



# *JEFFERSON COUNTY*

## SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

DRAFT

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## ARTICLE 1 TITLE, AUTHORITY, PURPOSE, AND APPLICABILITY

### SECTION 101 TITLE

This Ordinance shall be known and may be cited as the “Jefferson County Subdivision and Land Development Ordinance.”

### SECTION 102 AUTHORITY

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

### SECTION 103 PURPOSE

The purpose of this Ordinance is to promote the health, safety, and general welfare of County residents, to ensure the orderly development of the County, to ensure coordination of development with municipal public improvement plans and programs, to promote safe and efficient transportation, to ensure the efficient and orderly extension of community services and facilities, to ensure equitable handling of all subdivision and land development plans by providing uniform standards and procedures, and to help the County maintain adequate and consistent property records. It is also the purpose of this Ordinance to promote implementation of goals and objectives of the Jefferson County Comprehensive Plan as currently adopted and hereafter amended or updated.

### SECTION 104 JURISDICTION

#### Section 104.1 Covered municipalities

The Jefferson County Board of Commissioners has enacted this Ordinance to govern the subdivision and development of all land located within the County except in those boroughs or townships which have enacted a subdivision and land development ordinance.

#### Section 104.2 Effect

Within municipalities under the jurisdiction of this Ordinance:

1. All plans for subdivisions and land developments shall be submitted to, reviewed by, and approved by the Jefferson County Planning Department or Jefferson County Planning Commission as specified in this Ordinance before they may be recorded by the Jefferson County Recorder of Deeds. The Jefferson County Recorder of Deeds shall not accept any subdivision or land development map or plan for recording unless such map or plan officially notes the approval of the Planning Department or Planning Commission as prescribed in this Ordinance.
2. No subdivision of any lot shall be made, no lot shall be established or eliminated, no lots shall be combined, and no changes or adjustments in lot lines shall be made except in accordance with the provisions of this Ordinance upon submission and approval of a subdivision plan as specified in this Ordinance. The Jefferson County Recorder of Deeds

shall not accept the recording of deeds that are determined in effect to be subdivisions as defined by this Ordinance unless a subdivision has been approved and recorded in accordance with this Ordinance.

3. No land development as defined by this Ordinance shall occur except in accordance with the provisions of this Ordinance upon submission and approval of a land development plan as specified in this Ordinance.
4. No street or other improvements regulated by this Ordinance proposed in connection with a subdivision or land development shall be laid out, constructed, opened, or dedicated for public use or for the common use of occupants of properties abutting thereon, except in accordance with the provisions of this Ordinance.
5. No lot in a subdivision may be sold, transferred, or leased, and no permit to erect, alter, or move any building or structure in a land development may be issued unless and until a subdivision or land development plan has been approved and recorded in accordance with the requirements of this Ordinance, and until any improvements required by this Ordinance in the approved plan have either been constructed or guaranteed by a form of surety meeting the requirements of this Ordinance.

#### Section 104.3 Interpretations

1. Where a standard of this Ordinance differs with a standard of any other applicable ordinance or regulation of a municipality or the state or federal government, the standard which is more restrictive shall prevail. Where a standard of this Ordinance conflicts with a standard of any other applicable ordinance or regulation of a municipality or the state or federal government in a way that both standards cannot be met, the municipal, state, or federal standard shall prevail.
2. In interpreting the language of this ordinance to determine the extent of the restriction upon the use of property, the language shall be interpreted, where doubt exists as to the intended meaning, in favor of the property owner and against any implied extension of the restriction.

#### Section 104.4 Other laws and regulations

Review and approval under this Ordinance is in addition to, does not supersede, and does not release any party from compliance with approvals required by other applicable ordinances or regulations of a municipality, Jefferson County, the Commonwealth of Pennsylvania, or the United States Government.

### SECTION 105 APPLICABILITY

#### Section 105.1 New Applications

The provisions of this Ordinance shall apply to all new subdivisions and land developments as defined by this Ordinance within the covered municipalities beginning the effective date of this Ordinance. This Ordinance shall not apply to subdivisions and lots officially filed and pending recording and land developments for which building permits have been lawfully approved and obtained prior to the effective date of this Ordinance.

## Section 105.2 Changes to previously approved plans

Any redivision or combining of lots or adjustment of lot lines of an existing lot or a plan of record, or any addition, enlargement, or rearrangement of structures, parking areas, access points, graded land surfaces or other elements within an existing land development, shall be a new subdivision or land development and subject to the provisions of this Ordinance.

## Section 105.3 Exemptions

1. The following shall be exempt from subdivision plan submission and the requirements of this Ordinance:
  - a. The subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling.
2. The following shall be exempt from the definition of land development and the requirements of this Ordinance:
  - a. The conversion of an existing single family detached dwelling or single-family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium.
  - b. The addition of an accessory building, including farm buildings used for agricultural purposes, on a lot or lots subordinate to an existing principal building.
  - c. The addition or conversion of buildings or rides within the confines of an enterprise that would be considered an amusement park. For purposes of this clause, 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.
3. Notwithstanding inclusion of “a subdivision of land” in the Municipalities Planning Code definition of “land development,” where this Ordinance prescribes requirements solely for land developments, said requirements shall not also necessarily apply to subdivisions.

## SECTION 106 DISCLAIMER OF LIABILITY

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

SECTION 107 VALIDITY OF ORDINANCE

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

SECTION 108 EFFECTIVE DATE

This Ordinance shall become effective after sixty (60) days following enactment and shall remain effective until amended or rescinded by the Jefferson County Board of Commissioners.

## ARTICLE 2 DEFINITIONS

### SECTION 201 DEFINITIONS

#### Section 201.1 General Terms

As used in this ordinance, words in the singular include the plural, and those in the plural include the singular. The words “shall” and “will” are mandatory, and the word "may" is permissive.

Unless otherwise expressly stated, the following definitions shall, for the purpose of this ordinance, have the meaning herein indicated.

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

#### Section 201.2 Specific Terms

As used in this ordinance, terms or words shall be defined as follows:

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

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

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

**BUILDING:** Any structure built for support, shelter, or enclosure of persons, animals, or property of any kind and which is affixed to the land. The word "building" shall be construed as including the phrase “or part thereof.”

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

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

**CAMPGROUND:** A tract or tracts of land, or any portion thereof, providing three or more camping sites for tents, recreational vehicles (RVs), camping cabins, similar recreational overnight equipment or structures, or a mix thereof, and which may also include auxiliary

structures, which is operated and maintained for transient, intermittent, and recreational camping purposes for which users provide remuneration by fee, lease, membership, or other form for the occupancy of such sites.

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

CARTWAY: The paved or graded and improved gravel portion of a street used for vehicular travel, excluding shoulders.

CLEAR SIGHT TRIANGLE: An area of unobstructed vision at a street intersection defined by lines of sight between points at a given distance from the intersection of the street right-of-way lines.

COUNTY: Jefferson County, Pennsylvania, unless otherwise noted.

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

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

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

DATA CENTER: A facility used for housing and operating computer systems and associated equipment, including servers, data storage and processing systems, and accessory infrastructure such as cooling systems, power generators, electrical substations, and network hardware, and including all real estate, structures, systems, primary and ancillary equipment, and appurtenances that are integral and incidental to the data center facility.

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

DEED: A written instrument whereby an estate in real property is conveyed.

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

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

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

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

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

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

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

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

ENERGY FACILITY: For the purpose of this Ordinance, an energy facility includes a wind or solar energy facility principally used to capture wind or solar energy, convert it to electrical energy or thermal power, and supply electrical or thermal power primarily for off-site use.

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

ENGINEER: A licensed professional engineer registered by the Commonwealth of Pennsylvania.

FEMA: Federal Emergency Management Agency.

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

FLOODPLAIN: For the purpose of this Ordinance, the floodplain shall be defined as that land lying below the hundred-year flood level. The 100-year flood level shall be determined in accordance with the statutes, rules, and regulations developed by the Federal Emergency Management Agency.

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

IMPROVEMENTS: Physical changes to the land, including but not limited to grading, paving, curbs, gutters, swales, storm sewers, drains, sidewalks, signs, monuments, water supply facilities and sewage disposal facilities.

LAND DEVELOPMENT: Any of the following activities:

- (1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
  - (i) a group of two or more residential or nonresidential buildings, whether proposed

initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

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

(2) A subdivision of land.

(3) Development in accordance with MPC section 503(1.1). (MPC)

In accord with MPC section 503(1.1), this Ordinance exempts from the definition of land development certain activities prescribed in Section 105.3.

LAND DEVELOPMENT, MAJOR: A land development as defined by this Ordinance which includes all land developments not meeting criteria for a minor land development.

LAND DEVELOPMENT, MINOR: A land development as defined by this Ordinance which includes a single structure on a single lot, either new, expanded, or altered in a manner that necessitates compliance with this Ordinance, which meets all of the following criteria:

(1) does not include non-agricultural earth disturbance of one (1) acre or more

(2) does not create new impervious area of more than five-thousand (5,000) square feet

(3) does not involve installation of improvements required by this Ordinance

LAND DEVELOPMENT, HIGH IMPACT: A land development as defined herein which shall include a data center or energy facility or other similar facility or development that, because of its character or magnitude of physical development, land disturbance, or human activity, will have substantial effect on health and safety, public facilities and services, and the environment due to noise, light, heat, other health and safety hazards, water usage, sewage generation, power demand, traffic generation, impervious surface and stormwater runoff, or removal of farmland, woodland, and habitat.

LAND DEVELOPMENT, COMMERCIAL: A land development as defined herein used for the carrying on or the office of any business, including the provision or sale of goods, services, food, beverages, accommodations, entertainment, recreation, or activities of similar character and impact.

