

Subdivision and Land Development Ordinance

for

Bradford County, Pennsylvania

Previously Adopted by the
Bradford County Planning Commission
in

February 1981

Revised Ordinance Enacted
by
The Commissioners of Bradford County
in
2003

The Bradford County Commissioners

John Sullivan, Chairman
Janet Lewis, Vice-Chairman
Nancy Schrader, Commissioner

Bradford County Subdivision and Land Development Ordinance

2003 - 1

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Certification:

I certify that the within ordinance is a true and correct copy of the ordinance enacted by the Board of Commissioners.



Gary L. Wood, Chief Clerk

Preface

The Bradford County Board of Commissioners has adopted these regulations for the primary purpose of encouraging the best development of the County. This ordinance and regulations contained herein have been enacted in accordance with the provisions of the "Pennsylvania Municipalities Planning Code" of 1968, Act No. 247, Article V, Section 501 through Section 515, as amended by Act 170 of 1988 and by Acts 67 and 68 of June 2000.

In adopting this ordinance, the Board of Commissioners has designated the Office of Community Planning and Grants, through the Bradford County Planning Commission, as the agency responsible for the administration of the regulations established by this ordinance.

Prior to the enactment of this ordinance, the Bradford County Planning Commission had administered Subdivision Regulations for Bradford County. (The original date of these Regulations was April, 1981.)

The Board of County Commissioners believes that the most efficient means to encourage best development practices within Bradford County is to cooperate to the utmost with the Boroughs and Townships and applicants with those communities.

The Bradford County Planning Commission and its professional staff intends to work as closely and cooperatively as possible with the owners, developers and subdividers of the County, whoever owns or controls the land that is to be used for a subdivision or land development.

Owners or developers who anticipate subdividing land into two or more lots, tracts or parcels in Bradford County should become familiar with these regulations. They were prepared to provide clear-cut procedures for the preparation, submission, review and report, or approval of subdivision or land development plans. These regulations include a description of all specific steps required for the submission of (1) pre-application plan (sketch plan), (2) the preliminary plan, (3) the final plan, and (4) land development plans together with design standards and improvement and construction requirements.

Applicants may come to the Office of Community Planning and Grants with a pre-application plan (sketch plan) of the land they propose to subdivide or develop before preparing and submitting preliminary plans. Thus, the applicant could secure advice at the time it would be most valuable to him or her. This advice is not a decision of the Planning Commission. In order to obtain a decision, an application must be formally filed with the County Planning Commission.

Lot size in a subdivision is one of the first decisions to be made. It influences street design, block length, community facilities required, and so forth. In those subdivisions and land development plans that will have on-lot septic tanks and absorption fields, percolation tests, and soil analysis of the tract should be the first step, before preparing the preliminary plan. Lot size shall be determined on the availability of sewer and water systems whether a public sewer or water system exists or favorable percolation and profile tests have been done for private systems. The preliminary plan is the stage when ideas and plans are developed. It requires the coordinated efforts of many agencies, utility companies and public officials. The final plan is the detailed official document, to be recorded in the County Court House, and is the basis for the construction and improvements placed on the tract.

Construction is the object of the plans and it is here that the benefits of planning and subdivision regulations are judged. It is important that all required improvements be either installed or guaranteed. These

improvements should not be a burden on citizens of the municipality, and the purchaser is entitled to the improvements for which he is paying. Additionally, storm water management has been a concern for Bradford County land owners and public officials alike. Development that does not control increase runoff poses a danger to private property, business and viable agricultural lands. Land developments, including additions or modifications greater than 5,000 square feet of Impervious Surface, will be reviewed with storm water management control in mind. Developers and their engineers shall be innovative in prescribing facilities or means of controlling increase volumes of storm water. Good planning and good construction results in safer and more healthful community; a community which is not a liability, but an asset.

While these subdivision and land development regulations set minimum standards, and apply directly to municipalities without their own regulations, we believe that they will eliminate undesirable practices now used to the disadvantage of the average homebuyer and of the many reputable developers as well.

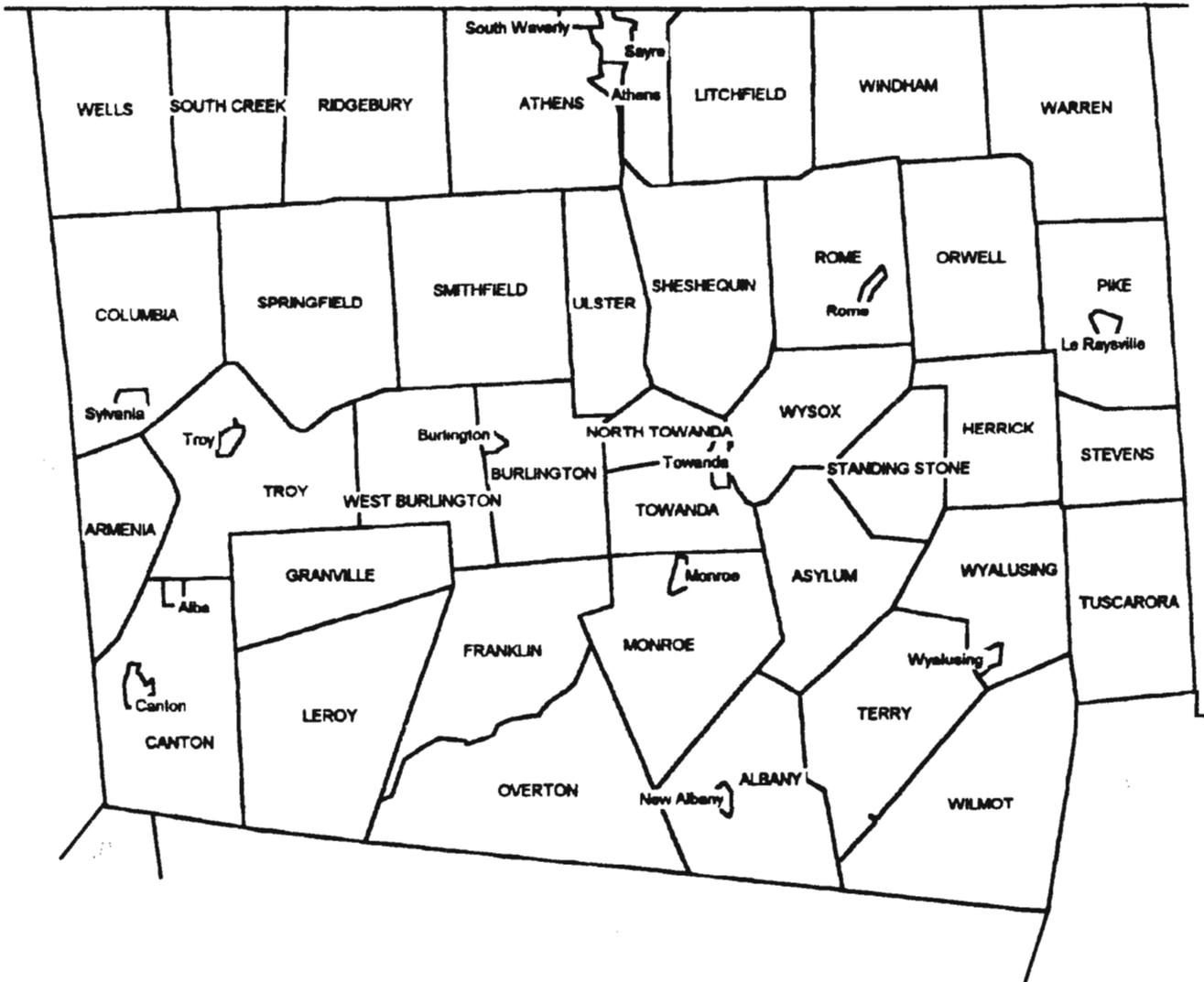
On and after the effective date of this ordinance, plans shall be recorded in the office of the Recorder of Deeds in Bradford County in accordance with Section 513 - Recording Plats and Deeds, the Pennsylvania Municipalities Planning Code.

