Access Points: At points where general traffic enters or leaves the park, streets shall be 35 feet in width within 20 feet of the existing public street to permit free movement from or to the public street, and no parking shall be permitted that in any way interferes with such free movement. For the purposes of public as well as traffic safety, there shall be at least one, two-way, access point for each 25 dwelling unit in the park. These access points shall be separated by at least 125 feet.
7. Cul-De-Sac Streets: Shall be provided with a turnaround having an outside roadway diameter of at least 90 feet. No more than 20 mobile home stands will be allowed on any cul-de-sac.
8. Parking Spaces: Car parking spaces, at a minimum size of 8 x 18 feet, shall be provided in sufficient numbers to meet the needs of the occupants of the property and their guests, without interference with the normal movement of traffic. Such facilities shall be provided at the rate of at least two (2) parking spaces for each mobile home lot, located in adjacent parking bays. If no on-street parking is permitted, then one (1) additional parking space for each of four (4) lots shall be provided for guest parking and delivery and service vehicles. Required car parking spaces shall be located for convenient access to the mobile home.

Section 405 Utility

1. **General**: In accordance with the Rules and Regulations, Commonwealth of Pennsylvania, Department of Environmental Protection, provisions for all sewerage disposal and treatment of water supply, including plumbing, refuse disposal, and such other information required by the Department of Environmental Protection shall be shown on plans and submitted to and approved by the Department of Environmental Protection.
2. **Electric**: All electrical facilities shall be installed and inspected according to the standards outlined in the latest edition of the National Electrical Code and the local power company regulations. All electrical facilities shall be inspected as required by the Commonwealth Electric Inspection, Middle Department Inspection Agency, Atlantic-Inland Inc., or other inspection companies acceptable and approved by the Commonwealth of Pennsylvania.
3. **Exterior Lighting**: Adequate lights shall be provided to illuminate streets, driveways, and walkways for the safe movement of vehicles and pedestrians at night.

ARTICLE V
RECREATIONAL AND RECREATIONAL VEHICLE PARK REQUIREMENTS

Section 501 Applicability

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

1. Recreational Vehicle: A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel uses, which either has its own motive power or is mounted or drawn by another vehicle. The basic entities are travel trailers, camping trailers, truck campers, and motor homes.
2. Recreational Vehicle Park: A plot of land upon which four (4) or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes. (Size limit on RVs is 350 square feet.)
3. Recreational Parks: A plot of land upon which four or more sites are located, established, or maintained for occupancy by campers, campsites, or permanent structures of the general public as temporary living quarters for recreation or vacation purposes. Except for the park office, no site shall be used as a permanent place of abode, dwelling, or business.

The standards set forth under this section are intended for those recreational and recreational vehicle parks where lots within the park are for rental or lease and are to serve the short-term placement of recreational vehicles as outlined.

Section 502 Permits

In addition to the rules and regulations specified in this Ordinance, the developer shall submit any needed permits or approvals from other County and/or State agencies. In particular, compliance with drinking water, sanitary sewage facilities, and solid waste disposal regulations will be required.

Section 503 Plan Requirements

It is the intent of this Article to follow the same plan processing regulations as set forth for subdivisions as set forth by Article II of this Article. Persons, firms, or corporations proposing to open a recreational or recreational vehicle park in Warren County shall not proceed with any construction work on the proposed park unless, and until they have obtained written approval of the preliminary plan of the proposed park from the Planning and Zoning Commission, according to the following procedures:

1. Pre-Application Procedure: The recreational or recreational vehicle park developer should meet with the Planning and Zoning Commission staff, before

formal application, to discuss his plans and shall prepare a suitable sketch and plans sufficient to give a general understanding of the proposal. The Planning and Zoning Commission staff shall inform the developer as to the general suitability of the plans and any modifications required by this Ordinance if deemed advisable.

2. Preliminary Plan: The developer shall then prepare and submit a preliminary plan, together with improvement plans and other supplementary material, as required.
 - a. Where a recreational vehicle park is proposed for construction in a series of stages, a preliminary plan for the development of the entire tract of land shall be submitted along with the detailed plans and specifications for the initial stage, as well as any subsequent stages.
 - b. Preliminary plans as required shall comply in form and content as follows, insofar as applicable and the standards set forth herein.

503.1 Plan Preparation Requirements

All applications to the Planning and Zoning Commission shall contain the following:

1. Name, mailing address, legal address, and telephone number of the applicant.
2. The interest of the applicant in the proposed park.
3. Location, address, and legal description of the entire proposed travel park site.
4. Complete engineering plans and specifications of the proposed travel park showing:
 - The area and dimensions of the entire tract of land;
 - The land uses occupying the adjacent properties;
 - The number, size, and location of the proposed camping or vehicle sites and other parking areas;
 - The location, right-of-way and surfaced roadway width, roadway design, and walkways;
 - The proposed interior vehicular and pedestrian circulation patterns;
 - The location of service buildings, sanitary stations, and any other existing or proposed structures;
 - The location of water and sewer lines and riser pipes, if applicable;
 - Plans and specifications of the water supply, sewage disposal, and refuse facilities with requisite approvals, as required;

- Plans and specifications of all buildings constructed or to be constructed within the park;
 - The locations and details of area lighting, electric, natural, or propane gas systems, cable television, and telephone, as related to all applicable codes and sound engineering practice.
5. Soil Erosion and Sedimentation Control Plan: The owner shall submit to the Warren County Conservation District a soil erosion and sedimentation control plan. Such plan shall be prepared by a registered Pennsylvania professional engineer and shall be as per Conservation District guidelines as may be applicable. Such a plan shall be approved before the commencement of site preparation and construction.
 6. Stormwater Management: The owner shall prepare and submit for review and approval to the Planning and Zoning Commission a stormwater management plan, in accordance with Article II of these Regulations. Such a plan shall indicate the proposed stormwater handling system, proposed water retention, and release schedule to eliminate the effects of uncontrolled water runoff on adjacent properties. The plan shall be referred to the Warren County Soil Conservation District for review and comment before plan approval.
 7. All plans must be filed with the office of the Planning and Zoning Commission at least ten (10) calendar days before the Commission's next scheduled meeting. The application must be complete, on the appropriate form and all necessary fees paid.

503.2 Planning and Zoning Commission Action

1. The Planning and Zoning Commission shall review the preliminary plan as submitted in accordance with the process outlined in Article II of this Ordinance.

503.3 Nature of Approval

1. Approval of a preliminary plan by the Planning and Zoning Commission shall not constitute final approval but it is rather an expression of approval of the layout submitted on the preliminary plan as a guide to the preparation of the final plan, which shall be submitted for approval to the Planning and Zoning Commission upon fulfillment of the requirements of preliminary plan approval.

503.4 Final Plan

1. Upon completion of any modifications, if any, required by the Planning and Zoning Commission and/or upon completion of required improvements or the alternate posting of acceptable surety, the developer may apply for approval of final plans.

503.5 Planning and Zoning Commission Review

1. The Planning and Zoning Commission shall review the final plan in accordance with Section 206 of this Ordinance.

Section 504 Design Requirements

1. **Lot Area Requirements:** The planning and location of individual camp or recreational vehicle lots shall be governed by the following minimum requirements:
 - a. **Lot Area:** Recreational sites and recreational vehicle lots shall be designated to accommodate a minimum width of 30 feet and shall not be less than 2,000 square feet in total area, excluding right-of-ways. Such size is considered to accommodate parking for one campsite or one recreational vehicle, one automobile parking space, and accessory structures or related outdoor facilities (grill, picnic tables, benches, etc.).
 - b. **Setback Requirements:** Front setback for recreational vehicle units shall be 20 feet along any interior road. Setbacks from any public road shall comply with appropriate zoning regulations or, in the absence of such regulations, shall be at least 30 feet from the front property line. Structures, such as bathhouses, administration offices, recreation centers, and other ancillary facilities of a permanent nature shall be setback from adjacent or public roads 75 feet as measured from the centerline of the street or roadway setbacks or according to applicable zoning regulations.