LAND DEVELOPMENT, INDUSTRIAL: A land development as defined herein used for manufacturing, processing, and other industrial purposes, including factories, foundries, mills, processing plants, refineries, warehouses, mines, slaughterhouses, and other activities of similar character and impact.

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

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

LOT: A designated and individually described area of land established by a plat or otherwise

as permitted by law and to be used, developed, or built upon as a unit.

LOT, ADJOINER: A subdivision in which a lot is created for the purpose of transfer to an adjacent lot owner and not to be used as a separate building lot.

LOT AREA: The total horizontal land area of a lot calculated exclusive of any portion of the right-of-way of a street or private common driveway.

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

LOT LINE, FRONT: That boundary of lot which is along the existing or proposed right-of-way of a street or private common driveway. In the case of corner lots, the line having the least dimension along a right-of-way shall be designated the front lot line.

LOT LINE, REAR: That boundary of a lot which is most distant from and most nearly parallel to the front lot line.

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

LOT LINE, SIDE: That boundary of a lot that is not a front or a rear lot line.

LOT WIDTH: The width of the lot at the building or setback line, measured parallel to the front lot line.

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

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

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

MONUMENT: An identifiable object or marker which physically identifies the location of property corner or other survey point. A monument can be manufactured (e.g. iron pipe, rod, or fence post) or natural (e.g. stone or tree).

MPC: Municipalities Planning Code.

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

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

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

OPERATOR: The entity responsible for the day to day operation and maintenance of a facility.

PA DEP: The Pennsylvania Department of Environmental Protection.

PARCEL: A lot. (See definition of lot.)

PARENT TRACT: A lot of record that existed as a whole parcel prior to a subdivision.

PENNDOT: The Pennsylvania Department of Transportation.

PLANNING COMMISSION: The Jefferson County Planning Commission.

PLANNING DEPARTMENT: The Jefferson County Department of Development or its successor which may be designated by the Jefferson County Board of Commissioners to fulfill the responsibilities of a planning department prescribed by the MPC.

PLANNING DIRECTOR: The Jefferson County Director of Community Development or its successor within the Planning Department which may be designated by the Jefferson County Board of Commissioners to fulfill the responsibilities of a director of planning prescribed by the MPC.

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

PRIVATE COMMON DRIVEWAY: A privately owned and maintained driveway or roadway permitted by this Ordinance to serve a maximum of three (3) lots and provide access for said lots to a street.

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

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

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

- (1) Built on a single chassis
- (2) Designed to be self-propelled or permanently towable
- (3) Not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use
- (4) Fully licensed, inspected and ready for highway use. An RV is ready for highway use if it is on wheels or a jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions.

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

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

RIGHT-OF-WAY: For purposes of this Ordinance, a right-of-way is land dedicated or reserved for primary use as a public or private street or private common driveway.

SENSITIVE RECEPTOR: A building and/or grounds used for a residence (including an institutional use with a residential component), school, preschool, daycare center, nursing home, hospital, public park or recreation facility, community center, public library, and similar institutional use.

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

STREET: Includes, street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used for vehicular traffic or pedestrians whether public or private. (MPC)

The term street includes the entirety of the right-of-way. The following definitions apply to street classifications as used in this Ordinance:

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

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

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

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

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

**SUBDIVISION**: The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: Provided, however, That the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted. (MPC)

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

**SUBDIVISION, MINOR**: A subdivision as defined by this Ordinance which includes creation of up to five (5) lots and/or other divisions of land, including lot line revisions, lot consolidations, and adjoiner lots, and which does not include installation of improvements required by this Ordinance.

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

**SURVEYOR**: A licensed Professional Land Surveyor registered by the Commonwealth of Pennsylvania.

## ARTICLE 3 ADMINISTRATION

### SECTION 301 DELEGATION OF POWER

The Jefferson County Board of Commissioners does hereby delegate to the Jefferson County Planning Department and Jefferson County Planning Commission the duty to administer this Ordinance and the power to render decisions on and approve or deny subdivision and land development plans under the jurisdiction of this Ordinance.

#### Section 301.1 Powers

The Planning Department and Planning Commission shall have all powers necessary to administer and enforce the provisions of this Ordinance without limitation by reason of enumeration, including the following:

1. To require adherence to this Ordinance and its standards.
2. To require complete and accurate preliminary and final subdivision and land development plans, and all additional information which is necessary to make a reasonable evaluation of the application.
3. To require that improvements to the land be made as prescribed by this Ordinance.
4. To prohibit subdivisions or land developments which do not conform to this Ordinance.

#### Section 301.2 Jefferson County Planning Department

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

#### Section 301.3 Jefferson County Planning Commission

1. The Planning Commission shall have authority to review and render decisions on applications and plans for Major Subdivisions and Major Land Developments.
2. The Planning Commission shall have authority to review and render decisions for all Subdivisions or Land Developments that include requests for modifications or waivers, and for all Subdivisions or Land Developments for which decisions include conditions.

### SECTION 302 FEES

All applications for subdivisions and land developments submitted to the Planning Department

shall be accompanied by payment of fees prescribed by a schedule established and adopted by resolution of the Jefferson County Board of Commissioners. Fees may include costs allowed by and shall meet requirements of the Municipalities Planning Code. No plan shall be considered filed, and no plan shall be considered for action by the Planning Department or Planning Commission, unless all fees and charges are paid in full.

#### Section 302.1 Review fee

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

#### Section 302.2 Inspection fee

The fee schedule may prescribe inspection fees to cover the reasonable and necessary expenses incurred in connection with the inspection of any improvements required by this Ordinance to be installed with a subdivision or land development.

#### Section 302.3 Disputes

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

### SECTION 303 MODIFICATIONS AND WAIVERS

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

#### Section 303.1 Criteria

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

1. Hardship: The literal enforcement of one or more requirements in this Ordinance will cause undue hardship because of peculiar conditions pertaining to the land in question and the modification or waiver is the minimum necessary to afford relief. The burden of the proof of hardship lies on the applicant and must be demonstrated to the satisfaction of the Planning Commission. Or,
2. Alternative: An alternative standard can be demonstrated to the satisfaction of the Planning Commission, with input from the County Engineer where appropriate, to provide equal or better results.

#### Section 303.2 Request in writing

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

### Section 303.3 Decisions

All decisions on modifications and waivers shall be rendered by the Planning Commission.

### SECTION 304 AMENDMENTS TO ORDINANCE

The Jefferson County Board of Commissioners may at its discretion amend this Ordinance by appropriate action taken in accordance with the Municipalities Planning Code. The Planning Commission may propose and submit amendments for consideration by the Board of Commissioners. Any proposed amendment not submitted by the Planning Commission which the Board of Commissioners may consider shall be referred to the Planning Commission for review and recommendation.

### SECTION 305 ENFORCEMENT

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

## ARTICLE 4 APPLICATION AND REVIEW PROCEDURES

### SECTION 401 APPLICABILITY

The procedures for application submission, review, and decision in this section shall apply to Preliminary and Final Plans for all Subdivisions and Land Developments regulated by this Ordinance. The developer shall be responsible for observing the procedures established in this Article, and for submitting all plans and documents as may be required by this Ordinance.

### SECTION 402 TYPES OF SUBDIVISIONS AND LAND DEVELOPMENTS

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

| TABLE 402 – TYPES OF SUBDIVISIONS AND LAND DEVELOPMENTS                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                             |                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|----------------------|
| Type                                                                                                                                                                                          | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Submission                  | Decision by          |
| Minor Subdivision                                                                                                                                                                             | A subdivision as defined by this Ordinance which includes creation of up to five (5) lots and/or other divisions of land, including lot line revisions, lot consolidations, and adjoiner lots, and which does not include installation of improvements required by this Ordinance.                                                                                                                                                                                                                        | Final Plan                  | Planning Department* |
| Major Subdivision                                                                                                                                                                             | A subdivision as defined by this Ordinance which includes creation of six (6) or more lots or other divisions of land and/or includes installation of improvements required by this Ordinance.                                                                                                                                                                                                                                                                                                            | Preliminary and Final Plans | Planning Commission  |
| Minor Land Development                                                                                                                                                                        | A land development as defined by this Ordinance which includes a single structure on a single lot, either new, expanded, or altered in a manner that necessitates compliance with this Ordinance, which meets all of the following criteria:<br>(1) does not include non-agricultural earth disturbance of one (1) acre or more<br>(2) does not create new impervious area of more than five-thousand (5,000) square feet<br>(3) does not involve installation of improvements required by this Ordinance | Final Plan                  | Planning Department* |
| Major Land Development                                                                                                                                                                        | A land development as defined by this Ordinance which includes all land developments not meeting criteria for a minor land development.                                                                                                                                                                                                                                                                                                                                                                   | Preliminary and Final Plans | Planning Commission  |
| *Where a decision on a Minor Subdivision or Minor Land Development includes conditions or involves a request for a modification or waiver, the Planning Commission shall render the decision. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                             |                      |

## SECTION 403 GENERAL REQUIREMENTS

### Section 403.1 Minor Subdivision limit

An applicant shall not be granted approval of a total of more than five (5) building lots from one parent tract by multiple separate Minor Subdivision applications in a five-year period beginning the date of filing of the first application for a subdivision from a parent tract. Upon submission of an application including a sixth (6th) building lot from a parent tract within the afore-prescribed five-year period, the application shall be considered a Major Subdivision and shall meet submission requirements for a Major Subdivision. No lot created from a parent tract shall itself be considered a separate parent tract until after the expiration of the five-year period beginning the date of filing of the first application for a subdivision from the original parent tract. Lot line revisions and adjoiner lots shall not count toward the five building lot limit specified herein.