In the future, amendments to this ordinance will be necessary, and when such amendments are made, the staff of the Office of Community Planning and Grants will send copies to the governing bodies of each municipality in the county.

Copies of such amendments will also be available at the office for all other persons or agencies who have copies of the Subdivision and Land Development Ordinance.

BRADFORD COUNTY

TOWNSHIPS AND BOROUGHES



Bradford County Office of Community
Planning and Grants
and the
Bradford County Planning Commission

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Article I

Purpose, Authority and Jurisdiction

SECTION 101. Purpose of the Subdivision and Land Development Ordinance.

The purpose of this Subdivision and Land Development Ordinance is to provide for harmonious development of municipalities in Bradford County by:

1. Assisting in orderly and efficient integration of subdivisions within the County.
2. Ensuring conformance of subdivision plats with public improvement plans.
3. Ensuring coordination of inter-municipal public improvements plans and programs.
4. Securing protection of water resources and drainage ways.
5. Facilitating the efficient movement of traffic.
6. Protecting the social and economic stability of the County, and conserving the value of land and buildings in the County.
7. Securing equitable handling of all subdivision plans by providing uniform standards and procedures.
8. In general, promoting the greater health, safety, and welfare of the citizens of the County.

SECTION 102. Authority and Jurisdiction of the County Commissioners, Office of Community Planning and Grants and County Planning Commission.

The following subdivision and land development ordinance has been enacted by the Bradford County Board of Commissioners in accordance with the provisions of the "Pennsylvania Municipalities Planning Code" of 1968 as amended, Act No. 247, Article V, Section 501 through 515, as amended by Act No. 170 of 1988 and by Acts 67 and 68 of June 2000.

The Bradford County Board of Commissioners hereby designates the Bradford County Office of Community Planning and Grants as the agency to which all subdivision and land development plats must be submitted for either review or approval as required by this ordinance.

With the adoption of this Ordinance Amendment, the Bradford County Planning Commission delegates the Bradford County Office of Community Planning and Grants staff as the agent (s) to which all minor subdivision plats can be approved and those necessary modifications granted to ensure the intent of the minor nature of the subdivision application.

SECTION 103. Boroughs and Townships with Subdivision and Land Development Ordinances.

Boroughs and townships which have adopted subdivision and land development ordinances are exempt from these regulations except for the following requirements: applications for a subdivision and land development must be forwarded upon receipt by the municipality to the Office of Community Planning and Grants for review and report together with a fee sufficient to cover the cost of the review and report which fee shall be paid by the applicant, and the municipality shall not approve such application until the county report is received, or until the expiration of the thirty (30) days from the date the application was forwarded to the Office of Community Planning and Grants.

1. The Office will normally accept, for review, the preliminary plat and later the final plat with separate fees for each application at each stage of processing the proposed subdivision or land development.
2. In the case where a minor subdivision is permitted by the municipality to be filed as a final plat, the Office will also accept such a plat with its fee for review.
3. Appropriate officials of the County Planning Commission will sign the final plats prepared for recording, indicating that the plat was reviewed.

SECTION 104. Boroughs and Townships Without Subdivision and Land Development Ordinances.

In boroughs and townships which have not adopted subdivision and land development ordinances, the subdivision and land development plans must be approved by the County Planning Commission as complying with all requirements of these regulations, before recording. The Planning Commission approval is in addition to, and does not supersede, local approval as required by any other ordinances, resolutions, or regulations to the municipality. One (1) copy of the submitted application plan and a Municipal Comment Form (Appendix A) shall be forwarded by the county to the affected municipality for review and comment. The County Planning Commission shall not approve such application until the office receives municipal comment, or until the expiration of thirty (30) days from the date the application was forwarded to the municipality.

SECTION 105. Application of Regulations.

1. No subdivision or land development of any lot, tract or parcel of land located in Bradford County shall be affected; no street, sanitary sewer, storm sewer, water main or other facilities in connection therewith shall be laid out, constructed, opened or dedicated for the common use of occupants of buildings thereon unless and until a final plat has been approved by the Bradford County Planning Commission and publicly recorded in the manner prescribed herein; nor otherwise except in strict accordance with the provisions of this ordinance.
2. No lot in a subdivision may be sold; no permit to erect or alter any building upon land in a subdivision or land development may be issued; and no building may be erected or altered in a subdivision or land development unless and until preliminary and final subdivision or land development plat has been approved by the Bradford County Planning Commission and recorded, and until construction of the improvements required in connection therewith has been

guaranteed in the manner prescribed herein.

3. Unit or condominium subdivision of real property is included within the meaning of subdivision and land development as defined herein, and must comply with these regulations. Such compliance shall include, but not be limited to, the filing of preliminary and final plats, payment of established fees and changes, location of each structure and clear definition of each unit, public easements, common areas, improvements and all easements appurtenant to each unit.
4. Preliminary and final plats shall indicate the location of each structure and clearly define each unit and shall indicate public easements, common areas, and improvements, all easements appurtenant to each unit and improvements to public rights-of-way.
5. Any commercial, industrial, or related land development shall be designed according to the land development design principles set forth. Buildings shall be located with respect to topography, wetlands, drainage swales, etc. Factors such as noise, odor, and surrounding land uses shall be regulated by local zoning controls, if regulations exist within the respective municipality. Sufficient access shall be provided as well as a buffer to deter adverse impacts.

SECTION 106. Contiguous Municipalities.

(a) The County Planning Commission shall offer a mediation option to any municipality which believes that its citizens will experience harm as the result of an applicant's proposed subdivision or development of land in a contiguous municipality, if the municipalities agree. In exercising such an option, the municipalities shall comply with the procedures set forth in Article IX of the Pennsylvania Municipalities Planning Code. The cost of the mediation shall be shared equally by the municipalities unless otherwise agreed. The applicant shall have the right to participate in the mediation.

(b) The governing body of the municipality may appear and comment before the governing body of a contiguous municipality and the various boards and commissions of the contiguous municipality considering a proposed subdivision, change of land use or land development.

SECTION 107. Contents of Subdivision and Land Development Ordinance.

1. Provisions for the submittal and processing of plats, including the charging of review fees, and specifications for such plans, including certification as to the accuracy of plans and provisions for preliminary and final approval and for processing of final approval by stages or sections of development. Such plats and surveys shall be prepared in accordance with the Act of May 23, 1945 (P.L. 913, No. 367), known as the "Engineer, Land Surveyor and Geologist Registration Law," except that this requirement shall not preclude the preparation of a plan in accordance with the act of January 24, 1966 (1965 P.L. 1527, No. 535), known as the "Landscape Architects' Registration Law," when it is appropriate to prepare the plat using professional services as set forth in the definition of the "practice of landscape architecture" under Section 2 of that Act. Review fees may include reasonable and necessary changes by the county's professional consultants or engineer for review and report thereon to the county. Such review fees shall be based upon a schedule established by ordinance or resolution. Such review fees shall be reasonable and in accordance with the ordinary and customary charges by the county engineer or consultant for similar service in the community, but in no event shall the fees exceed the rate or cost charged by the engineer or consultant to the county when fees are not

reimbursed or otherwise imposed on applicants.