Site Setbacks	
Side Setback	5' minimum to the closest point of the site lot line
Rear Setback	5' minimum to the closest point of the site lot line

2. **Perimeter Requirements:**
 - a. When abutting residentially developed properties, a buffer strip with a minimum width of 30 feet, shall be provided parallel to the park property side and rear lines. When abutting non-residential properties, the buffer strip shall be 20 feet from the park property lines.
3. **Roadway Design Standards:** Recreational vehicle park roads shall be designed for the safe and convenient movement of recreational vehicles minimizing disturbance to the natural environment. The internal street system shall be generally as outlined below:

a. Collector Street: Twenty-two (22) foot cartway. Such a street shall serve as a collector internal to the development and provide access to the park lots, administration, and ancillary facilities. Such collector streets shall be improved with gravel, crushed limestone, or paved.

b. Local Streets:

One-way	12 feet
Two-way	22 feet

c. The surfacing shall be crowned or sloped as indicated, and the final compacted depth shall comply with the depth shown on the drawings. They shall be dust-free and improved with gravel, crushed limestone, or paved.

d. Cul-De-Sac Streets: Shall be provided with a turnaround having an outside roadway diameter of at least 80 feet.

4. Parking Spaces: Car parking spaces, at a minimum size of 8 x 18 feet, shall be provided in sufficient numbers to meet the needs of the occupants of the property and their guests. Such facilities shall be provided at the rate of at least one-and-a-half (1.5) parking spaces for each recreational site lot, and shall be on the recreational site or in designated parking areas - no on-street parking shall be permitted for safety reasons.

5. Excavation and Grading: Streets shall be excavated and graded as indicated on the approved plans. This shall include excavation of the street to the lines, grades, and limits indicated on the drawings or as may be revised, if approved, by the Planning and Zoning Commission to meet conditions encountered during construction, the excavation for intersecting roadways, stream channels, and culverts within the approved right-of-way limits; and shall also include the widening of cuts, flattening and rounding of slopes outside the right-of-way as called for on approved plans, removal of topsoil and excavating of ditches and the construction of fill. The inspection shall be performed and approval granted by the governing body of the local municipality before further work.

a. All drainage structures shown on the approved plans shall be installed to current State standards. Culverts may be a corrugated metal pipe, concrete, or reinforced concrete as specified and prepared according to PennDOT "408" Specifications.

6. Solid waste and refuse disposal shall be in vermin-proof containers, such as dumpsters, and shall be screened on three (3) sides.

Section 505 Plans and Compliance

No person shall construct, or open, a recreational or recreational vehicle park in Warren County without submitting plans thereof to the Planning and Zoning Commission for approval. An engineer's seal shall accompany plans for review and approval.

1. Said plans shall show the profiles, course, and structure of such roads, the capacity of any drainage facilities, and the method of drainage of the adjacent or contiguous territory. Construction shall be in accordance with street specifications and the final plan as approved.
2. All camping or vehicular sites shall be shown along with ancillary facilities.
3. Subsequent to final plan approval where new streets are to be constructed the streets shall be installed and a report, prepared by a registered professional engineer certifying to same shall be submitted.

Section 506 Recording of Plan

Upon approval of the plan, preliminary or final, the developer shall, within 90 days, have it recorded in the Office of the Register and Recorder. Should the plan be on a mylar (or equivalent copy), the staff of the Warren County Planning and Zoning Commission shall have it recorded in the Office of the Register and Recorder, once appropriate fees have been paid. The Register and Recorder shall not record any plan not bearing the approval of the Warren County Planning and Zoning Commission. Failure to record said plan within 90 days of approval would result in said approval being deemed null and void and require the plan to be resubmitted and the plan to be reapproved.

ARTICLE VI LAND DEVELOPMENT STANDARDS

Section 601 Jurisdiction

In defining the term “land development,” the Pennsylvania Municipalities Planning Code (MPC) recognizes both subdivisions and other forms of land development. Article III of this Ordinance sets forth the design standards for subdivisions, Article IV and Article V, and Mobile Home and Recreational and Recreational Vehicle Park regulations. This Article sets forth the standards for all other land developments.

It shall be unlawful for an applicant to construct land developments as defined herein without complying with standards set forth in this Article. Additional criteria for certain land developments are covered in subsequent sections of this Article.

601.1 Land Development

For the purpose of this Article, the improvement of one lot or two (2) or more contiguous lots, tracts, or parcels of land for any purpose involving a group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure.

The Pennsylvania Municipalities Planning Code excludes the following developments from being enforced as land development, and thus are not subject to this Article:

1. The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium;
2. The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building;
3. 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.

Section 602 Provisions for Minor Land Developments

Land developments are not required to comply with this article before lawful development with the Warren County Recorder of Deeds if it meets all of the following standards, making it a minor land development:

1. It does not involve a non-agricultural earth disturbance of more than five (5) acres.
2. It does not involve a building, combination, or group of buildings of greater than 20,000 square feet of gross floor area.

Section 603 Provisions for Major Land Developments

The submission process for major land developments in those Warren County municipalities with locally-adopted zoning ordinances may follow the procedures for a minor land development as described in Section 602. However, written, clear evidence must be presented that the proposed major land development has secured all needed local municipal zoning approval.

Section 604 Procedures for Major Land Development

In processing a major land development, the three-stage procedure established in this Ordinance for subdivisions shall be used: Sketch Plan (optional, not mandatory), Preliminary Site Plan, and Final Site Plan stages. All plans must be filed with the office of the Planning and Zoning Commission at least ten (10) calendar days before the Commission's next scheduled meeting. The application must be complete, on the appropriate form and all necessary fees paid.

Unless otherwise noted, the processing requirements, drawing size, certifications, acknowledgments, number of copies, etc. for submission of Land Development Site Plans shall be the same as for a major subdivision, and the Final Site Plan shall be recorded in the Warren County Recorder's Office.

Section 605 Preliminary Site Plan – Major Subdivision

The Preliminary Site Plan is to provide sufficient design information to allow the Planning and Zoning Commission to determine if the proposed land development is in general compliance with these regulations. To the extent possible, the developer shall follow Sections 607 and 608.

Section 606 Final Plan Review – Major Subdivision

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

1. Site plans, as required in this Article, engineering plans detailing the construction of all required improvements, and other data information establishing compliance with the design standards of this Article.
2. Proof of approvals by all appropriate public and governmental authorities or agencies where applicable including, but not limited to, permits for any planned road entrances onto existing roads or highways (PennDOT or municipality) and

permits or approvals from the Department of Environmental Protection or other State agencies relating to sewage facilities, water obstructions, air quality, etc., as applicable.

3. In case of multi-owner or multi-tenant developments, proof of the organization and means for management and maintenance of common open space, parking, and other common utilities or improvements. Instruments demonstrating the creation of an association or entity or other means of assuring continuing maintenance shall be required.

Section 607 Site Plan

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

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

In any event, the site plan should be drawn at the largest practical scale, and it must be legible. Determinations regarding practicality and legibility shall be made by the Planning Director.

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

In addition to the other requirements for preliminary and final subdivision and land development plans set forth, as applicable, each land development site plan shall, through one or more pages, show:

1. Existing site conditions (topography, drainage, tree clusters, buildings, utilities, streets, and neighboring properties).
2. Proposed developments, including buildings (with frontal elevation), parking, vehicular and pedestrian access areas, storm drainage, landscaping, utility location, and size.

Section 608 Design Standards for Major Land Developments

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

608.1 General Design

1. The developer shall make satisfactory provisions for the improvements necessary to the proper functioning of the development, including but not limited to, street access signs, water supply facilities, sewage disposal facilities, and stormwater management.
2. The development plan shall provide for adequate privacy, light, air, and protection from noise through building design, street layout, screening, plantings, and placement of buildings.
3. All land developments required to submit plans for approval by the Pennsylvania Department of Labor and Industry shall show evidence of approval by the Department.
4. Where applicable, proof of a Highway Occupancy Permit (PennDOT) or similar driveway/road access permit shall be required.