### Section 403.2 Combined Preliminary and Final Plan

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

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

### Section 403.3 Final Plan conformance to Preliminary Plan

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

### Section 403.4 Final Plan in sections

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

## SECTION 404 ADVISORY MEETING

### Section 404.1 Requests for an advisory meeting

A prospective applicant or the Planning Department or Planning Commission may request a pre-application advisory meeting to provide an early exchange of information about a development and the applicable regulations of this Ordinance, and to expedite the application and review process. At the mutual consent of the parties, the prospective applicant may meet with the Planning Department and/or attend a meeting of the Planning Commission.

### Section 404.2 Sketch plan

At the advisory meeting, the prospective applicant may present a sketch plan and information

showing land characteristics, the number and sizes of lots, proposed public improvements, and other information about elements of the proposed subdivision or land development.

#### Section 404.3 Advisory purpose

The preparation or discussion of a sketch plan or other maps or renderings does not constitute a filing of either a Preliminary or Final Plan. Advisory meeting discussions are advisory only and shall not bind Jefferson County to commence a formal review or to approve any proposed plan.

### SECTION 405 SUBDIVISION AND LAND DEVELOPMENT REVIEW PROCEDURES

#### Section 405.1 Application submission

Applications for Preliminary Plans and Final Plans shall be submitted to the Planning Department on a form provided for that purpose by the Department.

#### Section 405.2 Notification to municipality

Upon receipt of an application for a subdivision or land development, the Planning Department shall notify the host municipality and forward a copy of the plan for its review.

#### Section 405.3 Application review

1. The Planning Department shall review the application for completeness and determine if all plans, information, documentation, endorsements, and the application fee required by this Ordinance have been submitted. The Department shall notify the applicant within seven (7) days of receipt if the application is complete and accepted or incomplete and not accepted. An application shall not be accepted as filed until it is found by the Planning Department to be complete.
2. The Planning Department shall review the application for compliance with the requirements, standards, and criteria of this Ordinance.
3. For applications for Major Subdivisions and Major Land Developments, the Planning Department shall provide a report of compliance to the Planning Commission noting any elements of the proposed subdivision or land development that do not comply with this Ordinance.
4. Where an application involves engineering matters, the Planning Department or Planning Commission may request review by the County Engineer for conformance with this Ordinance and standard engineering practices.

### SECTION 406 SUBDIVISION AND LAND DEVELOPMENT DECISIONS

#### Section 406.1 Decisions

The Planning Department or Planning Commission, as appropriate following Sections 301.2 and 301.3, shall render one of the following decisions:

1. Approve an application which complies with the requirements, standards, and criteria of

this Ordinance and for which modifications or waivers were granted by the Planning Commission where appropriate.

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

#### Section 406.2 Decision timing and communication

1. A decision shall be rendered and communicated to the applicant not later than ninety (90) days following the date of the regular meeting of the Planning Commission next following the date the application is considered filed in accordance with Section 405.3, provided that should the next regular meeting occur more than thirty (30) days following the filing of the application, the said 90-day period shall be measured from the thirtieth (30<sup>th</sup>) day following the date the application is considered filed.
2. The decision shall be in writing and shall be communicated to the applicant personally or mailed to the applicant's last known address not later than fifteen (15) days following the decision.
3. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements that have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon.
4. When the application is approved with conditions, the decision shall specify the conditions being imposed. The conditions must be accepted by the applicant in writing within fifteen (15) days of the date the decision was communicated personally or mailed to the applicant. If the applicant rejects or fails to accept the conditions, the conditional approval shall be automatically rescinded and the application denied.
5. A copy of the written decision shall be forwarded to the host municipality at the time it is delivered or mailed to the applicant.

#### Section 406.3 Failure to render decision

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

### SECTION 407 FINAL PLAN SIGNATURE AND RECORDING

#### Section 407.1 Signature

1. Upon approval of a Final Plan, the Planning Director is authorized to and shall sign the

Final Plan indicating approval. If the Final Plan was approved with conditions, the Planning Director shall not sign the plan until after compliance with and completion of conditions imposed for approval.

2. The Planning Commission may designate other staff in the Planning Department or an officer of the Planning Commission to sign indicating approval of a Final Plan in the absence of the Planning Director.

#### Section 407.2 Recording

1. Upon the approval of a Final Plan, the developer shall, within ninety (90) days of such final approval, or ninety days (90) after the date of delivery of an approved Final Plan signed by the Planning Director or authorized designee following completion of conditions imposed for such approval, whichever is later, record such Final Plan in the Office of the Jefferson County Recorder of Deeds.
2. No subdivision or land development plan within municipalities under the jurisdiction of the Jefferson County Subdivision and Land Development ordinance shall be accepted by the Jefferson County Recorder of Deeds for recording unless the plan indicates official approval by the signature of the Planning Director or authorized designee, and the date of approval.
3. In the event that an approved Final Plan is not recorded within the required ninety (90) day period, said approval shall be deemed voided and rescinded and the plan must be resubmitted if approval is sought by the applicant.

#### SECTION 408 MUNICIPALITIES WITH SUBDIVISION AND LAND DEVELOPMENT ORDINANCES

Plans for subdivisions and land developments located within a municipality which has enacted its own Subdivision and Land Development Ordinance are to be submitted to said municipality for review and approval under the requirements of its ordinance, provided:

1. In accord with the Municipalities Planning Code, said plans shall be forwarded upon receipt by the municipality to the Jefferson County Planning Department. The Planning Department shall review the forwarded plans and submit a report of comments and/or recommendations to the municipality within thirty (30) days of receipt of the forwarded plans. The Planning Department may consult with the Jefferson County Planning Commission in preparing its report.
2. In accord with the Municipalities Planning Code, said plans shall not be accepted by the Jefferson County Recorder of Deeds for recording unless said plans officially note, by signature of the Planning Director or authorized designee, the review by the Jefferson County Planning Department.

## ARTICLE 5 PLAN SUBMISSION REQUIREMENTS

### SECTION 501 PRELIMINARY PLANS

A Preliminary Plan shall be submitted for all Major Subdivisions and Major Land Developments.

#### Section 501.1 Required Content and Information

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

|                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                  |   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| <b>The checklist below identifies the contents and information which must be submitted with a Preliminary Plan. Failure to provide required information may result in rejection of the application.</b> |                                                                                                                                                                                                                                                                                                                                                                  | ✓ |
| <b>A. Plans shall be professionally prepared according to the following specifications</b>                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                  |   |
| 1.                                                                                                                                                                                                      | Plans shall be drawn at a scale no smaller than one inch equals fifty feet (1"=50'), except that plans may be drawn at a scale of one inch equals one hundred feet (1"=100') or smaller upon approval of the Planning Department where necessary due to the size of the subdivision or land development and where required information can be legibly presented. |   |
| 2.                                                                                                                                                                                                      | Plan sheets shall be a size appropriate to legibly present required plan information, and no smaller than 8½"x11" and no larger than 24"x36". All plan sheets shall be the same size and numbered relative to the total number of sheets. Match line data shall be shown where a plan extends across more than one sheet.                                        |   |
| 3.                                                                                                                                                                                                      | Plans shall be drawn and surveys performed in conformance with the act of May 23, 1945 (P.L. 913, No. 367), known as the "Engineer, Surveyor, and Geologists Registration Act," and accepted surveying and civil engineering practices. Plans shall contain the signature and seal of the professional that prepared the plan.                                   |   |
| 4.                                                                                                                                                                                                      | One (1) print of the plan drawing(s) with original signatures and certifications and one (1) copy shall be submitted on paper. A copy of the plan drawing(s) and accompanying required information, reports, and documentation shall be submitted electronically in a format which shall be prescribed by the Planning Department.                               |   |
| <b>B. The following information shall be included on a Preliminary Plan drawing or submitted separately where not practical to be shown on the plan drawing</b>                                         |                                                                                                                                                                                                                                                                                                                                                                  |   |
| 1.                                                                                                                                                                                                      | Title block including:                                                                                                                                                                                                                                                                                                                                           |   |
|                                                                                                                                                                                                         | a. Name of proposed subdivision or land development including the words "Preliminary Plan".                                                                                                                                                                                                                                                                      |   |
|                                                                                                                                                                                                         | b. Location by municipality, county, and state.                                                                                                                                                                                                                                                                                                                  |   |
|                                                                                                                                                                                                         | c. Name(s) and address(es) of the owner(s).                                                                                                                                                                                                                                                                                                                      |   |
|                                                                                                                                                                                                         | d. Name and address of the Registered Professional that prepared the plan.                                                                                                                                                                                                                                                                                       |   |
|                                                                                                                                                                                                         | e. Original date of the plan and date(s) of any revision(s).                                                                                                                                                                                                                                                                                                     |   |