- A. In the event the applicant disputes the amount of any such review fees, the applicant shall, within fourteen (14) days of the applicant's receipt of the bill, notify Bradford County that such fees are disputed, in which case the county shall not delay or disapprove a subdivision or land development application due to the applicant's request over disputed fees.
 - B. In the event that the Bradford County and the applicant cannot agree on the amount of review fees which are reasonable and necessary, then the applicant and the county shall follow the procedure for dispute resolution set forth in Section 510 (1) through (5) of the Pennsylvania Municipalities Planning Code, provided that the professionals resolving such dispute shall be of the same profession or discipline as the consultants whose fees are being disputed.
2. Provisions for insuring that:
- A. The layout or arrangement of the subdivision or land development shall conform to the Comprehensive Plan and to any regulations or maps adopted in furtherance thereof.
 - B. Streets in and bordering a subdivision or land development shall be coordinated, and be of such widths and grades and in such locations as deemed necessary to accommodate prospective traffic, and facilitate fire protection.
 - C. Adequate easements or rights-of-way shall be provided for drainage and utilities.
 - D. Reservations if any by the developer of any area designed for use as public grounds shall be suitable size and location for their designated uses; and
 - E. Land which is subject to flooding, subsidence or underground fires either shall be made safe for the purpose for which such land is proposed to be used, or that such land shall be set aside for uses which shall not endanger life or property or further aggravate or increase the existing menace.
3. Provisions governing the standards by which streets shall be designed, graded and improved, and walkways, curbs, gutters, street lights, fire hydrants, water and sewage facilities and other improvements shall be installed as a condition precedent to final approval of plats in accordance with the requirements of Section 509 of the MPC. The standards shall insure that the streets be improved to such a condition that the streets are passable for vehicles which are intended to use that street: Provided, however, that no municipality shall be required to accept such streets for public dedication until the streets meet such additional standards and specifications as the municipality may require for public dedication.
4. Provisions which take into account phased land development not intended for the immediate erection of buildings where streets, curbs, gutters, street lights, fire hydrants, water and sewage facilities and other improvements may not be possible to install as a condition precedent to final approval of plats, but will be a condition precedent to the erection of buildings on lands included in the approved plat.

- 4.1 Provisions which apply uniformly throughout the county regulating minimum setback lines and minimum lot sizes which are based upon the availability of water and sewage, in the event a municipality has not enacted a zoning ordinance.
5. Provisions for encouraging and promoting flexibility, economy and ingenuity in the layout and design of subdivisions and land developments, including provisions authorizing alterations in site requirements and for encouraging other practices which are in accordance with modern and evolving principles of site planning and development.
6. Provisions for encouraging the use of renewable energy systems and energy-conserving building design.
7. Provisions for soliciting reviews and reports from adjacent municipalities and other governmental agencies affected by the plans.
8. Provisions for administering waivers or modifications to the minimum standards of the ordinance in accordance with Section 512.1 of the Pennsylvania Municipalities Planning Code, when the literal compliance with mandatory provisions is shown to the satisfaction of the governing body or planning agency, where applicable, to be unreasonable, to cause undue hardship, or when an alternative standard can be demonstrated to provide equal or better results.
9. Provisions for the approval of a plat, whether preliminary or final, subject to conditions acceptable to the applicant and a procedure for the applicant's acceptance or rejection of any conditions which may be imposed, including a provision that approval of a plat shall be rescinded automatically upon the applicant's failure to accept or reject such conditions within such time limit as may be established by this ordinance.
10. Provisions and standards for insuring that new developments incorporate adequate provisions for a reliable, safe and adequate water supply to support intended uses within the capacity of available resources.
11. Provisions requiring the public dedication of land suitable for the use intended; and, upon agreement with the applicant or developer, the construction of recreational facilities, the payment of fees in lieu thereof, the private reservation of the land, or a combination, for park or recreation purposes as a condition precedent to final plan approval, provided that:
 - A. The provisions of this paragraph shall not apply to any plan application, whether preliminary or final, pending at the time of enactment of such provisions.
 - B. The ordinance includes definite standards for determining the proportion of a development to be dedicated and the amount of any fee to be paid in lieu thereof.
 - C. The land or fees, or combination thereof, are to be used only for the purpose of providing park or recreational facilities accessible to the development.
 - D. The governing body has a formally adopted recreation plan, and the park and recreational facilities are in accordance with definite principles and standards contained in the subdivision and land development ordinance.

- E. The amount and location of land to be dedicated or the fees to be paid shall bear a reasonable relationship to the use of the park and recreational facilities by future inhabitants of the development or subdivision.
- F. A fee authorized under this subsection shall, upon its receipt by a municipality, be deposited in an interest-bearing account, clearly identifying the specific recreation facilities for which the fee was received. Interest earned on such accounts shall become funds of that account. Funds from such accounts shall be expended only in properly allocable portions of the cost incurred to construct the specific recreation facilities for which the funds were collected.
- G. Upon request of any person who paid any fee under this subsection, the municipality shall refund such fee, plus interest accumulated thereon from the date of payment, if the municipality had failed to utilize the fee paid for the purposes set forth in this section within three (3) years from the date such fee was paid.
- H. No municipality shall have the power to require the construction of recreational facilities or the dedication of land, or fees in lieu thereof, or private reservation except as may be provided by statute.

SECTION 108. Water Supply.

Every ordinance adopted pursuant to this article shall include a provision that if water is to be provided by means other than by private wells owned and maintained by the individual owner of lots within the subdivision or development, applicants shall present evidence to the County Planning Commission, as the case may be, that the subdivision or development is to be supplied by a certified public utility a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.

SECTION 109. Enactment of Subdivision and Land Development Ordinance.

Before voting on the enactment of a proposed subdivision and land development ordinance, the Bradford County Commissioners shall hold a public hearing thereon pursuant to public notice. A brief summary setting forth the principal provisions of the proposed ordinance and a reference to the place within the County where copies of the proposed ordinance may be secured or examined shall be incorporated in the public notice.

{Unless the proposed subdivision and land development ordinance shall have been prepared by the planning agency, the governing body shall submit the ordinance to the planning agency at least forty-five (45) days prior to the hearing on such ordinance to provide the planning agency an opportunity to submit recommendations. If a county planning agency shall have been created for the county in which the municipality adopting the ordinance is located, then, at least forty-five (45) days prior to the public hearing on the ordinance, the municipality shall submit the proposed ordinance to said county planning agency for recommendations.}

{Within thirty (30) days after adoption, the governing body of a municipality, other than a county, shall forward a certified copy of the subdivision and land development ordinance to the county planning agency or, in counties where no planning agency exists, to the governing body of the county in which the municipality is located.}

SECTION 110. Enactment of Subdivision and Land Development Ordinance Amendment.

{Amendments to the subdivision and land development ordinance shall become effective only after a public hearing held pursuant to public notice in the manner prescribed for enactment of a proposed ordinance in this article. In addition, in case of an amendment other than that prepared by the planning agency, the governing body shall submit each such amendment to the planning agency for recommendations at least 30 days prior to the date fixed for the public hearing on such proposed amendment. If a county planning agency shall have been created for the county in which the municipality proposing the amendment is located, then, at least 30 days prior to the hearing on the amendment, the municipality shall submit the proposed amendment to said county planning agency for recommendations.}

{Within 30 days after adoption, the governing body of a municipality, other than a county, shall forward a certified copy of any amendment to the subdivision and land development ordinance to the county planning agency or, in counties where no planning agency exists, to the governing body of the county in which the municipality is located.}

SECTION 111. Publication, Advertisement and Availability of Ordinance.

Proposed subdivision and land development ordinances and amendments shall not be enacted unless notice of proposed enactment is given in the manner set forth in this section, and shall include the time and place of the meeting at which passage will be considered, a reference to a place within the municipality where copies of the proposed ordinance or amendment may be examined without charge or obtained for a charge not greater than the cost thereof. The Bradford County Commissioners shall publish the proposed ordinance or amendment once in one newspaper of general circulation in the municipality not more than 60 days nor less than seven (7) days prior to passage. Publication of the proposed ordinance or amendment shall include either the full text thereof or the title and a brief summary, prepared by the County solicitor and setting forth all the provisions in reasonable detail. If the full text is not included:

1. A copy thereof shall be supplied to a newspaper of general circulation in the County at the time the public notice is published.
2. An attested copy of the proposed ordinance shall be filed in the county law library and the Bradford County Office of Community Planning and Grants, who may impose a fee no greater than necessary to cover the actual costs of storing said ordinances.