608.2 Transportation

1. Vehicular access connections to the surrounding existing street network shall be safe, shall have adequate sight distances, and shall have the capacity to handle the projected traffic.
2. Streets may be planned for dedication to the public or may be planned as private streets to be maintained by the developer or other association or entity. Public streets shall comply with the standards set forth by Article III of this Ordinance.
3. For multi-building land developments, a complete interior pedestrian circulation plan shall be submitted by all developers indicating the safe and efficient movement of people within and through the site. All traffic, parking, and pedestrian plans shall be completed using such standard resource criteria as provided by the American Planning Association or the Institute for Traffic Engineers.

608.3 Waste Storage and Disposal

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

608.4 Parking

1. A parking and access plan shall be submitted along with estimated traffic flows. The developer shall demonstrate that the proposed parking/access layout is adequate for the proposed development, based on standard parking capacity measurements, including the number of spaces per anticipated development type.
2. The number of Parking Spaces Required: The number of off-street parking spaces provided shall be based upon standards references, such as those outlined in *Parking* by Weant and Levinson (Westport: ENO foundation for Transportation) or the Warren County Zoning Ordinance. Where the use of the premises is not specifically known, the minimum parking requirements shall be one (1) space for each two (2) proposed patrons/occupants/employees of that structure or one (1) space per 500 square feet of Gross Floor Area. Where more than one (1) use exists on a lot, parking regulations for each use must be met, unless it can be shown that peak parking demand times will differ.
3. Parking Space Size and Access: For all uses, each space shall have a uniform area of 9 x 18 (162 square feet), being at least nine (9) feet wide and 18 feet long. These uniform sizes shall be exclusive of access drives or aisles and shall be in usable shape and condition. Parking areas shall be designed to provide sufficient turnaround areas so that vehicles are not required to back onto public streets. Where an existing lot does not abut on a public or private street, alley, or easement of access, there shall be provided an access drive leading to the parking or storage areas or loading spaces. Such access drive shall be consistent with requirements for private streets or access drive rights-of-way in this Ordinance. Access to off-street parking areas shall be limited to well-defined locations, and in no case shall there be unrestricted access along a street frontage. The width of aisles shall be appropriate based on the configuration of parking spaces, as recommended by nationally accepted standards contained in professional publications, as noted previously in this section.
4. Drainage and Stormwater Control: All parking and loading areas and access drives shall have either:
 - a. A mud and dust-free surface, graded with positive drainage and using pervious material to prevent the flow of surface water onto neighboring properties.

- b. A paved surface, graded with positive drainage to prevent the flow of surface water onto neighboring properties. Paved off-street parking lots in excess of 20,000 square feet shall have minimum planting strips between the parking lot and all lot lines to be planted with one (1) hardwood or coniferous tree per each two (2) parking spaces or a combination thereof. Eight percent (8%) of the total interior space shall be devoted to interior planting strips to be maintained in trees, shrubbery, and/or annual plants designed in previous dust- and mud-free material. Drainage plans shall take full advantage of previous material areas.
5. **Location and Parking:** Required parking spaces shall be located on the same lot as the principal use.
6. **Screening, Landscaping, and Setbacks:** Off-street parking areas for more than 25 vehicles and off-street loading areas shall be effectively screened on any side that adjoins a dwelling, residential district, or platted residential lots. In addition, there shall be a planting strip of at least five (5) feet between the front lot line and the parking lot. Such planting strips shall be suitably landscaped and maintained. No off-street loading or parking area for more than five (5) vehicles shall be closer than ten (10) feet to any adjoining property line containing a dwelling, residential district, or platted residential lots.

608.5 Stormwater Management

1. A Stormwater Management Plan meeting the requirements, sound engineering practice, and the principle of no net increase in off-site runoff shall be provided.

608.6 Landscaping

1. For multi-building land developments, a complete landscaping plan shall be submitted that includes a complete interior landscape plan in addition to a landscaped transition to adjoining properties. The landscape treatment shall be provided to enhance architectural features, manage stormwater runoff or provide energy conservation through climate control.

608.7 Exterior Lighting

1. Exterior lighting, when used, shall be of a design and size compatible with adjacent areas and in accordance with the standards of the Illuminating Engineer Society. Specifically, lighting shall be designed to reduce glare and excessive illumination to surrounding properties while providing for public safety. To the extent possible, fully shielded fixtures, as suggested by darksky.org will be used.

608.8 Water and Sewer

1. Water and sanitary sewer service shall be provided in accordance with local standards and requirements. Evidence of service will be required or if the developer is to construct such facilities, compliance with Pennsylvania Department of Environmental Protection standards will be required.

608.9 Utilities

1. Gas, electric, telephone, and cable utilities shall be located in land developments in accordance with utility company standards and requirements. All such utilities shall be underground.

Section 609 Assurance for Completion and Maintenance of Improvements

Insofar as the land development involves the lease or rental of buildings and/or space on the site and site improvements (such as streets, parking areas, and stormwater drainage devices), which are to be privately maintained or maintained by a private (non-public) organization or entity created by the developer – there may be no need for municipal acceptance of the site improvements. However, in these instances where public acceptance is planned, such streets and stormwater drainage shall be designed and built to the standards established in Article III of this Ordinance. Where the developer does not intend to maintain the improvement and where an association or similar organization will be organized for these responsibilities, the developer will submit a plan for the maintenance of such facilities. This document will be legally enforceable, one clearly establishing maintenance responsibility. It must be approved by the County and the applicable municipality or accepting authority.

Section 610 Additional Criteria for Commercial and Industrial Major Land Developments

The following standards shall apply to all commercial and industrial major land developments:

610.1 Transportation

1. Traffic movements in and out of commercial and industrial areas should not interfere with external traffic, nor should it create hazards for adjacent residential areas.
2. The design of streets, service drives, and pedestrian ways should provide for safe and hazard-free internal circulation.

3. Parking areas in excess of 20,000 square feet shall maintain easements to connect to existing or potential future parking lots on the same or abutting parcels.

610.2 Setbacks and Yard Sizes

Building setback lines shall be as specified by the Warren County Zoning Ordinance. Where the County Zoning Ordinance does not apply and no local zoning ordinance is in effect, the following standards shall apply for setbacks and yard sizes:

1. Front Yard: Front yard setback lines shall be not less than 40 feet.
2. Side Yard: Side yard setback lines shall be not less than 40 feet. Setback lines shall increase three (3) feet for every 1,000 square feet of gross floor area above 40,000 square feet.
3. Rear Yard: Rear yard setback lines shall be not less than 40 feet.

Section 611 Additional Criteria for Multi-Family Dwellings

611.1 Jurisdiction Exception

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

611.2 Exception For Minor Land Development

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

611.3 Recreation Area

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

611.4 Density

All multiple-family dwelling land developments shall comply with the density standards of any applicable zoning ordinance. Where there is no local zoning applicable, the density standards set forth by the R-2 District of the Warren County Zoning Ordinance will be followed. Please note that said densities are controlled by the availability of water and sanitary sewer facilities.

Section 612 Additional Criteria for Communication Towers

612.1 Exception to Jurisdiction

1. Communications towers shall be considered a major land development and comply with this Ordinance unless they are an applicable accessory structure, clearly incidental to the operation of a transportation business, emergency services provider, or similar entity for the exclusive, non-commercial use of its agents in directly providing such service.