|     |                                                                                                                                                                                                                                                                                                                                                                  |  |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 2.  | North point, scale displayed in graphic and written form, and legend with all mapping symbols used.                                                                                                                                                                                                                                                              |  |
| 3.  | Vicinity map showing the proposed subdivision or land development in relation to surrounding features including municipal boundaries, existing and proposed roads or streets, other significant developments, and major physical features.                                                                                                                       |  |
| 4.  | For the tract to be subdivided or developed, county parcel ID number, existing property lines, and existing easements and rights-of-way and the purpose for which they have been established.                                                                                                                                                                    |  |
| 5.  | Owners' names and county parcel ID numbers of abutting properties.                                                                                                                                                                                                                                                                                               |  |
| 6.  | Contour lines at vertical intervals of a minimum of twenty (20) feet for subdivisions and land developments that do not involve new streets and/or grading. Contour lines at vertical intervals of a minimum of five (5) feet for subdivisions and land developments that involve new streets and/or grading. Plans must show contours before and after grading. |  |
| 7.  | Existing man-made features including:                                                                                                                                                                                                                                                                                                                            |  |
|     | a. Streets including name, route number, right-of-way widths, cartway widths, culverts, and bridges.                                                                                                                                                                                                                                                             |  |
|     | b. Buildings, parking areas, driveways, and land use.                                                                                                                                                                                                                                                                                                            |  |
|     | c. Sanitary sewers, water mains and fire hydrants, and drainage and stormwater management facilities.                                                                                                                                                                                                                                                            |  |
|     | d. Utility lines, petroleum product lines, and oil and natural gas wells and related features.                                                                                                                                                                                                                                                                   |  |
|     | e. Benchmarks.                                                                                                                                                                                                                                                                                                                                                   |  |
| 8.  | Existing natural features including:                                                                                                                                                                                                                                                                                                                             |  |
|     | a. Watercourses and wetland areas.                                                                                                                                                                                                                                                                                                                               |  |
|     | b. Soil types as identified by the USDA NRCS Web Soil Survey.                                                                                                                                                                                                                                                                                                    |  |
|     | c. Identified FEMA floodplains.                                                                                                                                                                                                                                                                                                                                  |  |
|     | d. Tree masses and other significant vegetation features.                                                                                                                                                                                                                                                                                                        |  |
| 9.  | For subdivisions, proposed lots including:                                                                                                                                                                                                                                                                                                                       |  |
|     | a. Proposed layout and dimensions of lots.                                                                                                                                                                                                                                                                                                                       |  |
|     | b. The total area of each lot.                                                                                                                                                                                                                                                                                                                                   |  |
|     | c. Lot numbers.                                                                                                                                                                                                                                                                                                                                                  |  |
| 10. | For land developments, proposed:                                                                                                                                                                                                                                                                                                                                 |  |
|     | a. Buildings and structures including location and configuration, ground level floor area, total floor area, number of stories, use, and number and types of dwelling units.                                                                                                                                                                                     |  |
|     | b. Points of access from adjacent streets or roads, internal driveways and circulation pattern, and parking areas.                                                                                                                                                                                                                                               |  |
|     | c. Walkways and pedestrian circulation.                                                                                                                                                                                                                                                                                                                          |  |
|     | d. Preliminary schematic information on landscaping and screening.                                                                                                                                                                                                                                                                                               |  |
|     | e. Preliminary schematic information on outdoor lighting.                                                                                                                                                                                                                                                                                                        |  |

|     |                                                                                                                                                                                                                                                                                                |  |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|     | f. For mobile home parks, layout of mobile home lots.                                                                                                                                                                                                                                          |  |
|     | g. For campgrounds, layout of camping sites.                                                                                                                                                                                                                                                   |  |
|     | h. For high impact land developments, an impact statement assessing environmental, cultural, and viewshed impacts.                                                                                                                                                                             |  |
| 11. | Proposed streets including:                                                                                                                                                                                                                                                                    |  |
|     | a. Proposed names of streets.                                                                                                                                                                                                                                                                  |  |
|     | b. Location and width of rights-of-way.                                                                                                                                                                                                                                                        |  |
|     | c. Location and width of cartways.                                                                                                                                                                                                                                                             |  |
|     | d. Location and width of any sidewalks.                                                                                                                                                                                                                                                        |  |
| 12. | General description of proposed easements, rights-of-way, deed restrictions, or covenants affecting development and use of the tract.                                                                                                                                                          |  |
| 13. | Proposed sanitary sewerage including:                                                                                                                                                                                                                                                          |  |
|     | a. Identification of lots that will be served by on-lot sewage disposal facilities, and lots proposed to be non-building lots.                                                                                                                                                                 |  |
|     | b. A preliminary plan of the public sanitary sewerage system, if proposed, including an ability to serve letter from the system provider.                                                                                                                                                      |  |
| 14. | A preliminary plan of the public water distribution system, if proposed, including an ability to serve letter from the system provider.                                                                                                                                                        |  |
| 15. | Narrative indicating that municipal stormwater management, NPDES, and erosion and sedimentation requirements will be met.                                                                                                                                                                      |  |
| 16. | Where the preliminary plan covers only a part of the applicant's entire holding and the applicant has intentions for further development, the applicant shall submit a description of the prospective development of the remainder of the land.                                                |  |
| 17. | If the applicant intends to undertake and complete proposed improvements required by this Ordinance after preliminary plan approval and prior to final plan submission, the applicant shall submit engineering and construction information required by Section C of the Final Plan Checklist. |  |

## SECTION 502 FINAL PLANS

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

### Section 502.1 Required Content and Information

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

|                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                  |   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| <b>The checklist below indicates the contents and information which must be submitted with a Final Plan. Failure to provide required information may result in rejection of the application.</b> |                                                                                                                                                                                                                                                                                                                                                                  | ✓ |
| <b>A. Plans shall be professionally prepared according to the following specifications</b>                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                  |   |
| 1.                                                                                                                                                                                               | Plans shall be drawn at a scale no smaller than one inch equals fifty feet (1"=50'), except that plans may be drawn at a scale of one inch equals one hundred feet (1"=100') or smaller upon approval of the Planning Department where necessary due to the size of the subdivision or land development and where required information can be legibly presented. |   |
| 2.                                                                                                                                                                                               | Plan sheets shall be a size appropriate to legibly present required plan information, and no smaller than 8½"x11" and no larger than 24"x36". All plan sheets shall be the same size and numbered relative to the total number of sheets. Match line data shall be shown where a plan extends across more than one sheet.                                        |   |
| 3.                                                                                                                                                                                               | Plans shall be drawn and surveys performed in conformance with the act of May 23, 1945 (P.L. 913, No. 367), known as the "Engineer, Surveyor, and Geologists Registration Act," and accepted surveying and civil engineering practices. Plans shall contain the signature and seal of the professional that prepared the plan.                                   |   |
| 4.                                                                                                                                                                                               | One (1) print of the plan drawing(s) with original signatures and certifications and one (1) copy shall be submitted on paper. A copy of the plan drawing(s) and accompanying required information, reports, and documentation shall be submitted electronically in a format which shall be prescribed by the Planning Department.                               |   |
| <b>B. The following information shall be included on a Final Plan drawing or submitted separately where not practical to be shown on the plan drawing</b>                                        |                                                                                                                                                                                                                                                                                                                                                                  |   |
| 1.                                                                                                                                                                                               | Title block including:                                                                                                                                                                                                                                                                                                                                           |   |
|                                                                                                                                                                                                  | a. Name of proposed subdivision or land development including the words "Final Plan".                                                                                                                                                                                                                                                                            |   |
|                                                                                                                                                                                                  | b. Location by municipality, county, and state.                                                                                                                                                                                                                                                                                                                  |   |
|                                                                                                                                                                                                  | c. Name(s) and address(es) of the owner(s).                                                                                                                                                                                                                                                                                                                      |   |
|                                                                                                                                                                                                  | d. Name and address of the Registered Professional that prepared the plan.                                                                                                                                                                                                                                                                                       |   |
|                                                                                                                                                                                                  | e. Original date of the plan and date(s) of any revision(s).                                                                                                                                                                                                                                                                                                     |   |
| 2.                                                                                                                                                                                               | North point, scale displayed in graphic and written form, and legend with all mapping symbols used.                                                                                                                                                                                                                                                              |   |
| 3.                                                                                                                                                                                               | Vicinity map showing the proposed subdivision in relation to surrounding features including municipal boundaries, existing and proposed roads or streets, other significant developments, and major physical features.                                                                                                                                           |   |

|    |                                                                                                                                                                                                        |  |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 4. | For the tract to be subdivided, county parcel ID number, existing property lines, and existing easements and rights-of-way and the purpose for which they have been established.                       |  |
| 5. | Owners' names and county parcel ID numbers of abutting properties.                                                                                                                                     |  |
| 6. | Existing man-made features including:                                                                                                                                                                  |  |
|    | a. Streets including name, route number, right-of-way widths, cartway widths, culverts, and bridges.                                                                                                   |  |
|    | b. Buildings, parking areas, driveways, and land use.                                                                                                                                                  |  |
|    | c. Sanitary sewers, water mains and fire hydrants, and drainage and stormwater management facilities.                                                                                                  |  |
|    | d. Utility lines, petroleum product lines, and oil and natural gas wells and related features.                                                                                                         |  |
|    | e. Benchmarks.                                                                                                                                                                                         |  |
| 7. | Existing natural features including:                                                                                                                                                                   |  |
|    | a. Watercourses and wetland areas.                                                                                                                                                                     |  |
|    | b. Identified FEMA floodplains                                                                                                                                                                         |  |
|    | c. Tree masses and other significant vegetation features.                                                                                                                                              |  |
| 8. | For subdivisions, proposed lots including:                                                                                                                                                             |  |
|    | a. Lot boundaries with distances displayed in feet and decimal parts thereof; bearings displayed in degrees, minutes, and seconds; and locations of monuments and markers.                             |  |
|    | b. The total area of each lot.                                                                                                                                                                         |  |
|    | c. Lot numbers.                                                                                                                                                                                        |  |
|    | d. The latitude and longitude to the nearest 0.1 second for at least one point on the plan, with the method of determination indicated on the plan.                                                    |  |
| 9. | For proposed land developments:                                                                                                                                                                        |  |
|    | a. Proposed buildings and structures including location and configuration, ground level floor area, total floor area, number of stories, height, proposed use, and number and types of dwelling units. |  |
|    | b. Points of access from adjacent streets or roads, internal driveways and circulation pattern, and parking areas with spaces shown and number of spaces indicated.                                    |  |
|    | c. Walkways and pedestrian circulation.                                                                                                                                                                |  |
|    | d. Detailed landscaping and screening plan.                                                                                                                                                            |  |
|    | e. Detailed outdoor lighting plan.                                                                                                                                                                     |  |
|    | f. For mobile home parks, proposed layout of mobile home lots.                                                                                                                                         |  |
|    | g. For campgrounds, including recreational vehicle parks, proposed layout of camping sites.                                                                                                            |  |
|    | h. For high impact land developments, a combined management and decommissioning plan.                                                                                                                  |  |