In the event substantial amendments are made in the proposed ordinance or amendment, before voting upon enactment, the Bradford County Commissioners shall, at least ten (10) days prior to enactment, re-advertise, in one newspaper of general circulation in the County, a brief summary setting forth all the provisions in reasonable detail together with a summary of the amendments.

Subdivision and land development ordinances and amendments may be incorporated into official ordinance books by reference with the same force and effect as if duly recorded therein.

SECTION 112. Effect of Subdivision and Land Development Ordinance.

Where a subdivision and land development ordinance has been enacted by a Bradford County under the authority of this article no subdivision or development of any lot, tract or parcel of land shall be made,

no street, sanitary sewer, storm sewer, water main or other improvements in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this ordinance.

SECTION 113. Approval of Plats.

All applications for approval of a plat (other than those governed by Article VII or VII-A in the MPC), whether preliminary or final, shall be acted upon by the County Planning Commission within such time limits as may be fixed in the subdivision and land development ordinance but the County Planning Commission shall render its decision and communicate it to the applicant no later than ninety (90) days following the date of the regular meeting of the County Planning Commission next following the date the application is filed, or after a final order of the court remanding an application, provided that should the said next regular meeting occur more than thirty (30) days following the filing of the application, or the final order of the court, the said ninety (90) day period shall be measured from the thirty (30) days following the day the application has been filed.

- A. The decision of the County Planning Commission shall be in writing and shall be communicated to the applicant personally or mailed to him at his last know address not later than fifteen (15) days following the decision.
- B. When the application is not approved as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite to the provisions of the statute or ordinance relied upon. A Missing Items Checklist (Appendix B) shall be forwarded to the applicant indicating deficiencies.
- C. Failure of the County Planning Commission to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication shall have like effect.
- D. Changes in the ordinance shall affect plats as follows:
 1. From the time an application for approval of a plat, whether preliminary or final, is duly filed as provided in the subdivision and land development ordinance, and while such application is pending approval or disapproval, no change or amendment of the zoning, subdivision or other governing ordinance or plan shall affect the decision on such application adversely to the applicant and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly filed. In addition, when a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations.
 2. When an application for approval of a plat, whether preliminary or final, has been approved without conditions or approved by the applicant's acceptance of conditions, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to

commence and to complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from such approval. *The five (5) year period shall be extended for the duration of any litigation, including appeals, which prevent the commencement or completion of the development, and for the duration of any sewer or utility moratorium or prohibition which was imposed subsequent to the filing of an application for preliminary approval of a plat. In the event of an appeal filed by any party from the approval or disapproval of a plat, the five-year period shall be extended by the total time from the date the appeal was filed until a final order in such matter has been entered and all appeals have been concluded and any period for filing appeals or requests for reconsideration have expired. Provided, however, no extension shall be based upon any water or sewer moratorium which was in effect as of the date of the filing of a preliminary application.*

3. Where final approval is preceded by preliminary approval, the aforesaid five-year period shall be counted from the date of the preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of the governing ordinances or plans as they stood at the time when the application for such approval was duly filed.
4. Where the landowner has substantially completed the required improvements as depicted upon the final plat within the aforesaid five year limit, or any extension thereof may be granted by the County Planning Commission, no change of County ordinance or plan enacted subsequent to the date of filing of the preliminary plat shall modify or revoke any aspect of the approved final plat pertaining to zoning classification or density, lot, building, street or utility location.
5. In the case of a preliminary plat calling for the installation of improvements beyond the five year period, a schedule shall be filed by the landowner with the preliminary plat delineating all proposed sections as well as deadlines within which applications for final plat approval of each section are intended to be filed. Such schedule shall be updated annually by the applicant on or before the anniversary of the preliminary plat approval, until final plat approval of the final section has been granted and any modification in the aforesaid schedule shall be subject to approval of the County Planning Commission in its discretion.
6. Each section in any residential subdivision or land development, except for the last section, shall contain a minimum of 25% of the total number of dwelling units as depicted on the preliminary plan, unless a lesser percentage is approved by the County Planning Commission in its discretion. Provided the landowner has not defaulted with regard to or violated any of the conditions of the preliminary plat approval, including compliance with landowner's aforesaid schedule of submission of final plats for the various sections, then the aforesaid protections afforded by substantially completing the improvements depicted upon the final plat within five (5) years shall apply and for any section or sections, beyond the initial section, in which the required improvements have not been substantially completed within the five (5) year period the aforesaid protections shall apply for an additional term or terms of three (3) years from the date of final plat approval for each section.

7. Failure of landowner to adhere to the aforesaid schedule of submission of final plats for the various sections shall subject any such section to any and all changes in zoning, subdivision and other governing ordinance enacted by a municipality or the county subsequent to the date of the initial preliminary plan submission.
- E. Before acting on any subdivision plat, the County Planning Commission, as the case may be, may hold a public hearing thereon after public notice.
- F. No plat which will require access to a highway under the jurisdiction of the Department of Transportation shall be finally approved unless the plat contains a notice that a highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law," before driveway access to a State highway is permitted. A State Highway Occupancy Permit shall accompany all subdivision and land development applications.

SECTION 114. Modifications.

- A. The County Planning Commission shall grant a modification of the requirements of one or more provisions if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of the ordinance is observed.
- B. All requests for a modification shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the ordinance involved and the minimum modification necessary. (As outlined in Section 802 of this Ordinance.)
- C. The County Planning Commission shall keep a written record of all action on all requests for modifications.

SECTION 115. Recording Plats and Deeds.

- A. Upon the approval of a final plat, the developer shall within ninety (90) days of such final approval, or ninety (90) days after the date of delivery of an approved plat signed by the County Planning Commission, following completion of conditions imposed for such approval, whichever is later, record such plat in the Office of the Recorder of Deeds of Bradford County. Whenever such plat approval is required by the Bradford County Office of Community Planning and grants, the Recorder of Deeds of Bradford County shall not accept any plat for recording, unless such plat officially notes the approval of the County Planning Commission, if one exists.
- B. The recording of the plat shall not constitute grounds for assessment increases until such time as lots are sold or improvements are installed on the land included within the subject plat.

SECTION 116. Preventive Remedies.

- A. In addition to other remedies, the County Planning Commission may institute and maintain

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

- B. A County Planning Commission may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of any ordinance adopted pursuant to this article. This authority to deny such a permit or approval shall apply to any of the following applicants:
1. The owner of record at the time of such violation.
 2. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
 3. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
 4. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the County may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

SECTION 117. Jurisdiction.

District Justices shall have initial jurisdiction in proceedings brought under Section 515.3 of the Pennsylvania Municipalities Planning Code.

SECTION 118. Enforcement Remedies.

- A. Any person, partnership or corporation who or which has violated the provision of any subdivision or land development ordinance enacted under the Pennsylvania Municipalities Planning Code or prior enabling laws shall, upon being found liable therefor in a civil enforcement proceeding commenced by the County, pay a judgment of not more than \$500.00 plus all court costs, including reasonable attorney fees incurred by the County as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, the County may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the District Justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation

by the District Justice and thereafter each day that a violation continues shall constitute a separate violation.

- B. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.
- C. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the municipality the right to commence any action for enforcement pursuant to this section.
- D. District Justices shall have initial jurisdiction in proceedings brought under Section 118.A of this Ordinance.

SECTION 119. Interpretation.

In interpreting and applying the revisions of this Ordinance, applicants shall be held to the minimum requirements for the promotion of public health, safety, comfort, convenience and greater welfare. Where the provisions of this ordinance impose greater restrictions than those of any statute, other ordinance or regulation (i.e. State Enabling Statutes, local zoning or building codes, etc.), the provisions of this ordinance shall prevail. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than those of this ordinance, the provisions of such statute, ordinance or regulation shall prevail.

SECTION 120. General Terms.

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

Words in the singular include the plural and those in the plural include the singular. Words in the masculine gender apply, as applicable, to persons of the feminine gender.