612.2 Standards for Communications Towers

1. The applicant shall demonstrate that it is licensed by the Federal Communications Commission to operate a communications tower, if applicable, and communication antennas.
2. The applicant shall demonstrate that the proposed communications tower and communications antennas proposed to be mounted thereon comply with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.
3. Communication towers shall comply with all applicable Federal Aviation Administration, Commonwealth Bureau of Aviation, and applicable airport zoning regulations. Towers must comply with this Ordinance as a subdivision for lease or land development.
4. Any applicant proposing the construction of a new communications tower shall demonstrate that a good-faith effort has been made to obtain permission to mount the communications antennas on an existing building, structure, or communications tower. A good-faith effort shall require that all owners of potentially suitable structures within a one-quarter (1/4) mile radius of the proposed communications tower site is contacted and that one (1) or more of the following reasons for not selecting such structure apply:
5. The proposed antennas and related equipment would exceed the structural capacity of the existing structure and its reinforcement cannot be accomplished at a reasonable cost.
6. The proposed antennas and related equipment would cause radio frequency interference with other existing equipment for that existing structure and the interference cannot be prevented at a reasonable cost.
7. Such existing structures do not have an adequate location, space, access, or height to accommodate the proposed equipment or to allow it to perform its intended function.

8. Addition of the proposed antennas and related equipment would result in electromagnetic radiation from such structure exceeding applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.
9. A commercially reasonable agreement could not be reached with the owners of the structure.
10. Access shall be provided to the communications tower and communications equipment building by means of a public street or easement to a public street. The easement shall be a minimum of 20 feet in width and shall be improved to a width of at least ten (10) feet with a dust-free, all-weather surface for its entire length.
11. A communications tower may be located on a lot occupied by other principal structures and may occupy a leased parcel within a lot meeting the minimum lot size requirements for the applicable zoning ordinance or these regulations.
12. The applicant shall demonstrate that the proposed height of the communications tower is the minimum height necessary to perform its function.
13. The maximum height of any communications tower shall be 250 feet; provided, however, that such height may be increased to no more than 300 feet, provided the required setbacks from adjoining property lines (not lease lines) are increased by one (1) foot for each one (1) foot of height in excess of 250 feet.
14. The foundation and base of any communications tower shall be set back from a property line with any residential use at least 100 feet and shall be set back from any other property line at least 50 feet.
15. The foundation and base of a communications tower and the communications equipment building shall be so landscaped as to screen the foundation and base and communication equipment building from abutting properties.
16. The communications equipment building shall comply with the required yards and height requirements of any applicable zoning ordinance for an accessory structure.
17. The applicant shall submit certification from a Pennsylvania registered professional engineer that a proposed communications tower will be designed and constructed in accordance with the current Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, published by the Electrical Industrial Association/ Telecommunications Industry Association or the appropriate successful agency.
18. The applicant shall submit a copy of its current Federal Communications Commission license; the name, address, and emergency telephone number for

the operator of the communications tower; and a Certificate of Insurance evidencing general liability coverage in the minimum amount of one million dollars (\$1,000,000) per occurrence and property damage coverage in the minimum amount of one million dollars (\$1,000,000) per occurrence covering the communications tower and communications antennas.

19. All guy wires associated with guyed communication towers shall be clearly marked to be visible at all times and shall be located within a fenced enclosure.
20. The site of a communications tower shall be secured by a fence with a maximum height of eight (8) feet to limit accessibility by the general public.
21. One (1) off-street parking space shall be provided within the fenced area.
22. No signs or lights shall be mounted on a communications tower, except as may be required by the Federal Communications Commission, Federal Aviation Administration, or any other governmental agency that has jurisdiction.
23. If a communications tower remains unused for 12 consecutive months, the owner or operator shall dismantle and remove the communications tower within six (6) months of the expiration of the 12-month period.

SECTION 613 Additional Criteria for Solar Development

Section 613 – Definitions: Specific definitions related to Solar Development:

ACCESSORY SOLAR ENERGY SYSTEM: An area of land or other area used for a solar energy system used to capture solar energy, convert it to electrical energy or thermal power, and supply electrical or thermal power primarily for on-site use. Ground-mounted or freestanding Solar Energy Systems with an output size of not greater than 10kw and/or less than 600 square feet shall be considered Accessory Solar Energy Systems. Roof Mounted Solar Energy Systems on the roofs of buildings on-site used primarily for on-site use shall have no limit as to power output. An accessory solar energy system consists of one (1) or more free-standing ground, roof-mounted solar arrays or modules, or solar-related equipment and is intended to primarily reduce on-site consumption of utility power or fuels for use on-site by the generator.

AGRIVOLTAICS: the co-development of the same area of land for both solar photovoltaic power and “Normal Farming Operations as defined by P.L. 454, No.133 (1982) the Protection of Agricultural Operations from Nuisance Suits and Ordinances Act, or any successor laws.

COMMISSIONERS/BOARD OF COMMISSIONERS: The Elected Commissioners of Warren County.

FINANCIAL SECURITY: A form of security including a cash deposit, surety bond, irrevocable letter of credit, cashier's check, or escrow account from a federal or Commonwealth-

chartered lending institution in the amount of 110% of the total proposed decommissioning costs and in a form satisfactory to the Commission and the County Solicitor.

SOLAR ARRAY: A system of a group of solar panels connected together.

SOLAR ARRAY CONNECTION: The low-voltage electric lines which connect Solar-Related Equipment.

SOLAR EASEMENT: A solar easement means a right, expressed as an easement, restriction, covenant, or condition contained in any deed, contract, or other written instrument executed by or on behalf of any landowner to assure adequate access to direct sunlight for solar energy systems.

SOLAR ENERGY: Radiant energy (direct, diffuse, and/or reflective) received from the sun.

SOLAR ENERGY FACILITY: An area of land used for a solar collection system principally to capture solar energy, convert it to electrical energy or thermal power, and supply electrical or thermal power primarily for off-site use. Principal solar energy systems consist of one (1) or more free-standing ground, or roof-mounted solar collector devices, solar-related equipment, and other accessory structures and buildings including light reflectors, concentrators, heat exchangers, substations, electrical infrastructure, transmission lines, and other appurtenant structures.

SOLAR ENERGY PROJECT: A grouping of two or more Solar Energy Facilities which are held by the owner or leased to a common lessor and which are part of a single solar energy production development project.

SOLAR ENERGY PROJECT OWNER: The individual, group, or entity responsible for the permitting, construction, and operation of a Solar Energy Facility or Solar Energy Project (SEFDeveloper).

SOLAR FACILITY CONNECTION: The high-voltage electric conveyance lines that connect a Solar Energy Facility to the Solar Project Connection.

SOLAR PROJECT CONNECTION: The electric conveyance lines which connect a Solar Energy Facility to the high-voltage electric interconnection grid.

SOLAR PANEL: That part or portion of a solar energy system containing one or more receptive cells or modules, the purpose of which is to convert solar energy for use in space heating or cooling, water heating, and/or electricity.

SOLAR RELATED EQUIPMENT: Items including a solar photovoltaic cell, module, panel, or array, or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing, and foundations, or other structures used for or intended to be used for collection of solar energy.

613.1 ACCESSORY SOLAR ENERGY SYSTEMS (ASES)

A. Criteria Applicable to all Accessory Solar Energy Systems:

- (1) ASES shall be permitted as a use by right in all municipalities located within Warren County.
- (2) The ASES layout, design, installation, and ongoing maintenance shall conform to applicable industry standards, such as those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electrical Testing Laboratory (ETL), or other similar certifying organizations, and shall comply with the PA Uniform Construction Code, and with all other applicable fire and life safety requirements.

Upon completion of installation, the ASES shall be maintained in good working order in accordance with the standards of the codes under which the ASES was constructed. Failure of the property owner to maintain the ASES in good working order is grounds for appropriate enforcement actions by Warren County Planning & Zoning and the respective Municipality in accordance with applicable ordinances.