|                                                                                                                                                       |                                                                                                                                                                                                                      |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 10.                                                                                                                                                   | Proposed streets including:                                                                                                                                                                                          |  |
|                                                                                                                                                       | a. Names of streets including documentation of approval by the host municipality and conformance with the Jefferson County requirements.                                                                             |  |
|                                                                                                                                                       | b. Location and width of rights-of-way.                                                                                                                                                                              |  |
|                                                                                                                                                       | c. Location and width of cartways.                                                                                                                                                                                   |  |
|                                                                                                                                                       | d. Location and width of any sidewalks.                                                                                                                                                                              |  |
| 11.                                                                                                                                                   | Proposed easements and rights-of-way with purposes indicated.                                                                                                                                                        |  |
| 12.                                                                                                                                                   | Proposed deed restrictions or covenants affecting development and use of the tract.                                                                                                                                  |  |
| 13.                                                                                                                                                   | Proposed sanitary sewerage including:                                                                                                                                                                                |  |
|                                                                                                                                                       | a. Proposed location and type of on-lot sewage disposal facilities including documentation of Act 537 planning approval for each lot, or documentation of non-building waiver and accompanying notation on the plan. |  |
|                                                                                                                                                       | b. A plan of the public sanitary sewerage system, if proposed, including an ability to serve letter from the system provider.                                                                                        |  |
| 14.                                                                                                                                                   | A plan of the public water distribution system, if proposed, including an ability to serve letter from the system provider.                                                                                          |  |
| 15.                                                                                                                                                   | Documentation that municipal stormwater management, NPDES, and erosion and sedimentation requirements have or will be met.                                                                                           |  |
| 16.                                                                                                                                                   | Certifications, seals, and signatures in accord with Section 502.2 of this Ordinance.                                                                                                                                |  |
| <b>C. Plans shall include the following construction drawings and accompanying documentation for proposed improvements required by this Ordinance</b> |                                                                                                                                                                                                                      |  |
| 1.                                                                                                                                                    | Profiles for proposed streets with horizontal and vertical alignments.                                                                                                                                               |  |
| 2.                                                                                                                                                    | Typical cross-sections for proposed streets.                                                                                                                                                                         |  |
| 3.                                                                                                                                                    | Design plans for bridges, culverts, and street drainage.                                                                                                                                                             |  |
| 4.                                                                                                                                                    | Developer's agreement committing to installation of improvements.                                                                                                                                                    |  |
| 5.                                                                                                                                                    | Documentation of appropriate financial security where improvements are proposed to be installed after Final Plan approval.                                                                                           |  |
| 6.                                                                                                                                                    | Documentation of offer by the applicant and acceptance by the municipality where improvements are to be dedicated and become publicly owned and maintained by the host municipality.                                 |  |
| 7.                                                                                                                                                    | Appropriate agreements, covenants, and/or deed restrictions ensuring perpetual ownership and maintenance where improvements are to be privately owned and maintained.                                                |  |

Section 502.2 Required certificates, acknowledgements, and approvals

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

OWNER'S CERTIFICATION

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

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

\_\_\_\_\_  
(Owner signature)

\_\_\_\_\_  
(Owner signature)

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF JEFFERSON

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

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

WITNESS MY HAND AND NOTARIAL SEAL this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Notary Public) SEAL

My commission expires the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

PROFESSIONAL CERTIFICATION

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

\_\_\_\_\_  
(Professional's Name) SEAL  
\_\_\_\_\_  
(Professional's Registration No.)  
\_\_\_\_\_  
(Date)

JEFFERSON COUNTY PLANNING DEPARTMENT OR COMMISSION APPROVAL

The foregoing plan shown hereon was approved by the Jefferson County Planning  
Department or Commission the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Jefferson County Planning Director or authorized designee) SEAL

PROOF OF RECORDING

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF JEFFERSON

Recorded in the Office of the Recorder of Deeds of said County and Commonwealth, in Plan  
Book Volume \_\_\_\_\_ Page(s) \_\_\_\_\_.

Given under my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Jefferson County Recorder of Deeds)

## ARTICLE 6 DESIGN REQUIREMENTS

### SECTION 601 APPLICATION OF STANDARDS

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

### SECTION 602 GENERAL REQUIREMENTS

#### Section 602.1 Suitability and compatibility

1. Comprehensive plan – The design of any subdivision or land development plan shall generally conform to the Jefferson County Comprehensive Plan and any adopted municipal comprehensive plan.
2. Zoning – The proposed use of land in a subdivision or land development plan shall comply with any applicable municipal zoning ordinance.
3. Hazard areas – Those areas which may be subject to hazards, such as fire, flood, landslides, unstable surface conditions, or other hazards identified in the Jefferson County Hazard Mitigation Plan should not be subdivided or developed for building purposes unless the hazards have been eliminated, mitigated, or safeguarded by means designed by an appropriate professional.
4. Natural features – Subdivisions and land developments shall be designed to avoid excessive movement of earth and to avoid excessive disturbance of natural features, vegetation, waterways, public water supply recharge areas, historic sites, and other community assets and landmarks.
5. Nearby development – Subdivisions and land developments shall be designed to be harmonious and coordinated with the character, traffic movement, drainage, and other features of nearby neighborhoods and developments and the community as a whole.
6. Access – Subdivisions and land developments shall be done in a manner that will not bar adjacent property owners from access to public streets and/or private rights-of-way or access easements or otherwise preclude the development of surrounding land areas.
7. The Planning Department or Planning Commission, where there is cause to believe a negative impact may occur, may require an applicant to submit documentation of conformance with the above general requirements.

#### Section 602.2 Pennsylvania Wilds Design Guide

1. Applicants shall consult the Pennsylvania Wilds Design Guide and consider applying its design principles, themes, and best practices in the design of a subdivision or land development. Applicants shall be found to have made a good faith effort considering the Design Guide if they participate in an advisory meeting as provided for in Section 404 to discuss applicable Design Guide principles, themes, and best practices.

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

## SECTION 603 LOT REQUIREMENTS

### Section 603.1 General provisions

1. Lots shall be sufficient in size and shape to accommodate the proposed development or use, preserve long-term usability, minimize encroachment of development on non-buildable or constrained lands such as utility lines, water bodies, wetlands, floodplains, or steep slopes, and ensure adequate access and circulation of vehicles and pedestrians.
2. Every lot in a subdivision shall abut an existing street, a street proposed in the same subdivision plan proposing the lot, or a proposed private common driveway as provided for in Section 603.4.
3. Side lot lines shall be generally at right angles or radial to street lines.
4. Any remnant of land left after subdividing shall meet requirements for lot dimensions and shall abut on a street or private common driveway as specified in this Ordinance unless it is proposed to be conveyed as an adjoiner in accord with paragraph 5. below.
5. A proposed lot not meeting the requirements of this Ordinance for minimum lot dimensions, for abutting a street or private common driveway, or for providing suitable sanitary sewerage, and intended to be conveyed and adjoined to an adjacent property, is permitted, provided the following note shall be placed on the plan: *Lot #\_\_\_ is not a separate building lot and is to be conveyed and become part of adjoining land of (name of landowner)*. Both the lot created in effect by combination with an adjoiner and the remnant lot shall comply with applicable lot dimension requirements.

### Section 603.2 Lot Area, Width, and Setback Requirements

1. Where located in a municipality without a zoning ordinance, lots in proposed subdivisions and land developments shall comply with the area, width, and setback standards of Table 603.2.

| TABLE 603.2 – LOT AREA, WIDTH, AND SETBACK STANDARDS |                                                |                               |                                   |
|------------------------------------------------------|------------------------------------------------|-------------------------------|-----------------------------------|
|                                                      | Lots served with public water and public sewer | Lots served with public sewer | Lots not served with public sewer |
| Minimum area                                         | 7,500 square feet                              | 15,000 square feet            | One (1) acre                      |
| Minimum width at front building setback              | 50 feet                                        | 80 feet                       | 120 feet                          |
| Minimum front building setback                       | 20 feet                                        | 30 feet                       | 40 feet                           |

2. Where located in a municipality with a zoning ordinance, lots in proposed subdivisions

and land developments shall comply with the area, width, and setback standards in the zoning ordinance of the municipality, and the standards of Table 603.2 shall not apply.

3. The Planning Commission may condition approval on requiring a larger lot size where necessary, based on a report from the municipal sewage enforcement officer, to adequately accommodate an individual on-lot sewage disposal system.
4. The Planning Commission may grant modifications to these standards to allow a proposed subdivision or land development to be compatible with the character of existing development in the surrounding neighborhood.

### Section 603.3 Flag lots

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

1. The access strip shall be a fee-simple part of the flag lot, and shall not be a separate parcel, right-of-way, or easement, and shall not be used for any purpose other than the location of an access driveway.
2. The access strip shall connect directly to an existing street or a street proposed in the same subdivision plan proposing the flag lot.
3. The access strip shall have a minimum width of twenty-five (25) feet where the main body of the flag lot is two (2) or less acres in size and a minimum width of fifty (50) feet where the main body of the flag lot is over two (2) acres in size.