Words in the present tense include the future tense.

The word "**shall**" is always mandatory; the word "**may**" is permissive, and the word "**should**" means a suggested or preferred action.

The words "**person**" or "**subdivider**" or "**developer**" or "**owner or agent**" include a firm, association, organization, partnership, trust, company or corporation as well as an individual.

SECTION 121. Severability.

- A. If any section, clause, provision, or portion of these regulations shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not effect any other section, clause, provision, or portion of these regulations.

SECTION 122. Appeals.

- A. Any applicant aggrieved by a finding, decision or recommendation of the County Planning Commission, may within thirty (30) days, request and receive opportunity to appear before the

County Planning Commission, present additional relevant information and request reconsideration of the original finding, decision or recommendation.

B. Appeal to Court of Common Pleas

1. Any applicant aggrieved by a finding, decision or recommendation of the County Planning Commission may appeal such finding, decision or recommendation to the Court of Common Pleas.
2. All subdivision and land development appeals shall be filed not later than thirty (30) days after issuance of notice of the decision or report of the County Planning Commission. All appeals shall be in accordance with Act 247, as amended, The Pennsylvania Municipalities Planning Code.

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Article II

Definitions

SECTION 201. Definitions.

ABANDONMENT - The relinquishment of property, or a cessation of the use of the property, by the owner with the intention neither of transferring rights to the property to another owner nor of resuming the use of the property.

ABUT - To physically touch or border upon; to share a common property line; or to be contiguous. The term abut implies a closer proximity than the term adjacent.

ACCESS DRIVE - An improved surface, other than a street, which provides vehicular access from a street or private road to a lot.

ACCESSORY BUILDING - A building subordinate to and/or detached from the main building on the same lot and used for purposes customarily incidental to the main building.

ACCELERATED EROSION - The removal of the surface of the land through the combined action of man's activities and the natural processes at a rate greater than would occur because of the natural process alone.

ACRE - A measure of land area containing 43,560 square feet.

AGENT - Any person other than the applicant who, acting for the subdivider, submits subdivision or land development plans for the purpose of obtaining approval thereof.

AGRICULTURE - The use of land for agricultural purposes, including farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture and animal and poultry husbandry, and the necessary accessory uses for farm homes, and packing, treating or storing the produce; provided, however, that the operation of any such accessory use shall be secondary to that of normal agricultural activities, and provided further that the above uses shall not include commercial hog farms or fur farms and shall exclude fertilizer plants or the sale of fertilizer, feed stores, tanneries and similar objectionable uses.

AGRICULTURAL OPERATION - An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.

ALLEY (or Service Drive) - A minor right-of-way, publicly or privately owned, primarily for service access to the back or sides of properties.

APARTMENT - A dwelling unit within a multiple dwelling. This classification includes apartments in Apartment Houses, Studio Apartments and Kitchenette Apartments. Accessory Apartments and Conversion Apartments are not included in the classification.

APARTMENT, ACCESSORY - An independent dwelling unit incorporated within an existing single-family detached dwelling without any substantial external modification.

APARTMENT BUILDING - A building occupied by three (3) or more dwelling units.

APARTMENT CONVERSION - An existing dwelling unit that is or was converted to a dwelling for more than one (1) family, without substantially altering the exterior of the building.

APARTMENT GARDEN - A two (2) story multi-family dwelling, containing one (1) story dwelling units.

APPOINTING AUTHORITY - The mayor in cities; the Board of Commissioners in counties; the Council in incorporated towns and boroughs; the Board of Commissioners in townships of the first class; and the Board of Supervisors in townships of the second class; or as may be designated in the law providing for the form of government.

AUTHORITY - A body politic and corporate created pursuant to the act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipality Authorities Act of 1945."

APPLICATION FOR DEVELOPMENT - Every application, whether preliminary 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 approvals of a subdivision plat or plan or for approval of a development plan.

APPLICANT (See Developer and Subdivider) - A landowner or developer or agent as hereinafter defined, who has filed an application for the subdivision or development of a tract of land, including his heirs, successors, and assigns.

BLOCK - An area bounded by streets.

BUILDING - A structure for the shelter or enclosure of persons, animals or chattels.

BUILDING AREA - The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of uncovered porches, terraces, and steps.

BUILDING, DETACHED - A building surrounded by open space on the same lot.

BUILDING HEIGHT - The highest point of main structure from the grade to the average point of the coping of a flat roof, to the deck line of a mansard roof or to the mean height level between eaves and ridge for gable, hip and gambrel roofs.

BUILDING LINE - A line parallel to the front, side, or rear lot line set so as to provide the required yard.

BUILDING PERMIT - Written permission issued by the proper municipal authority for the construction, repair, alteration or addition to a structure.

BUILDING SETBACK LINE - The line within a property defining the required minimum distance between

any enclosed structure and the adjacent right-of-way, and the line defining side and rear yards, where required.

CARTWAY - The portion of a street right-of-way, paved or unpaved, customarily used by vehicles in the regular course of travel over the street.

CENTERLINE - A line located exactly in the center of the width of the cartway, right-of-way, easement, access, road or street.

CENTER FOR LOCAL GOVERNMENT SERVICES - The Governor's Center for Local Government Services located within the Department of Community and Economic Development.

CHAIRPERSON - The Chairperson of the Bradford County Planning Commission.

CLEAR-SIGHT TRIANGLE - An area of unobstructed vision at street intersections. It is defined by lines of sight between points at a given distance from the intersection of the street center lines.

CLUSTER - A development technique that concentrates building in specific areas on the site to allow the remaining land to be used for recreation, common open space and preservation of environmentally sensitive features.

CLUSTER SUBDIVISION - A form of development that permits a reduction in lot area and bulk requirements, provided there is no increase in the number of lots/units permitted under a conventional subdivision/land development and the resultant land area is devoted to open space.

COMMISSION, PLANNING - The Bradford County Planning Commission.

COMMON OPEN SPACE - A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of the planned residential development, not including streets, off-street parking areas, and areas set aside for public facilities. Common open space shall be substantially free of structures, but may contain such improvements as are in the development plan as finally approved and as are appropriate for the recreation of residents.

CONDOMINIUM - A form of property ownership providing for individual ownership of a specific apartment or other space not necessarily on ground level together with an undivided interest in the land or other parts of the structure in common with other owners. A condominium is considered permissible under the same standards as a townhouse or garden apartment.

CONSISTENCY - An agreement or correspondence between matters being compared which denotes a reasonable rational, similar, connection or relationship.

CONSTRUCTION - The construction, reconstruction, renovation, repair, extension, expansion, alteration, or relocation of a building structure including the placement of mobile (manufactured) homes.

CONTOUR MAP - A map showing the elevations of ground in stated intervals.

COUNTY, (i.e. Bradford)- Any county of the second class through eighth class. (Def. amended Dec. 14, 1992, P.L. 815, No. 131).

COUNTY COMPREHENSIVE PLAN - A land use and growth management plan prepared by the county planning commission and adopted by the county commissioners which establishes broad goals and criteria for municipalities to use in preparation of their comprehensive plan and land use regulation.

COVERAGE - That portion or percentage of the lot area covered by all impervious materials.

CROSS WALK - A right-of-way publicly or privately owned, intended to furnish access for pedestrians.

CUL-DE-SAC - See minor street.

CUT - An excavation. The difference between a point on the original ground and a designated point of lower elevation on the final grade. Also, the material removed in excavation.

DECISION - Final adjudication of any board or other body granted jurisdiction under any land use ordinance or this act 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.

DEDICATION - The deliberate appropriation or donation of land or property by its owner for any general or public uses, reserving to himself no other rights than are compatible with the full exercise or enjoyment of the public uses to which the property has been designated. Acceptance of any such dedication by a municipality is at the complete discretion of its governing body.

DEED - A legal document conveying ownership of real property.