- (3) All on-site utilities, connection lines, and plumbing shall be placed underground.
- (4) Glare
 - a. All ASES shall be placed such that concentrated solar radiation or glare does not project onto nearby structures or roadways. Exterior surfaces shall have a non-reflective finish.
 - b. The applicant has the burden of proving that any glare produced does not have a significant adverse impact on neighboring or adjacent uses either through siting or mitigation.
- (5) Decommissioning
 - a. Each ASES and all solar-related equipment shall be removed within twelve (12) months of the date when the use has been discontinued or abandoned by the system owner and/or operator, or upon the termination of the useful life of same.

- b. The ASES shall be presumed to be discontinued or abandoned if no electricity is generated by the solar collector for twelve (12) continuous months.
- c. The ASES owner shall, at the request of Warren County Planning & Zoning or the respective Municipality provide information concerning the amount of energy generated by the ASES in the last 12 months.

(6) SALDO permit applications shall document compliance with this Section, and all other applicable sections of the Ordinance and shall comply with all other permits as may be required by the Commonwealth, Federal, and local governments.

B. Roof-Mounted and Wall-Mounted Accessory Solar Energy Systems:

- (1) A roof-mounted or wall-mounted ASES may be located on a principal or accessory building.
- (2) The total height of a building with an ASES shall not exceed more than 3 feet above the maximum building height specified for principal or accessory buildings within the applicable zoning district. If located in an area not zoned the maximum height shall follow the criteria as listed in the I-Industrial district of the Warren County Zoning Ordinance.
- (3) Wall-mounted ASES shall comply with the setbacks for principal and accessory structures in the underlying zoning districts. If located in an area not zoned the maximum height shall follow the criteria as listed in the I-Industrial district of the Warren County Zoning Ordinance.
- (4) Solar panels shall not extend beyond any portion of the roof edge.
- (5) For roof and wall-mounted systems, the applicant shall provide evidence that the plans comply with the Uniform Construction Code including that the roof or wall is capable of holding the load imposed on the structure.

C. Ground Mounted Accessory Solar Energy Systems:

- (1) Setbacks
 - a. The minimum yard setbacks from the side and rear property lines shall be equivalent to the accessory structure setback in the applicable zoning district. If located in an area not

zoned, the I-Industrial district setback requirements shall be followed.

- b. A ground-mounted ASES shall not be located in the required front yard, unless the principal structure is set back more than 250 ft. from the Front edge of the Municipal Right-Of-Way, in which case, the ASES shall be set back not less than 200 ft. from the Front Lot Line.

(2) Height. Ground-mounted ASES shall not exceed 15 feet in height above the ground elevation surrounding the systems.

(3) Stormwater Management

- a. Stormwater runoff from an ASES shall be managed in accordance with the requirements of the Municipal Stormwater Management Ordinance and the Warren County Stormwater Plan.
- b. Where Solar Panels are mounted above the ground surface allowing for vegetation below the panels, the horizontal area of the panel may be considered a Disconnected Impervious Area ("DIA") and therefore, will have no increase from the pre-development to post-development runoff coefficient. The horizontal area of the panel can only be considered a DIA if the following conditions apply:
 - i. Where natural vegetative cover is preserved and/or restored utilizing low-impact construction techniques from the Pennsylvania Department of Environmental Protection Stormwater Best Management Practices Manual, including, but not limited to the following: minimizing the total disturbed area, minimizing soil compaction in disturbed areas, and re-vegetating and re-foresting disturbed areas using native species.
 - ii. Where the vegetative cover has a minimum uniform 70% perennial vegetative cover with a density capable of resisting accelerated erosion and sedimentation.
 - (a). For panels located on slopes of 0 to 15%, a minimum 4" height of vegetative cover shall be maintained.

(b). Panels located on slopes greater than 15% cannot be considered DIA.

(c). Vegetated areas shall not be subject to chemical fertilization or herbicide/pesticide application, except for those applications necessary to establish the vegetative cover or to prevent invasive species and in accordance with an approved Erosion and Sediment Control Plan.

(d). Agrivoltaics, the co-development of the same area of land for both solar photovoltaic power and conventional agriculture, may be used provided that:

1. Only shade-tolerant crops may be used,
2. Crops must be no-tilled in,
3. A written erosion and sediment control plan must be developed for agricultural plowing or tilling activities or a portion of the overall farm conservation plan must identify the BMPs used,
4. Any cutting or mowing of the agricultural crop is limited to a height of no less than 4 inches,
5. The application of chemical fertilization or herbicides/ pesticides is limited to the agronomic needs of the crop(s).

iii. Where the Solar Panels within a Solar Array are arranged in a fashion that:

(a). Allows the passage of runoff between each Solar Panel, thereby minimizing the creation of concentrated runoff.

(b). Allows for the growth of vegetation beneath the panel and between the Solar Arrays.

- c. The horizontal area of any Solar Panel or Solar Array that cannot meet all the conditions to be considered DIA shall be treated as an impervious area. These areas shall be included in the pre-development to post-development runoff analysis as impervious areas to determine the need for Post Construction Stormwater Management ("PCSM") Best Management Practices.
 - i. The use of gravel is permissible under a panel or in the receiving downhill flow path; however, the use of gravel would not allow the horizontal area of the Solar Panel or Solar Array to be considered a DIA.
 - ii. All impervious areas associated with the ASES such as roadways and support buildings cannot be considered a DIA and shall follow normal protocols when performing the PCSM stormwater analysis.

(4) Buffering.

- a. Ground-mounted ASES shall be buffered from any adjacent residential uses by a buffer yard of at least 30 feet. The buffer yard shall be part of the commercial installation and shall be parallel and adjacent to the boundary.
- b. Ground-mounted ASES shall be buffered from any adjacent agricultural uses by a buffer yard of at least 15 feet. The buffer yard shall be part of the commercial installation and shall be parallel and adjacent to the boundary.
- c. Ground-mounted ASES shall be buffered from any other adjacent uses by a buffer yard of at least 20 feet. The buffer yard shall be part of the commercial installation and shall be parallel and adjacent to the boundary.

(5) Appropriate safety/warning signage concerning voltage shall be placed on ground-mounted electrical devices, equipment, and structures. All electrical control devices associated with the ASES shall be locked to prevent unauthorized access or entry.

(6) Ground-mounted ASES shall not be placed within any legal easement or right-of-way location or be placed within any stormwater conveyance system, unless the Applicant can demonstrate, to the satisfaction of the County, that the ASES will

not impede stormwater management, or in any other manner alter or impede stormwater runoff from collecting in a constructed stormwater conveyance system.

613.2 SOLAR ENERGY FACILITY (SEF)

A. Criteria Applicable to All SEFs:

- (1) The SEF layout, design and installation shall conform to good industry practice. "Good industry practice" shall mean the practices, methods, standards, and acts (engaged in or approved by a significant portion of the solar power industry for similar facilities in similar geographic areas that are similar in size and complexity) as the same may change from time to time, that, at a particular time, in the exercise of reasonable professional judgment in light of the facts known at the time a decision was made, would have been expected to accomplish the desired result in a manner consistent with applicable law, regulation, codes, good business practices, reliability, safety, environmental protection, economy, expedition, and shall comply with the PA Uniform Construction Code and with all other applicable fire and life safety requirements.
- (2) The application shall include a construction transportation plan that shows all roadways that will be utilized to access the site, which shall be forwarded to the Warren County Planning & Zoning Commission and the respective Municipality for review.
- (3) DC voltage Solar Array Connections may be located above ground.
- (4) AC Solar Facility Connections should be located underground where feasible. AC solar facility connections may be located above ground where the Applicant can demonstrate to the satisfaction of the Planning Commission that the overall environmental impacts would support the above-ground location.
- (5) Solar Project Connections may be located above ground.
- (6) No portion of the SEF shall contain or be used to display advertising. The manufacturer's name and equipment information or indication of ownership shall be allowed on any equipment of the SEF provided they comply with the prevailing sign regulations.
- (7) Noise Management
 - a. A Noise Management Plan that addresses noise produced during construction and the facility's operation, to be

approved by the Planning Commission shall be included with the SALDO application.