### Section 603.4 Private common driveways

Private common driveways as defined by this Ordinance shall be permitted and exempt from any street design or improvement requirements of this Ordinance under the following conditions.

1. Private common driveways shall be limited to provide service to and access by a maximum of three (3) lots. A land development as defined by this Ordinance shall not be permitted on a lot served by a private common driveway.
2. All lots served by private common driveways shall front on the private common driveway. Flag lots off a private common driveway are prohibited.
3. Private common driveways shall have a minimum right-of-way of fifty (50) feet.
4. Private common driveways shall connect directly to an existing street or a street proposed in the same subdivision plan proposing the private common driveway.
5. No lots in addition to the maximum of three (3) shall be approved until the private common driveway is upgraded to meet the specifications for a street prescribed in this Ordinance.
6. Ownership and maintenance of private common driveways approved under this Ordinance shall be the responsibility of abutting property owners. A right-of-way, use,

and maintenance agreement indicating compliance with this provision shall be submitted with the subdivision application.

7. A statement shall be placed on the plat stating *“The private common driveway shown on this plan is for the purpose of access to the lots shown. This is not a private or public street. No further subdivision creating lots in excess of three (3) served by and accessing this private common driveway shall be permitted until the private common driveway is upgraded to meet the street standards in effect at that time.”*

## SECTION 604 STREETS

### Section 604.1 General requirements

1. Proposed streets which are to be dedicated and accepted by a municipality shall be designed and constructed by the developer according to the standards and specifications of the host municipality, or according to the standards of this Ordinance where the host municipality has no applicable street standards and specifications or where requested by the host municipality.
2. Proposed streets which are to be privately owned and maintained and not dedicated and accepted by a municipality shall be designed and constructed by the developer according to the standards of this Ordinance.

### Section 604.2 Planning

1. Proposed streets shall be consistent with Jefferson County’s and the host municipality’s adopted comprehensive plans, and any municipal, county, regional, and state road and highway plans that have been officially adopted and/or filed as prescribed by law.
2. Streets shall be logically related to the topography to achieve usable lots and reasonable grades, and to minimize earth moving and disturbance of natural features.
3. All proposed streets, both public and private, shall connect to and have access to a public or private street with a permit or approval for connection and access granted by the governmental or private entity that owns and maintains the street.
4. Dead end streets shall be prohibited except where designed as a permanent cul-de-sac street. A temporary dead end may be permitted where future extension of the street is proposed to connect to an authorized future phase of development or to an adjoining property. A temporary dead end street shall include a temporary all weather turnaround.

### Section 604.3 Street design standards

1. Proposed streets which are classified as local streets according to the definition in this Ordinance shall be designed and constructed according to the applicable criteria and standards in Table 604.3.1 – Local Street Design Standards and Table 604.3.2 – Local Street Construction Standards.

| TABLE 604.3.1 – LOCAL STREET DESIGN STANDARDS |          |
|-----------------------------------------------|----------|
|                                               | Standard |
| Right of Way Width minimum (ft)               | 50       |
| Lane Width minimum (ft)                       | 10       |
| Cartway Width With Curb minimum (ft)          | 24       |
| Cartway Width No Curb minimum (ft)            | 20       |
| Shoulder Width minimum (ft)                   | 2        |
| Curb Return Radius (ft)                       | 15 to 35 |
| Cross Slope minimum                           | 2%       |
| Cross Slope maximum                           | 8%       |
| Vertical Grade minimum                        | 0.5%     |
| Vertical Grade maximum                        | 10%      |
| Operating Speed maximum                       | 25 MPH   |
| Centerline Curve Radius minimum               | 250 feet |
| Length Between Curves minimum                 | 100 feet |

| TABLE 604.3.2 – LOCAL STREET CONSTRUCTION STANDARDS |                    |                               |
|-----------------------------------------------------|--------------------|-------------------------------|
| Paving Course                                       | Paving Material    | Paving Section Thickness (in) |
| Wearing Course                                      | 9.5 mm WMA 64S-22  | 1.5                           |
| Base Course                                         | 25 mm WMA 64S-22   | 4.5                           |
| Subbase Course                                      | PennDOT 2A         | 6                             |
| Subgrade                                            | Proofrolled/Stable |                               |

- Proposed streets which are classified as arterial or collector streets according to the definition in this Ordinance shall be designed and constructed according to standards of the Pennsylvania Department of Transportation as prescribed in the current editions of Publication 13M Design Manual and Publication 408 Specifications.

#### Section 604.4 Street intersections

- Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another at any angle of less than sixty degrees.
- Intersections including more than four approach legs shall not be permitted.
- Clear sight triangles of seventy-five (75) feet measured each way from the centerline of the driver's position shall be provided at all intersections. No visual obstructions higher than thirty-six (36) inches shall be permitted within sight triangles other than street signs and light poles.
- Intersections on the same side of a street shall be separated by at least six hundred (600) feet measured from the edge of cartway.

5. Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of two hundred (200) feet as measured from the edge of pavement.
6. The grade of any street at the approach to an intersection shall not exceed four percent for a distance of twenty-five feet measured from the edge of the cartway.

#### Section 604.5 Cul-de-sac streets

1. Cul-de-sac streets, permanently designed as such, shall furnish access to not more than twenty dwelling units or in the case of commercial, industrial or institutional developments, less than eight hundred and fifty average daily vehicle trips. The minimum length of a cul-de-sac street shall be two hundred and fifty feet.
2. Cul-de-sac streets shall be provided at the closed end with a turn-around having a minimum radius to the outer cartway edge of forty-eight (48) feet, and right-of-way radius of at least fifty (50) feet and shall be functional.
3. Design and construction of cul-de-sac streets shall meet standards for street design and construction required in this Section.

#### Section 604.6 Street names

New public and private streets shall be assigned names in accord with the current Jefferson County Street Naming and Addressing Ordinance and Policy.

### SECTION 605 CURBS

#### Section 605.1 Where required

Curbs shall be installed on proposed streets when considered warranted by the Planning Commission for any of the following reasons:

1. To accommodate significant vehicular traffic, public safety, or adequate drainage due to the density, intensity, or type of area development.
2. To continue a consistent street design where a proposed street will connect to or extend an existing street with curbs.

#### Section 605.2 Standards

Curbs shall be vertical concrete type installed in accordance with PennDOT Publication 72, RC-64.

### SECTION 606 SIDEWALKS

#### Section 606.1 Where required

Sidewalks shall be installed along proposed streets when considered warranted by the Planning Commission for any of the following reasons:

1. To protect the public safety or to accommodate significant pedestrian traffic due to the

density, intensity, or type of area development.

2. To continue a sidewalk route or network where a proposed street will connect to or extend an existing street with sidewalks.

#### Section 606.2 Standards

Sidewalks shall have a minimum width of four (4) feet and be constructed of PennDOT Class A Concrete four (4) inches thick placed upon a minimum four (4) inch layer of PennDOT 2A, and have a minimum two (2) percent transverse slope to facilitate drainage.

### SECTION 607 EMERGENCY ACCESS REQUIREMENTS

All subdivisions or land developments containing more than twenty dwelling units or non-residential buildings containing twenty thousand or greater square feet of gross floor area shall provide at least two separate and distinct means of access to the subdivision or land development.

1. Access may be provided through the location of two or more public or private streets, each of which intersects with an existing public or private street. Such public or private streets shall meet all the requirements of this Ordinance concerning design and construction.
2. Access for a land development may be provided through two or more driveways into the land development. Such driveways shall be separated by a distance of at least one hundred and fifty feet and shall comply with all requirements of this Ordinance.

### SECTION 608 SANITARY SEWERS

All lots created through subdivision and all proposed land developments shall provide suitable sanitary sewer service.

#### Section 608.1 Connection to existing system

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

authority, or utility that owns the system.

3. Where sanitary sewer service will be provided by connection to a public sewer system, but the service area is not part of an existing Act 537 planning document, it shall be the applicant's responsibility to prepare an Act 537 plan update for review and approval by PADEP, and to submit documentation of approval with the subdivision or land development application.

#### Section 608.2 Existing system not available

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

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

#### Section 608.3 Non-Building Lots

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

### SECTION 609 WATER SUPPLY

#### Section 609.1 Connection to existing system

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

- b. The subdivision or land development is in a location or within a distance requiring connection according to the rules and regulations of the public water system provider.
2. Where water service will be provided by connection to a public water system, the applicant shall provide an ability to serve letter from the municipality, municipal authority, utility, or other entity that operates the system.

#### Section 609.2 Existing system not available

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

### SECTION 610 OTHER UTILITIES

1. Connection to, location of, and provision of easements or rights-of-way for natural gas, electric, cable, fiber optic and telephone, and other public utilities shall comply with requirements and standards of the applicable public utility company(ies).
2. Where any petroleum products, natural gas, or electric transmission line traverses a proposed subdivision or land development, the developer shall confer with the applicable transmission or distribution company to determine the minimum distance that shall be required between any structures and the centerline of such transmission line. Additionally, a letter from the owner of the transmission line stating any conditions on the use of the parcel and the right of way width, or a copy of the recorded agreement that shall contain the above data, shall be submitted with a preliminary plan application.

### SECTION 611 STORMWATER MANAGEMENT AND DRAINAGE

1. All subdivisions and land developments shall provide adequate stormwater management and drainage, including control of stormwater and discharges associated with construction activity, meeting applicable requirements of:
  - a. The stormwater management ordinance of the host municipality.
  - b. The National Pollution Discharge Elimination System (NPDES) permit for the development.
  - c. The Erosion and Sediment (E&S) Control Plan for the development.
2. The applicant shall submit with the subdivision or land development application

documentation indicating above requirements have been or will be met.