DEED RESTRICTION - A restriction on the use of land set forth in the deed or instrument of conveyance. Said restriction usually runs with the title of the land and is binding upon subsequent owners of the property. It shall not be the responsibility of Bradford County to enforce deed restrictions, unless the restrictions resulted as a condition or stipulation of subdivision or land development approval.

DENSITY - A term used to express the allowable number of dwelling units per acre of land. Net Density is the number of dwelling units per net acre. Gross Density is the number of dwelling units per gross acre.

DETENTION BASIN - A structure designed to detain and release runoff in excess of that allowed at a controlled rate.

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.***

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 (see agent or subdivider).

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 Chapter shall mean the written and graphic materials referred to in this definition.

DEVELOPMENT OF REGIONAL SIGNIFICANCE AND IMPACT - Any land development that, because of its character, magnitude, or location will have substantial effect upon the health, safety, or welfare of citizens in more than one municipality.

DISTRICT - A portion of the territory of Bradford County within which certain regulations and requirements, or various combinations thereof, apply under the provisions of this chapter.

DRAINAGE - (1) Surface water runoff; (2) the removal of surface water or ground water from lands by drains, grading or other means which include runoff controls to minimize erosion and sedimentation during and after construction of development, the means for preserving the water supply and the prevention or alleviation of flooding.

DRAINAGE FACILITY - Any ditch, gutter, culvert, storm sewer, or other structure designed, intended, or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public rights-of-way, parks, recreational areas, or any part of any subdivision or contiguous land areas.

DRAINAGE PLAN - A plan showing all proposed and existing facilities to collect and convey surface drainage, described by grades, contours and topography.

DRAINAGE SYSTEM - Pipes, swales, natural features and other man-made improvements designed to hold or convey drainage.

DRIVEWAY - A private roadway providing access for vehicles to a parking space, garage, dwelling or other structure.

DWELLING - A single unit providing complete independent living facilities for one (1) or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.

DWELLING, EARTH SHELTERED - Any completed building or structure that was designed to be built partially or wholly underground. A completed building or structure which was not intended to serve as a substructure or foundation for a building.

DWELLING, INDUSTRIALIZED HOUSING - Any structure designed primarily for residential occupancy, except a mobile home, which is wholly or in substantial part made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation on the building site in such a manner that all concealed parts or processes of manufacture cannot be inspected at the site without disassembly, damage or destruction.

DWELLING, MULTI-FAMILY - A building used by three (3) or more families living independently of each other and doing their own cooking (see definition of apartment).

DWELLING, SINGLE FAMILY DETACHED - A building used by one (1) family having one (1) dwelling unit, and having two (2) side yards.

DWELLING, SINGLE FAMILY, SEMI-DETACHED - A building used by one (1) family having one (1) side yard, and one (1) party wall in common with another building.

DWELLING, SINGLE FAMILY, ATTACHED ROW TOWN HOUSE - A building used by one (1) family, having two (2) party walls in common with other buildings.

DWELLING, TWO FAMILY DETACHED - A building used by two (2) families, with one dwelling unit arranged over the other, having two (2) side yards.

DWELLING, TWO FAMILY, SEMI-DETACHED - A building used by two (2) families with one dwelling unit arranged over the other, having one (1) side yard, and having one party wall in common with another building.

DWELLING UNIT - One or more rooms used for living and sleeping purposes and having a kitchen with fixed cooking facilities arranged for occupancy one (1) family or a single person.

EARTHMOVING ACTIVITY - Activity resulting in movement of earth or stripping of vegetative cover from the earth.

EASEMENT, UTILITY - A right-of-way granted for the limited use of land for public or quasi-public purposes.

ELECTRIC SUBSTATION - An assemblage of equipment for purposes other than generation or utilization, through which electric energy in bulk is passed for the purposes of switching or modifying its characteristics to meet the needs of the general public.

ENGINEER - A registered professional engineer licensed in Pennsylvania that performs the duties of the engineer as herein specified.

ENGINEERING SPECIFICATIONS - The engineering specifications of the county regulating the installation of any required improvement or for any facility installed by any owner subject to public use.

ENTERTAINMENT FACILITIES - Any activity conducted for gain which is generally related to the entertainment field, such as motion picture theaters, bowling alleys, roller skating rinks, miniature golf, golf-driving ranges, commercial swimming pools, carnivals, arcades, billiards, and related uses.

EROSION - The removal of surface materials by the action of natural elements.

EXCAVATION - Any act by which earth, sand, gravel, rock, or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed. It shall include the conditions resulting therefrom

FAMILY -

1. A single person occupying a dwelling unit and maintaining a household or:

2. Two (2) or more persons related by blood or marriage occupying a dwelling unit, living together and maintaining a common household, including no more than one (1) boarder, roomer or lodger or;
3. Not more than five (5) unrelated persons occupying a dwelling unit, living together and maintaining a common household.

FARM - An area of land used for agricultural purposes, as defined in "agriculture operation".

FENCE - Any freestanding and uninhabitable structure constructed of wood, glass, metal, plastic materials, wire, wire mesh, or masonry, singly or in combination. These structures are erected for the purpose of screening or dividing one (1) property from another to assure privacy, or to protect the property so screened or divided, or to define and mark the property line, when such structure is erected on or within two (2') feet of any front, side or rear lot line. For the purpose of this ordinance, a freestanding masonry wall when so located is considered to be a fence. Also, for the purpose of this ordinance, when the term "lot line" is used in relation to fences, it shall be synonymous with "rear yard lot lines," "side yard lot lines" and "front yard lot lines."

FILL - Any act by which earth, sand, gravel, rock, or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface. It shall include the conditions resulting therefrom. The difference in elevation between a point on the original ground and a designated point of higher elevation of the final grade. The material used to make fill.

FLOOD - A temporary inundation of normally dry land areas.

FLOOD, BASE (One-Hundred Year Flood) - A flood that, on the average is likely to occur once every 100 years (i.e. that has a one (1) percent chance of occurring each year, although the flood may occur in any year).

FLOOD FRINGE - That portion of the floodplain outside the floodway.

FLOOD HAZARD BOUNDARY MAP (FHBM) - An official map of a community, issued by the Federal Insurance Administration.

FLOOD HAZARD, AREAS OF SPECIAL: The land in the flood plain within a community subject to a one (1) percent or greater chance of flooding in any given year.

FLOOD INSURANCE RATE MAP (FIRM): See Flood Hazard Boundary Map.

FLOOD PLAIN - (1) A relatively flat or low land area adjoining a river, stream or watercourse which is subject to partial or complete inundation; (2) an area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD PROOFING - Any combination of structural and non-structural additions, changes or adjustments to proposed and existing structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY - The designated area of a floodplain required to carry and discharge flood waters of a given magnitude. For the purposes of this Ordinance the floodway shall be capable of accommodating a flood of the one-hundred (100) year magnitude.

FLOOR AREA - The total enclosed area in the horizontal plan of a structure, measured from the faces of the exterior walls.

FREEBOARD - The vertical difference between the crest of an embankment or drainage structure and the design water surface.

FUTURE RIGHT-OF-WAY: (1) right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads; (2) a right-of-way established to provide future access to or through undeveloped land.

GOVERNING BODY - The council in cities, boroughs and incorporated towns; the board of commissioners in townships of the first class; the board of supervisors in townships of the second class; the board of commissioners in counties of the second class through eighth class or as may be designated in the law providing for the form of government. (Def. amended Dec. 14, 1992, P.L. 815, No. 131).

GRADE, ESTABLISHED - The elevation of the center line of the streets, as officially established by the municipal authorities.

GRADE, FINISHED - The completed surfaces of lawns, walks, and roads brought to grades as shown on official plans or designs relating thereto.

GROUND FLOOR - The floor of a building nearest the mean grade of the front of the building.

GUARANTEE, MAINTENANCE - Any security that may be required of a developer by a township or borough after final acceptance by the municipality of improvements installed by the developer. Such security may include, but not limited to, Federal or Commonwealth Lending Institutions Irrevocable Letter of Credit or restrictive or escrow account.