- b. The Plan at a minimum shall separately address noise during construction and facility operations and include, mitigation, an assessment of the noise that will be emulated at the perimeter fence, and the contact information for the individual who is responsible for implementation and compliance during construction and operations.
- c. The volume of sound inherently and recurrently generated shall be controlled so as not to cause a nuisance to adjacent uses.
- d. During the operation of the SEF, audible sound shall not exceed a maximum of 60 dBA during daytime hours and 55 dBA during nighttime hours as measured at the exterior of any occupied building on a non-participating landowner's property.

(8) Glare

- a. All SEF shall be placed such that concentrated solar radiation or glare does not project onto nearby structures or roadways. Exterior surfaces shall have a non-reflective finish.
- b. The applicant has the burden of proving that any glare produced does not have a significant adverse impact on neighboring or adjacent uses either through siting or mitigation.
- c. The above requirement shall include a glare study completed by an appropriate third-party engineer detailing the effects on adjoining properties and/or roadways.

- (9) The SEF owner and/or operator shall maintain a phone number and identify a person responsible for public contact with inquiries and complaints throughout the life of the project and provide this number and name to the Warren County Planning & Zoning and Warren County EMS. The SEF owner and/or operator shall make reasonable efforts to respond to the public's inquiries and complaints within a reasonable time frame.

(10) Decommissioning

- a. The SEF owner is required to notify Warren County Planning & Zoning immediately upon cessation or abandonment of the operation. The SEF shall be presumed to be discontinued or abandoned if no electricity is generated by such a system for a period of twelve (12) continuous months.
- b. The SEF owner shall then have eighteen (18) months in which to dismantle and remove the SEF including all solar-related equipment or appurtenances related thereto, including but not limited to buildings, cabling, electrical components, roads, foundations, solar facility connections, and other associated facilities in accordance with agreements with landowners and good industry practice.
- c. To the extent possible, the materials shall be re-sold or salvaged. Materials that cannot be re-sold or salvaged shall be disposed of at a facility authorized to dispose of such materials by federal or state law.
- d. Any soil exposed during the removal shall be stabilized in accordance with applicable erosion and sediment control standards.
- e. Any access drive paved aprons from public roads shall remain for future use unless directed otherwise by the landowner.
- f. The SEF site area shall be restored to its pre-existing condition, suitable for its prior use, except the landowner may authorize, in writing, any buffer landscaping or access roads installed to accommodate the SEF to remain.
- g. Any necessary permits, such as Erosion and Sedimentation and NPDES permits, shall be obtained before decommissioning activities.
- h. At the time of issuance of the SALDO approval for the construction of the SEF, the owner shall provide financial security in the form and amount acceptable to Warren County and in favor of Warren County, to secure its obligations under this Section.
 - i. The SEF Developer shall, at the time of the SALDO application, provide the County with an estimate of the cost of performing the decommissioning activities required herein using a

third-party professional engineer. The Solar Project Owner shall provide financial security of 110% of the estimated cost of decommissioning. The estimate may include an estimated salvage and resale value, discounted by a factor of 10%. The decommissioning cost estimate formula shall be: Gross Cost of Decommissioning Activities minus 90% credit of Salvage and resale value equals the decommissioning cost estimate.

- ii. On every 5th anniversary of the date of providing the decommissioning financial security, the SEF Owner shall provide an updated decommissioning cost estimate using a third-party professional engineer, utilizing the formula set forth above with adjustments for inflation and cost and value changes. If the decommissioning security amount increases, the SEF Owner shall remit the increased financial security to the County within 30 days of the approval of the updated decommissioning security estimate by the County. If the decommissioning security amount decreases by greater than 10%, the County Owner shall release from security any amounts held more than 110% of the updated decommission cost estimate.
- iii. Decommissioning security estimates shall be subject to review and approval by the Warren County Planning Commission and the SEF Developer/Owner shall be responsible for administrative, legal, and engineering costs incurred by the County for such review.
- iv. The decommissioning security may be in the form of a cash deposit, surety bond, irrevocable letter of credit, cashier's check, or escrow account from a federal or Commonwealth-chartered lending institution in the amount of 110% of the total proposed decommissioning cost estimate and in a form satisfactory to the Planning Commission and the County Solicitor.
- v. Before final approval of any SALDO plans for a SEF, the SEF Developer shall enter into a Decommissioning Agreement with the County outlining the responsibility of the parties under this

Agreement as to the Decommissioning of the SEF.

(11) An Emergency Response Plan shall be included with the SALDO application, which shall be reviewed and approved by Warren County Planning Commission and Emergency Management Agency.

(12) Permit Requirements

- a. SEF shall comply with the County subdivision and land development requirements through the submission of a land development plan.
- b. The installation of SEF shall comply with all applicable permit requirements, codes, and regulations, including highway occupancy, driveway permits, and road bonding requirements.
- c. The SEF owner and/or operator shall repair, maintain and replace the SEF and related solar equipment during the term of the permit in a manner consistent with industry standards as needed to keep the SEF in good repair and operating condition.

B. Ground Mounted Principal Solar Energy Systems:

(1) SEF Development Area is equal to the total acres of land subject to lease by the SEF Developer. Where the area of land subject to the lease is greater than 75% of the parcel, the entire parcel will be considered to be SEF Development Area.

(2) Solar Array Locations:

- a. Solar Arrays may be located only on 75% of the total Class I, II, and III agricultural soils within the SEF Development Area unless the area will be devoted to Agrivoltaic activities, in which case 100% of Class I, II, and III soils may be included in the SEF Development Area.
- b. For each parcel on which a SEF, or a component of a SEF, is proposed, a map shall be provided by the applicant detailing the SEF Development Area, the Constrained Area of Class I, II, and III agricultural soils, and the Portion of the SEF Development that may be devoted to Solar Arrays.
- c. Solar Arrays shall only be placed within that portion of any

lot that lies within the Portion of the SEF Development that may be devoted to Solar Arrays.

(3) Solar Arrays shall not be located in:

- a. Defined or undefined Floodways and Floodplain as identified by the current FEMA Floodplain Maps.
- b. Regulated natural and man-made drainage corridors, extending twenty-five (25) feet from the centerline of any such drainage feature unless the Planning Commission at SALDO approval, determines a lesser setback would create fewer impacts to the overall project.
- c. Wetlands: Development may occur on any wetland area of less than 1 acre if the Planning Commission at SALDO approval, determines the development of that area would create fewer impacts on the overall project. Any such development in a wetland must receive the required approval of the Pennsylvania Department of Environmental Protection and or the United States Army Corps of Engineers.
- d. Wetlands Buffer extending twenty-five (25) feet from any wetland unless the Planning Commission at SALDO approval, determines a lesser setback would create fewer impacts to the overall project.
- e. Slopes over fifteen percent (15%) unless the Planning Commission at SALDO approval, determines the location in an area over 15% would create fewer impacts on the overall project.
- f. Wooded Areas primarily devoted to mature trees over 2 acres that would require removal of greater than 20% of mature trees, unless the Planning Commission at SALDO approval, determines greater tree removal would create fewer impacts to the overall project. For this clause, brushes and shrubs are not considered trees.
- g. Road Right-of-Way.
- h. Setback areas, as defined in the underlying zoning district, or if no zoning exists setbacks as those defined in the Warren County Zoning Ordinance, I-Industrial District.

- i. All areas that are designated as Agricultural Protection Areas.

(4) Setbacks

- a. The fence as required by Paragraph 9 below shall be considered a principal structure for purposes of setbacks. Minimum setbacks shall be in accordance with the underlying zoning district; or if no zoning exists setbacks are those defined in the Warren County Zoning Ordinance, I-Industrial District. Where a SEF is adjacent to a residential building, a minimum setback of fifty (50) feet from any occupied building shall be required.
- b. No lot line setback will be required where there is a grouping of two or more Solar Energy Facilities which are held by a common owner or leased to a common lessor and which are part of a single solar energy production development project, where each landowner has provided a written waiver of the lot line setback.
- c. The application shall include with the project submission details of mitigation measures to be implemented to preserve wildlife corridors including between Solar Energy Facilities of a Solar Energy Project.
- d. A minimum of a 25' buffer shall be maintained along either side of any regulated stream or regulatory wetland.