## SECTION 612 COMMUNITY WATER SUPPLY SOURCE RECHARGE AREAS

Any subdivision involving a new street or any nonresidential land development which is proposed to be located within an officially delineated source water recharge area for a community water supply shall provide an assessment, prepared by a qualified professional, of impact to the community water supply. The assessment shall provide evidence that the subdivision or land development will not cause adverse impact to water supply quality or quantity, or that the subdivision or land development will implement measures to mitigate any adverse impacts. The applicant shall obtain and provide with its application a satisfactory review letter from the licensed operator of the affected community water supply.

## SECTION 613 MONUMENTS AND MARKERS

### Section 613.1 Monuments

1. Monuments shall be set:
  - a. On at least two (2) points along the right-of-way of any proposed street.
  - b. On at least two (2) points on the perimeter boundary of a tract in which a major subdivision is proposed, placed at the intersection of lines forming angles in the perimeter boundary.
  - c. At such intermediate points as may be required by the Planning Commission.
2. Monuments shall be six (6) inches square or six (6) inches in diameter, twenty-four (24) inches long with a flat top and made of concrete. Monuments shall be marked with a minimum five-eighths (5/8) inch steel, copper, or brass dowel or drill hole. Poured-in-place or pre-cast concrete monuments shall be marked on top with an aluminum or brass cap.

### Section 613.2 Markers

1. Markers shall be set on all proposed lots and streets at points specified below, except where points are or will be monumented:
  - a. On proposed lots, at all lot angles and corners and at the beginning and end of all curves in lot lines.
  - b. On proposed streets, at angle points and at the beginning and end of all curves in street right-of-way lines.
2. Markers shall be a minimum five-eighths (5/8) inch square or a minimum five-eighths (5/8) inch in diameter, eighteen (18) to twenty-four (24) inches long and made of iron pipe or iron or steel bars. Markers should be capped with the survey company logo for future documentation.

## ARTICLE 7 LAND DEVELOPMENTS

### SECTION 701 APPLICATION OF STANDARDS

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

### SECTION 702 GENERAL REQUIREMENTS

Land developments shall provide to adjacent landowners adequate privacy, light, air, and protection from health and safety hazards and public nuisances through location and design of buildings and grounds.

### SECTION 703 DESIGN REQUIREMENTS FOR MAJOR LAND DEVELOPMENTS

Major Land Developments shall meet the following design standards and requirements.

#### Section 703.1 Driveways and parking

1. No driveway may be connected to a public right-of-way and no driveway connection to a public right-of-way may be altered without obtaining an access permit from PennDOT or the municipality as applicable.
2. Driveways shall be designed to provide safe and adequate access to a land development site in accord with the following:
  - a. Where a land development abuts two or more streets, driveways shall connect to the street on which access will present the least safety hazard and interruption of optimal traffic movement.
  - b. Sight distance shall be adequate to safely allow movements into or out of the access driveway.
  - c. Driveways shall not create a hazard to, or unduly interfere with movement of, vehicular traffic, pedestrians, or bicyclists on the abutting street.
  - d. Driveways shall not be designed or constructed to impair the ability to maintain the abutting street and right-of-way, or interfere with street signs, signals, detectors, lighting or other devices that affect traffic control.
3. Off-street parking shall be provided meeting the requirements and design standards prescribed in the municipal zoning or other ordinance. Where there are no municipal off-street parking requirements, off-street parking shall meet the following requirements:
  - a. Parking spaces shall be a minimum of nine feet (9') wide by eighteen feet (18') long exclusive of aisles or driveways.
  - b. Access to off-street parking areas shall be limited to well-defined locations. Aisles shall be provided so that vehicles do not enter parking spaces directly from a street or

its right-of-way and do not exit parking spaces directly onto a street or its right-of-way.

- c. Parking spaces and aisles shall be set back a minimum of fifteen (15) feet from street right-of-way lines and property boundaries.
- d. Parking lots and access drives leading to them shall be surfaced with a stabilized, dust-free, all-weather material placed over at least six inches of well-compacted and choked base course of crushed aggregate.

### Section 703.2 Landscaping

All Major Land Developments shall submit a landscaping plan and provide trees and other plantings to provide shade, noise-suppression, heat reduction, and energy efficiency; to provide a transition between adjoining properties; and to help manage stormwater runoff. Preserved existing vegetation may be included and will be considered in meeting this requirement.

### Section 703.3 Outdoor lighting

Major Land Developments shall prevent nuisance and glare from outdoor lighting as follows:

1. All lighting shall be aimed, located, designed, fitted, and maintained to not present a hazard to or impair the safe travel of drivers or pedestrians, and to not create a nuisance by projecting or reflecting objectionable light onto a neighboring use or property.
2. Glare control shall be achieved primarily through the use of such means as cutoff fixtures, shields and baffles, and appropriate application of fixture mounting height, wattage, aiming angle and fixture placement.
3. Directional fixtures illuminating façades, fountains, flags, landscaping, and similar features shall be aimed so as not to project their output over a greater spread than or beyond the objects intended to be illuminated.
4. The Planning Commission may require the applicant to submit a visual-impact plan that demonstrates compliance with the above requirements.

## SECTION 704 COMMERCIAL AND INDUSTRIAL LAND DEVELOPMENTS

1. Applicants for commercial and industrial land developments classified as Major Land Developments shall demonstrate that the land development will meet applicable health, safety, and environmental standards of local, state, and federal governments. Land developments shall be designed to create no health, safety, or welfare hazards to persons or property affected by the land development due to impacts including but not limited to noise, vibration, odor, toxic or noxious matter, heat, dust and fly ash, smoke, fire, explosion, chemicals, radio waves, or electronic disturbances.
2. Proposed commercial or industrial land developments classified as Major Land Developments abutting an existing residential land use shall provide screening along the property line abutting the residential use. Screening shall not be required where proposed land development features, including buildings, parking lots, equipment, and storage

areas, are set back four hundred (400) feet or more from the property line along which screening would be required.

- a. Screening shall be located in a buffer area of a minimum width of ten (10) feet for a commercial land development and twenty (20) feet for an industrial land development.
- b. Screening may include trees, plants, and/or a solid fence or wall, of such height and density as to create a barrier to visibility, light glare, and noise. Screening may incorporate preserved existing vegetation and natural topographic features which provide an equivalent screening effect. Screening design and materials shall be per industry standards for the region with designs sealed by a professional engineer or landscape architect.

## SECTION 705 CAMPGROUNDS

The regulations of this Section shall apply to all campgrounds, including recreational vehicle parks, as defined by this Ordinance. Campgrounds shall be classified as Major Land Developments.

### Section 705.1 General requirements

1. Campgrounds shall be intended only for intermittent, transient recreational use. No camping site or unit placed thereon shall be used for year-round residential occupancy or maintained as a permanent residence or address. Any development which creates lots for transfer of ownership, or for recording of individual lots whether for transfer or lease, shall be considered a subdivision and shall meet all requirements for subdivisions in this Ordinance.
2. All campgrounds shall have a maximum density of 4 camping sites per gross acre.
3. All camping sites and auxiliary campground structures shall be located at least 50 feet from the campground boundary lines, including public rights-of-way.
4. A campground driveway system shall be installed to provide internal circulation for access to camping sites and campground facilities. No camping site or campground facility shall be accessed directly from a public or private street. Internal driveways shall be properly graded, drained, and graveled to provide a stable and durable surface that can be maintained in a travelable condition under typical conditions. The surface at a minimum shall be treated with washed fine gravel, and with dust suppressor where needed, to eliminate dust and mud.
5. Campgrounds shall provide appropriate sanitary sewer and water service and facilities meeting requirements of the host municipality and the PA Department of Environmental Protection. Sanitary sewer and water service shall also meet the requirements of Sections 608 and 609 of this Ordinance.

## SECTION 706 HIGH IMPACT LAND DEVELOPMENTS

High impact land developments as defined by this Ordinance shall be classified as Major Land Developments and shall meet the following requirements:

## Section 706.1 General requirements

1. Development shall comply with all applicable local, state, and federal environmental, safety, and other regulations. Evidence of compliance shall be submitted with the land development application.
2. Design of the development shall conform to applicable industry standards. The applicant shall submit evidence of having obtained any applicable certificates of design compliance from equipment manufacturers or other certifying organizations.
3. The applicant shall submit an impact statement assessing potential environmental and cultural impacts, how such impacts will be avoided or mitigated, and how mitigation measures will be maintained.
4. The applicant shall submit a combined management and decommissioning plan prepared by a qualified professional. At a minimum it shall contain:
  - a. A description of how facilities and equipment will be inspected and maintained in a manner consistent with industry standards to keep facilities in good repair and operating condition.
  - b. A description of how the site and the features required by this Ordinance will be maintained.
  - c. An emergency response plan prepared by a qualified professional in consultation with the emergency service providers of the host municipality and reviewed and approved by the Jefferson County Department of Emergency Services.
  - d. A description of how and when structures, facilities, and equipment will be safely shut down and removed, materials will be disposed or recycled, the site will be restored upon cessation of the operation.