GUARANTEE, PERFORMANCE - Any security that may be required of a developer by the township or borough in lieu of a requirement that certain improvements be made before the County or Municipality approves the developer's subdivision plan or land development plans. Such security may include, but is not limited to, those instruments cited above as acceptable as maintenance guarantees.

IMPERVIOUS MATERIAL (SURFACE) - Any substance placed on a lot which covers the surface in such fashion as to prevent natural absorption of surface water by the earth so covered. The following items shall be deemed to be impervious material: buildings, concrete sidewalks, paved driveways and parking areas, swimming pools and other nonporous structures or materials.

INDUSTRY - The manufacturing, compounding, processing, assembly or treatment of materials, articles, or merchandise. Light and heavy industry shall be defined as they are used in the industry.

IMPROVEMENTS: Any man-made, immovable item which becomes part of, placed upon, or is affixed to, real estate. Buildings, for public and quasi-public use, streets, curbs, gutters, streetlights and signs, water mains, hydrants, sanitary sewer mains including laterals to the street right-of-way line, storm drainage lines, storm water management structures, walkways, recreational facilities, open space improvements, shade trees,

buffer or screen plantings, and all other additions to the tract that are required by ordinance or necessary to result in complete subdivision or land development in the fullest sense of the term.

LAND DEVELOPMENT: Any of the following activities:

- (A) The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (1) A group of two (2) or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots regardless of the number of occupants or tenure; or,
 - (2) The division or allocation of land or space whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features; or,
- (B) A subdivision of land.
- (C) "Land Development" does not include development which involves:
 - (1) The conversion of an existing single family detached dwelling or single family semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium;
 - (2) The addition of an accessory building, including farm building, on a lot or lots subordinate to an existing principal building; or
 - (3) The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For the purposes of this subsection, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by the proper authorities.
- (D) Land Development Types
 - (1) Minor Land Development: Includes the following: Any type of land development, as defined above, which is less than or equal to five thousand (5,000) square feet of proposed impervious surface.
 - (2) Major Land Development: Includes the following: Any type of land development which is greater than five thousand (5,000) square feet of proposed impervious surface, or additions made to any existing properties, whether initially or cumulatively, in excess of 5,000 square feet of impervious surface development, whether consisting of a structure or pavement or combination thereof, will also require a submission of all the land development requirements.

LAND USE ORDINANCE - Any ordinance or map adopted pursuant to the authority granted in Articles IV, V, VI, and VII, in Act 247, the Pennsylvania Municipalities Planning Code.

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 conditions), a lessee having a remaining term of not less than forty years, or other person having a proprietary interest in land, shall be deemed to be a landowner for the purpose of this ordinance.

LIGHTING -

- (1) **Diffused**: that form of lighting wherein the light passes from the source through a translucent cover or shade;
- (2) **Direct or Flood**: That form of lighting wherein the source is visible and the light is distributed directly from it to the object to be illuminated;
- (3) **Indirect**: That form of lighting wherein the light source is entirely hidden, the light being projected to a suitable reflector from which it is reflected to the object to be illuminated;

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

LOT AREA: The area contained within the property line of a lot as shown on a subdivision plan excluding space within any street, but including the area of any easement.

LOT, CORNER - A lot abutting on and at the intersection of two (2) or more streets, or upon two (2) parts of the same street, where, in either case, the interior angle formed by intersection of the street lines does not exceed one hundred thirty-five degrees.

LOT, DEPTH OF - The average horizontal distance between the front and rear lot lines.

LOT, DOUBLE FRONTAGE - An interior lot having frontage on two (2) streets.

LOT, INTERIOR - A lot other than a corner lot or through lot.

LOT LINES - The lines bounding a lot as defined herein.

LOT, MINIMUM WIDTH - The minimum lot width at the Building Setback Line.

LOT OF RECORD - Any lot which individually or as part of a subdivision has been recorded in the office of the Recorder of Deeds of Bradford County, Pennsylvania.

LOT, REVERSE FRONTAGE: A lot extending between, and having frontage on, an arterial street and a minor street, and with vehicular access solely from the latter.

LOT, THROUGH OR DOUBLE FRONTAGE: A lot with front and rear street frontage.

LOT WIDTH - The width of a lot at the front building line, measured at right angles to its depth.

MANUFACTURING - The processing and/or converting of raw unfinished or finished materials or products, or of any combination, into an article or substance of a different character, or for use for a different purpose; industries furnishing labor in the case of manufacturing or the refinishing of manufactured articles.

MEDIATION - A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.

MINERALS - Any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas.

MOBILE HOME: A transportable, single family dwelling intended for permanent occupancy, contained in one unit, or 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.

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

MOBILE HOME PARK: A parcel of land or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes.

MODIFICATION: A waiver granted by the Bradford County Planning Commission for relief from the strict application of a specific requirement or provision of this ordinance, which, if enforced, would cause unique and undue hardship for the applicant.

MONUMENT - A tapered, permanent survey reference point of stone or cement having a round top four (4) inches on each side with a length of twenty-four (24) inches.

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.

MUNICIPALITY: Any city of the second class A or third class, borough, incorporated town, township of the first or second class, county of the second class through eighth class, home rule municipality, or any similar general purpose unit of government which shall hereafter be created by the General Assembly. (Def. amended Dec. 14, 1992, P.L. 815, No. 131).

MUNICIPALITY, LOCAL: A borough or township.

OBSTRUCTION: Any wall, dam, wharf, embankment, levee, dike, projection, excavation, channel, rectification, culvert, building, fence, stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or flood-prone area, which may impede, retard, or change the direction of the flow of water either in itself or by catching or collecting debris carried by such water or is placed where the flow of the water might carry the same down stream to the damage of life and property.

OFFICE BUILDING: A building designed or used primarily for office purposes, no part of which is used for manufacturing.

OFFICIAL MAP: A map adopted by ordinance pursuant to Article IV, Act 170, The Pennsylvania Municipalities Planning Code.

ON-SITE WATER SERVICE: On-site water service is a potable supply of water used for the consumption by a single family user from a private well.

OPEN-SPACE: The unoccupied space open to the sky on the same lot with the building, not including parking lots.

OPEN SPACE, COMMON: A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities.

PARCEL - A lot, plot or tract of land.

PA DEP - The Pennsylvania Department of Environmental Protection.

PARKING AREA: A parking lot or garage used for parking of motor vehicles, available to the public and which is not an accessory use, excluding vehicles used for overnight accommodations.

PARKING SPACE - An off-street area on a lot or in a parking area, designed or intended to be used for the parking of one (1) vehicle having direct, usable access to a street or road.

PAVED AREA: When required herein, that amount of land required for the location of adequate parking spaces, driveways, or other access roads. In the computation of a paved area, the actual building area shall be excluded.

PEDESTRIAN WALKWAY - A specified easement, walkway, path, sidewalk or other reservation which is designed and used exclusively by pedestrians.

PENNDOT - The Pennsylvania Department of Transportation.

PENNSYLVANIA MUNICIPALITIES PLANNING CODE - Adopted as Act 247 of 1968, and amended through June 2000 as Acts 67 and 68, this act enables municipalities to plan for, and regulate, community development with subdivision/land development ordinances. The Code also contains guidelines for subdivision/land development ordinance content. For the purpose of this ordinance, the Code is referred to as the "MPC" and is intended to include the current code and any further amendments thereto.

PERSON: Any individual or group of individuals, partnerships or corporation.

PLAN OR PLAT PRE-APPLICATION (SKETCH) - An informal plan, indicating existing features of a tract and the surrounding area and outlining the general layout of a proposed subdivision or land development presented for discussion purposes only and not to be presented for approval. For a major subdivision, the voluntary submission of a sketch plan by an applicant, no matter how detailed, is **not** considered to be the submission of the required preliminary plan.