(5) Height

- a. All ground-mounted solar panels shall comply with a maximum of fifteen (15) foot height requirement.
- b. All other SEF components should comply with the underlying district maximum height requirements; or if no zoning exists, setbacks are those defined in the Warren County Zoning Ordinance, I-Industrial District.
- c. SEF components may be more than the maximum height requirement where the Applicant can demonstrate to the satisfaction of the Planning Commission the necessity and benefit.

- d. There are no maximum height restrictions for Structures that support Solar Facility Connections and Solar Project Connections.

(6) Stormwater Management

- a. Stormwater runoff from a SEF shall be managed in accordance with the requirements of the Municipal Stormwater Management Ordinance and Warren County's Stormwater Plan.
- b. Where Solar Panels are mounted above the ground surface allowing for vegetation below the panels, the horizontal area of the panel may be considered a Disconnected Impervious Area ("DIA") and, therefore, will have no increase from the pre-development to post-development runoff coefficient. The horizontal area of the panel can only be considered a DIA if the following conditions apply:
 - i. Where natural vegetative cover is preserved and/or restored utilizing low-impact construction techniques from the Pennsylvania Department of Environmental Protection Stormwater Best Management Practices Manual, including, but not limited to the following: minimizing the total disturbed area, minimizing soil compaction in disturbed areas, and re-vegetating and re-foresting disturbed areas using native species.
 - ii. Where the vegetative cover has a minimum uniform 70% perennial vegetative cover with a density capable of resisting accelerated erosion and sedimentation.
 - (a). For panels located on slopes of 0 to 15%, a minimum 4" height of vegetative cover shall be maintained.
 - (b). Panels located on slopes greater than 15% cannot be considered DIA.
 - (c). Vegetated areas shall not be subject to chemical fertilization or herbicide/pesticide application, except for those applications necessary to establish

the vegetative cover or to prevent invasive species and in accordance with an approved Erosion and Sediment Control Plan.

that: (d). Agrivoltaics may be used provided

- 1) Only shade-tolerant crops may be used,
- 2) Crops must be no-tilled in,
- 3) A written erosion and sediment control plan must be developed for agricultural plowing or tilling activities or a portion of the overall farm conservation plan must identify the BMPs used,
- 4) Any grazing, cutting, or mowing of the agricultural crop is limited to a height of no less than 4 inches,
- 5) The application of chemical fertilization or herbicides/pesticides is limited to the agronomic needs of the crop(s).
- 6) If the property will be used for the grazing of livestock, a manure management plan must be developed.

iii. Where the Solar Panels within a Solar Array are arranged in a fashion that:

- (a). Allows the passage of runoff between each Solar Panel, thereby minimizing the creation of concentrated runoff.
- (b). Allows for the growth of vegetation beneath the panel and between the Solar Arrays.
- (c). The horizontal area of any Solar Panel or Solar Array that cannot meet all the conditions to be considered DIA shall be treated as an impervious area. These areas shall be included in the pre-development to post-development runoff analysis as impervious areas to determine the need for Post Construction

Stormwater Management ("PCSM") Best Management Practices.

- 1) The use of gravel is permissible under a panel or in the receiving downhill flow path; however, the use of gravel would not allow the horizontal area of the Solar Panel or Solar Array to be considered a DIA.
- 2) All impervious areas associated with the ASES such as roadways and support buildings cannot be considered a DIA and shall follow normal protocols when performing the PCSM stormwater analysis.

(7) Ground-mounted SEF shall be screened and buffered in accordance with the following standards.

- a. Vegetative buffering, to the extent practical, shall be installed around the entire perimeter of the SEF installation, except where the Warren County Planning Commission determines that the retention of existing trees within the vegetative buffering area may constitute the required vegetative buffer or where the Warren County Planning Commission determines that the solar panels cannot be viewed from a public roadway or residential building.
- b. The vegetative buffering shall be installed along the exterior side of the fencing. All required vegetative buffering shall be located within fifty (50) feet of the required fencing.
- c. Vegetative buffering should be designed to emulate the mix of native species and the appearance of existing tree lines, hedgerows, and wooded areas already in existence within the landscape where the SEF is proposed. The applicant shall assess the species mix and characteristics found in existing tree lines, hedgerows, and wooded areas surrounding the SEF and document that the vegetative buffering is designed to emulate these characteristics. Arborvitae may be used as vegetative buffering.
- d. No less than 20% of vegetative buffering plantings shall be pollinator-friendly species.

- e. Vegetative buffering shall be selected to provide year-round buffering and shall be of sufficient height, density, and maturity to screen the facility from visibility, as set forth herein within thirty-six months of the installation of the SEF.
 - f. A combination of natural topography and vegetation can serve as a buffer, provided that the SEF will not be visible from public roads, public parks, or existing residences on surrounding properties. Earthen berms may not be created to serve as a buffer.
 - g. Visibility of SEF shall be determined as visible in a photograph taken at a point with a digital camera with an APS-C sensor and a 35 mm focal length lens. A SEF shall be considered to not be visible provided that no more than 5% of the SEF shall be visible in accordance with the measure of visibility set forth above.
 - h. The buffering requirements of this section shall supersede the provisions of the Subdivision and Land Development Ordinance (SALDO) as they may pertain to SEFs.
- (8) Ground-mounted SEF shall not be placed within any legal easement or right-of-way location or be placed within any stormwater conveyance system.

(9) Security

- a. All ground-mounted SEFs shall be completely enclosed by a minimum eight (8) foot high fence with a self-locking gate as deemed appropriate by the Planning Commission at Land Development Plan approval.
- b. A visible warning sign shall be placed at the base of all pad-mounted transformers and substations and on the fence surrounding the SEF informing individuals of potential voltage hazards.

(10) Access

- a. At a minimum, a 14' wide stabilized access road must be provided from a state or township roadway to the SEF site that is maintained in a dust-free condition. The SEF developer shall obtain a permit from the appropriate jurisdiction for the construction of the access road.

- b. At a minimum, a 20' wide cartway shall be provided on the inside of the perimeter fencing between the fence and the Solar Array.
- c. Spacing between Solar Array rows shall allow access for maintenance vehicles and emergency vehicles.
- d. Access to the SEF shall comply with the municipal access requirements in the Subdivision and Land Development Ordinance.
- e. The ground-mounted SEF shall not be artificially lighted except to the extent required for safety or applicable federal, state, or local authority.

D. Roof and Wall Mounted Principal Solar Energy Facility:

- (1) For roof and wall-mounted systems, the applicant shall provide evidence that the plans comply with the Uniform Construction Code including that the roof or wall is capable of holding the load imposed on the structure.
- (2) The total height of a building with a roof and wall-mounted system shall not exceed by more than 3 feet above the maximum building height specified for principal or accessory buildings within the applicable zoning district. If located in an area not zoned, the maximum height shall follow the criteria as listed in the I-Industrial District of the Warren County Zoning Ordinance.
- (3) Roof and Wall Mounted Principal Solar Energy Facilities are permitted in any Zoning District where the building upon which they will be mounted is a permitted use. For roof and wall-mounted systems, the applicant shall provide evidence that the plans comply with the Uniform Construction Code including that the roof or wall is capable of holding the load imposed on the structure.

ARTICLE VII DEFINITIONS

Section 701 Definitions

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

Available Sewer – A municipal sewer is considered available if it is within 500 feet of the nearest point of a subdivision.

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

Block – An area bounded by streets, utility, railroad, public facility or other right-of-way or easement or other definite barriers.

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

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

“Commission” or “Planning Commission” – The Warren County Planning and Zoning Commission.

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

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

County – The County of Warren, Pennsylvania.