## Section 706.2 Location requirements

1. Data centers
  - a. No structure or facility shall be located within one-thousand (1,000) feet of an existing residential structure or other sensitive receptor.
  - b. All structures and facilities shall be set back from the perimeter boundary line of the property or easement which encompasses the site at least a distance of two-hundred and fifty (250) feet, and shall be set back at least two-hundred (200) feet from the edge of a perennial watercourse.
2. All other high impact land developments
  - a. No structure or facility shall be located within three-hundred (300) feet of an existing residential structure or sensitive receptor.
  - b. All structures and facilities shall be set back from the perimeter boundary line of the property or easement which encompasses the site at least a distance of the greater of fifty (50) feet or 1.5 times the height of a structure or facility on the site, and shall be

set back at least fifty (50) feet from the edge of a perennial watercourse.

### Section 706.3 Access and security requirements

1. At a minimum, a twenty-five-foot-wide access road must be provided from a state or municipal street into the site.
2. A high impact land development site shall be completely enclosed by a minimum six-foot-high fence with a self-locking gate.
3. Warning signs shall be placed on the fencing surrounding the site providing notice of the potential dangers and the contact information in case of an emergency.

### Section 706.4 Impact mitigation requirements

1. Sound from any structures or facilities during normal operations shall not exceed the levels in Table 706.4 as measured at the property line. The applicant shall provide technical support documentation based on the most up-to-date and generally accepted industry standards indicating that the sound standard will be achieved.

| TABLE 706.4 – SOUND LEVEL STANDARDS                  |                                   |                                   |
|------------------------------------------------------|-----------------------------------|-----------------------------------|
| Maximum sound level as measured at the property line | From 7:00AM to 7:00PM<br>55 dB(A) | From 7:00PM to 7:00AM<br>45 dB(A) |

2. All structures or equipment shall be placed such that concentrated solar radiation or glare does not project onto nearby structures or streets.
3. For land areas on the site not occupied at ground level by structures, equipment, or vegetative screening, the design shall include installation and establishment of perennial ground cover, which may include grasses, wildflowers, and pollinators. The applicant shall submit a plan for regular maintenance of ground cover vegetation.
4. Screening shall be provided meeting requirements for industrial land developments in Section 704.
5. In forested areas:
  - a. Where tree removal will be conducted to accommodate a high impact land development, any existing forested areas within fifty (50) feet of the perimeter boundary of the property shall be left standing.
  - b. A six (6) foot firebreak clear of combustible materials shall surround the perimeter fence.
6. Additional requirements for data centers
  - a. If connecting to the electric grid, the applicant shall submit documentation from the applicable electric service provider certifying that it has the capacity to supply the electricity needed, and that the electric service provider can serve the data center without degrading service to other ratepayers.

- b. The applicant shall provide a water use plan. If the proposed water source is from a public system, the applicant shall submit documentation from the applicable public water provider certifying that it has the capacity to supply the water needed. If the data center will utilize nonpublic water sources, the applicant shall submit a water feasibility study, prepared by a qualified professional, which demonstrates that an adequate supply of water is present to support the proposed data center's water use, and that proposed water withdrawals and discharges will not endanger or adversely affect the quantity and quality of existing groundwater or surface waters in the vicinity.
- c. The applicant shall provide a thermal impact mitigation plan prepared by a qualified professional including measures to minimize or mitigate off-site heat discharge and heat island effects.

#### Section 706.5 Decommissioning and removal

1. The facility, except as provided for in paragraph 2. below, shall be removed, in accord with the terms of this Section, upon cessation of its originally intended and designed operations as approved with the land development application.
2. An exception to required removal may be granted for facilities and infrastructure that have an ongoing purpose or for which the facility owner has a commitment by legal agreement for a lawful adaptive reuse. The facility owner has the burden of demonstrating an ongoing purpose or documenting a commitment for adaptive reuse.
3. The facility owner is required to notify the Planning Department immediately upon cessation of operations. The facility shall be presumed to be abandoned and thereby ceased if no operations as originally intended and designed are conducted by the facility for a period of twelve (12) consecutive months.
4. Except for any granted exceptions, the facility owner shall then have eighteen (18) months in which to dismantle and remove the facility, all related equipment or appurtenances, buildings, roads, foundations, and other associated facilities from the property. The owner shall also restore the land to its condition prior to development of the facility and any pre-development site preparation work, including forestry plantings of the same type/variety and density as the original, without re-introduction of invasive species. If the owner fails to dismantle and/or remove the facility and restore the land within the established time frame, Jefferson County may complete the above decommissioning activities at the owner's expense, including Court costs and attorney's fees.
5. Prior to land development Final Plan approval, the owner shall provide financial security to guarantee the availability of funds sufficient to secure the decommissioning expense of dismantling said facility and restoring the land as specified herein. The applicant shall provide with the application and shall update no less frequently than every five years an estimate of decommissioning costs prepared by an independent professional engineer using a method of calculation acceptable to the County. Financial security shall be in the form of a surety bond, irrevocable letter of credit, or other form of security acceptable to the County with a financial institution acceptable to the County.

## ARTICLE 8 MOBILE HOME PARKS

### SECTION 801 APPLICABILITY

1. The provisions of this Article shall apply to the construction, expansion, or alteration of mobile home parks as defined in this Ordinance. Mobile home parks shall be classified as Major Land Developments.
2. The standards in this Article shall apply to mobile home parks where mobile home lots are intended for lease or rental. Where the owner or developer intends to offer lots for sale for placement of mobile homes, the development shall be considered a subdivision and the requirements for subdivisions set forth in this Ordinance shall apply.

### SECTION 802 MOBILE HOME LOTS

1. Each mobile home lot shall have a minimum area of five thousand (5,000) square feet and a minimum width of fifty (50) feet.
2. Each mobile home lot shall front on an approved and constructed internal street and shall not front on or have access to a public street.
3. All mobile home lots shall be located at least fifty (50) feet from the right-of-way line of a public street and at least fifty (50) feet from the mobile home park property boundary line.

### SECTION 803 MOBILE HOME STANDS

Mobile home lots shall be improved to provide a permanent foundation or stand for the mobile home meeting the following requirements:

1. Mobile home stands, anchoring, and utility connections shall be installed meeting all applicable building code requirements.
2. Mobile home stands shall be located at least twenty-five (25) feet from an internal street, another mobile home stand, and any common-use or service building in the mobile home park.

### SECTION 804 GROUND CONDITIONS

1. The ground surface in all parts of a mobile home park shall be graded and equipped to drain surface water in a safe, efficient manner and prevent water ponding.
2. Exposed ground surfaces in the park shall be covered with vegetation, stone screenings, or other solid material, or be stabilized or otherwise capable of preventing soil erosion.

### SECTION 805 INTERNAL STREETS

Mobile home parks shall provide internal streets, owned and maintained by the mobile home park owner, that provide access to mobile home lots and are used for vehicular and pedestrian circulation within the park.

1. Internal streets shall be wide enough to accommodate anticipated traffic flow and shall have a minimum cartway width of twenty (20) feet.
2. Internal streets shall be properly graded, drained, and, at a minimum, graveled to provide a stable and durable surface that can be maintained in a travelable condition under typical conditions. The surface at a minimum shall be treated with washed fine gravel, and with dust suppressor where needed, to eliminate dust and mud.
3. Internal streets shall be assigned names in accord with the current Jefferson County Street Naming and Addressing Ordinance and Policy

#### SECTION 806 RECREATION SPACE

An area of not less than ten percent of the total land area of the mobile home park shall be reserved and made accessible to the residents for recreational purposes.

#### SECTION 807 UTILITIES

1. Mobile home parks shall provide sanitary sewer service and water service within the park and serving all mobile home lots. Service shall be provided either by connection to an existing public system or by installation of a private system, either of which shall meet requirements and standards for sanitary sewers and water supply prescribed in Article 6.
2. Other utilities shall be provided in accordance with plans approved by the appropriate utility providers.

## ARTICLE 9 INSTALLATION OF IMPROVEMENTS

### SECTION 901 PERFORMANCE REQUIREMENTS

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

### SECTION 902 PERFORMANCE GUARANTEE

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

#### Section 902.1 Completion of Improvements Prior to Final Approval

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

#### Section 902.2 Guarantee of Completion of Improvements

In lieu of requiring the completion of all improvements prior to final subdivision or land development plan approval, the applicant shall enter into an agreement with Jefferson County whereby the applicant shall guaranty, by deposit with Jefferson County of financial security, the completion of all streets and other improvements required by this Ordinance and as specified in the proposed final plan in a manner satisfactory to the County Engineer and the Planning Commission. The final plat or record plan shall not be signed nor recorded until the written financial improvements agreement is executed and financial security satisfactory to Jefferson County has been provided.

1. Financial security shall be of a type and in amounts prescribed by, and meet requirements of, the Municipalities Planning Code.
2. Procedures and requirements for administering financial security, including release of financial security and remedies to effect completion of improvements, shall be as prescribed by the Municipalities Planning Code.
3. Jefferson County may enter into an agreement with the host municipality by which the municipal engineer of the host municipality, with approval and authorization of the host

municipality governing body, acts on behalf of the County Engineer in administering financial security procedures and requirements. Under such agreement, Jefferson County shall retain responsibility and authority to take required actions of the governing body.

4. If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the municipality, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this section.

#### Section 902.3 Guarantee of structural integrity and maintenance

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

#### SECTION 903 DEDICATION OF IMPROVEMENTS

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

SECTION 904 PRIVATE OWNERSHIP AND MAINTENANCE OF IMPROVEMENTS.

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

ARTICLE 10  
ENACTMENT

This Ordinance is hereby enacted at a regular meeting of the Board of Commissioners of Jefferson County, Pennsylvania, held on the XXth day of \_\_\_\_\_, 202\_.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Vice Chair

\_\_\_\_\_  
Secretary/Treasurer

ATTEST:

\_\_\_\_\_  
Chief Clerk