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

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

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

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

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

“Flag” Lot – A lot that would be landlocked but for the projection of a narrow extension connecting the principal area of the lot to a private or public road.

Floodplain – The lands surrounding a river, stream, watercourse, ocean, lake, or other body of standing water, which have or may be covered by flood water, as identified by maps issued by the U.S. Department of Housing and Urban Development.

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

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

Governing Body – The council in cities and boroughs; the board of supervisors in townships; the board of commissioners in the county.

Improvements – These physical changes to the land necessary to produce useable and desirable lots from raw acreage including, but not limited to, grading, paving, curbs, gutters, storm sewers, and drains, improvements to existing watercourses, provision of sidewalks, cross-walks, street signs, monuments, water supply facilities, and sewage disposal facilities.

Land Development

The improvement of one (1) lot or two (2) or more contiguous lots, tracts, or parcels of land for any purpose involving:

A group of three (3) or more residential or nonresidential buildings, whether proposed initially or cumulative; or

The division or allocation of land or space between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups, or other features.

A subdivision of land.

Lot – A tract or parcel of land for the purpose of conveyance, transfer, improvement, or sale (whether immediate or future). Burial lots in cemeteries shall be exempted and not considered a lot under these regulations.

Lot Area – The area contained within the property lines of the individual parcels of land as shown on a subdivision plan; excluding space within any public right-of-way or street, but including the area of any easement.

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

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

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

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

Mobile Home – A transportable, single-family dwelling intended for permanent occupancy, office, or place of assembly contained in one (1) unit, or in two (2) units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

Mobile Home Lot – A parcel of land in a mobile home park or development, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.

Mobile Home Park/Development – A parcel of land under single ownership, which has been planned and improved for the placement of mobile homes for non-transient use consisting of three (3) or more mobile home lots.

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

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

the Planning and Zoning Commission may authorize a modification. Any modification thus authorized shall be entered in the minutes of the Planning Commission, along with the rationale on which departure from the regulations was justified (also known as a waiver).

Monument – A point of known coordinates, established by a professional land surveyor, and used to locate property lines, building lines, etc. The monument should be tied in with monuments maintained by the United States Coast and Geodetic Survey if the monument is within a reasonable distance.

Municipality – Township, borough, or county.

Plan, Preliminary – A tentative plan showing existing features of the land and proposed street, utility, and lot layout within and adjacent to the subdivision.

Plan, Final – A complete and exact subdivision plan prepared by a registered surveyor for official recording as required by statute, to define property rights and proposed streets and other improvements.

Office (Plan) Map – An official map, adopted by the governing body, showing existing and proposed streets.

Public Notice – Notice of the time, location of the hearing, and general nature of what is to be considered at the hearing shall be placed in a newspaper of general circulation in the County for two (2) successive weeks. Notice shall be given at least seven (7) days, but not more than 30 days, before the hearing.

Recreational Vehicle – A vehicle-type unit, primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motor power or is mounted on or drawn by another vehicle. The basic entities are travel trailer, camping trailer, truck camper, and motor home.

Recreational Vehicle Park – A plot of land upon which two (2) or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes. No residential uses shall be permitted and mobile units shall not exceed 350 square feet in floor area. Recreational vehicle parks shall be designed to serve the short-term placement of recreational vehicles. No recreation vehicle shall be used as a permanent place of abode, dwelling, or business.

Registered Surveyor – A professional land surveyor registered in the State of Pennsylvania.

Regulatory Flood Protection Elevation – The elevation of the regulatory floor plus one-and-one-half (1½) feet of freeboard to provide a safety factor.

Right-Of-Way – A dedicated strip of land used as a street, roadway, alley, or crosswalk, or for a public utility or needed public use.

Sight Distance – The distance an object 24 inches off the pavement (a taillight) is visible from an eye-level 3½ feet above the pavement (average height driver’s eyes).

Street – A general term used to describe the right-of-way, municipal or privately owned, serving as a means of vehicular and pedestrian travel, and furnishing space for utilities.

Street, Arterial – An expressway or controlled access highway. The street is of considerable continuity and serves, or is to serve, as a major traffic way for travel within the County.

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

Street, Local – Used primarily for access to abutting properties.

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

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

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

Subdivision – A division or a re-division of a lot, tract, or parcel of land by any means into two (2) or more lots, tracts, parcels, or other divisions of land including changes in existing lot lines for the purpose of, immediate or future, transfer of ownership or building or lot development.

Subdivision, Major – A subdivision containing eleven (11) lots or more, or that is defined as a major subdivision by these regulations. (See Section 201 of this Ordinance.)

Subdivision, Minor – A subdivision containing ten (10) or fewer lots as defined by these regulations. (See Section 201 of this Ordinance.)

Waiver – See “Modification.”

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

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

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

ARTICLE VIII ADMINISTRATION

Section 801 Administrative Officer

The Planning and Zoning Commission shall appoint an Administrative Officer whose tasks are specified herein. In addition, the administrative officer shall be given the responsibility for ensuring orderly and expeditious processing of subdivision and land development plan applications.

Section 802 Modification of Specific Subdivision and Land Development Plan Requirements

The Planning and Zoning Commission, when acting upon applications for preliminary, final, major or minor subdivision approval, land development, mobile home park, or recreational or recreational vehicle park developments shall have the power to grant such modifications from the requirements for subdivision approval as may be reasonable and within the general purpose and intent of the provisions of this Ordinance if the literal enforcement of one or more provisions of the Ordinance is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question.

All requests for a modification shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the ordinance involved, and the minimum modification necessary.

The Planning and Zoning Commission shall keep a written record of all actions on all requests for modifications.

Section 803 Revision and Amendment

The County of Warren may revise, modify and amend this Ordinance by appropriate action in accordance with the Municipal Planning Code, Act 247, as amended.

Section 804 Mediation Option

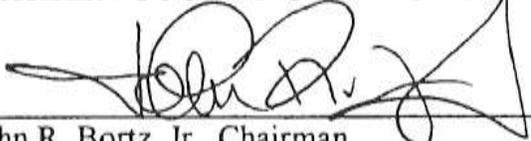
The Planning and Zoning Commission and subdivider or developer may choose to complete the approval proceedings of this Ordinance by way of the mediation option. In exercising such an option, the Planning Commission and mediating parties shall meet the stipulations and follow the procedures set forth in Article IX, Section 908.1 of the MPC, Act 247, as amended.

Section 805. Planning and Zoning Commission Records

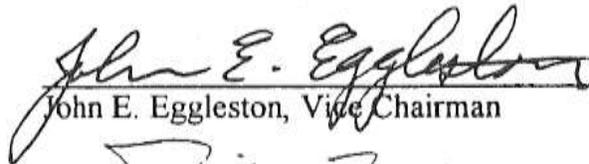
1. The Planning and Zoning Commission shall keep a record of its findings, decisions and recommendations relative to all subdivision and land development plans submitted filed with it for review.
2. All records of the Planning and Zoning Commission relative to subdivision and land development plans shall be public records.

APPROVED, ORDAINED AND ENACTED this 8th day of December, 2004.

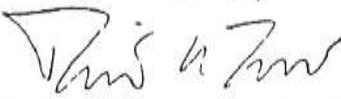
WARREN COUNTY COMMISSIONERS



John R. Bortz, Jr., Chairman

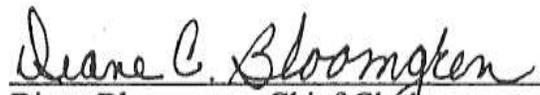


John E. Eggleston, Vice Chairman



David A. Bauer, Esq., Secretary

ATTEST:



Diane Bloomgren, Chief Clerk

WARREN COUNTY SALDO - REVISION HISTORY

DATE	AUTHOR	DESCRIPTION	APPROVED BY	ORD #	REV #
8/14/2022	M. LYON	Add Section 613 - Solar Energy Development	Board of Commissioners	261	1