PLAT OR PLAN, PRELIMINARY - A complete and exact subdivision or land development plan, to define property rights, proposed streets and other improvements presented for purposes of securing preliminary approval of a subdivision or land development.

PLAT OR PLAN, FINAL - A complete and exact subdivision or land development plan prepared for recording as required by statute, to define property rights, proposed streets and other improvements and which may include all or part of the area included in the approved Preliminary Plan for the area covered by the Final Plan; a Final Plat.

PLAT OR PLAN OF RECORD - An exact copy of the approved final plat, reproducible of standard size, prepared for necessary signatures and recording with the Bradford County Recorder of Deeds.

PLANNING AGENCY: A planning commission, planning department, planning office or a planning committee of the governing body.

PLANNING COMMISSION: The Planning Commission of Bradford County, Pennsylvania.

PLAT - The map or plan of a subdivision or land development, whether preliminary or final. The terms "plat" and "plan" are used through this ordinance interchangeably.

PRESERVATION OR PROTECTION - When used in connection with natural and historic resources, shall include means to conserve and safeguard these resources from wasteful or destructive use, but shall not be interpreted to authorize the unreasonable restriction of forestry, mining or other lawful uses of natural resources.

PRIME AGRICULTURAL LAND - Land used for agricultural purposes that contains soils of the first, second or third class as defined by the United States Department of Agriculture natural resource and conservation services county soil survey.

PUBLIC - The general citizenry and/or the specific residents of a particular subdivision or land development.

PUBLIC GROUNDS: Includes:

1. Parks, playgrounds, trails, paths and other recreational areas and other public areas:
2. Sites for schools, sewage treatment, refuse disposal and other publicly owned and operated facilities; and
3. Publicly owned or operated scenic and historic sites.

PUBLIC HEARING: A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with the provisions of the "Pennsylvania Municipalities Planning Code" of 1968 as amended, Act No. 247, as amended by Act No. 170 of 1988.

PUBLIC INFRASTRUCTURE AREA - A designated growth area and all or any portion of a future growth area described a county or multimunicipal comprehensive plan where public infrastructure services will be provided and outside of which such public infrastructure services will not be required to be publicly financed.

PUBLIC INFRASTRUCTURE SERVICES - Services that are provided to areas with densities of one or more units to the acre, which may include sanitary sewers and facilities for the collection and treatment of sewage, water lines and facilities for the pumping and treating of water, parks and open space, streets and sidewalks, public transportation and other services that may be appropriated within a growth area, but shall exclude fire

protection and emergency medical services and any other service required to protect the health and safety of residents.

PUBLIC MEETING: A forum held pursuant to notice under the Act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act."

PUBLIC NOTICE: Notice published once a week for (2) successive weeks in a newspaper of general circulation in the county. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.

PUBLIC UTILITY FACILITIES: Public schools, parks and administrative, cultural and service building, but not including public land or buildings devoted primarily or solely to the storage and maintenance of equipment and material.

RECREATIONAL FACILITIES, PUBLIC: Publicly owned and operated and open to the general public.

RECREATIONAL FACILITIES, PRIVATE: Group recreation facilities other than commercial, or public recreation uses, not operated for profit and open only to its members.

RECREATIONAL VEHICLE: A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which has its own motive power or is mounted on or drawn by another vehicle, (including camping and trailer, motor home, travel trailer and truck and camper); and of a body width of no more than eight (8) feet and a body length of no more than thirty-two (32) feet when factory equipped for the road, and licensed as such by the Commonwealth.

RECREATIONAL VEHICLE PARK OR CAMP GROUND: A parcel of land under single ownership which has been planned and improved for the placement of recreational vehicles or camping equipment for temporary living quarters for recreational, camping, or travel use, on recreational vehicle or campground lots rented for such use, thereby constituting a "land development".

RECREATIONAL VEHICLE PARK OR CAMPGROUND LOT: A parcel of land abutting a street or private road occupied by one recreational vehicle or camping equipment for temporary living quarters, for recreational camping, or travel use, together with such open space is required under the provisions of this Ordinance having not less than the minimum area and width required by this Ordinance for a recreational vehicle park or campground lot (Article VI, Section 604.3) and (Section 604.4).

REPORT: Any letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant for the purpose of assisting the recipient as 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 proceedings upon request, and copies thereof shall be provided at cost of reproduction.

RETENTION BASIN - A reservoir, formed from soil or other material, which is designed to detain temporarily, a certain amount of storm water from a catchment area and which may also be designed to permanently retain additional storm water runoff from the catchment area. Retention basins may also receive fresh water from year-round streams. Unlike detention basins, retention basins always contain water,

and thus may be considered man-made lakes or ponds.

RIGHT-OF-WAY, STREET: A public thoroughfare for vehicular traffic and/or pedestrian traffic whether designated as a boulevard, lane, alley, or however designated.

RUN-OFF: The surface water discharge or rate of discharge of a given watershed after a fall of rain or snow that does not enter the soil but runs off the surface of the land.

SEDIMENTATION: The process by which mineral or organic matter is accumulated or deposited by moving wind, water, or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "Sediment".

SEPTIC SYSTEM: An system with a septic tank used for the decomposition of domestic wastes. Also referred to as an on-lot system.

SEWAGE - A substance that contains the waste products or other discharge from the bodies of human beings or animals and noxious or deleterious substances being harmful or inimical to the public health, or to animal or aquatic life, or to the use of water for domestic water supply or for recreation, or which constitutes pollution under the Clean Streams Law.

SEWAGE FACILITY - A system of sewage collection, conveyance, treatment and disposal which will prevent the discharge of untreated or inadequately treated sewage or other waste into waters of the Commonwealth or otherwise provide for the safe and sanitary treatment and disposal of sewage or other waste.

SEWAGE SYSTEM, COMMUNITY - A sewage facility, whether publicly or privately owned, for the collection of sewage from two or more lots, or two or more equivalent dwelling units and the treatment or disposal, or both, of the sewage on one or more of the lots or at another site.

- A. SEWAGE SYSTEM, COMMUNITY ON-LOT - A community sewage system which uses a system of piping, tanks or other facilities for collecting, treating and disposing of sewage into a subsurface soil absorption area or retaining tank.
- B. SEWAGE SYSTEM, COMMUNITY - A community sewage system which uses a method of sewage collection, conveyance, treatment and disposal other than retention in a subsurface absorption area, or retention in a retaining tank.

SEWAGE SYSTEM, INDIVIDUAL- A sewage facility, whether publicly or privately owned, located on a single lot and serving one equivalent dwelling unit and collecting, treating and disposing of sewage in whole or in part into the soil or into waters of the Commonwealth or by means of conveyance of retaining tank wastes to another site for final disposal.

- A. SEWAGE SYSTEM, INDIVIDUAL ON-LOT - An individual sewage system which uses a septic system of piping, tanks or other facilities for collecting, treating and disposing of sewage into a subsurface absorption area or a retaining tank.
- B. SEWAGE SYSTEM, INDIVIDUAL - An individual sewage system which uses a method of sewage collection, conveyance, treatment and disposal other than renovation in a subsurface absorption area, or retention in a retaining tank.

SHOULDER - The portion of the street, contiguous to the cartway, for the accommodations of stopped vehicles, for emergency parking, and for lateral support of these and surface courses of the pavement.

SIGHT DISTANCE - The length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic.

SIGHT DEVELOPMENT PLAN - A scaled graphical depiction of the proposed development of a lot, parcel or tract of land describing all covenants assigned, as well as, accurately depicting the use, location, and bulk of all buildings and structures, intensity of use or density of development, streets, driveways, rights-of-ways, easements, parking facilities, open space, public facilities and utilities, setbacks, height of buildings and structures, and other such data necessary for municipal officials to determine compliance with this Ordinance and appropriate provisions of other such ordinances, as they may apply.

SLOPE - The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage based upon a vertical difference in feet per one-hundred (100) feet of horizontal distance.

SOIL STABILIZATION - Chemical or structural treatment designed to increase or maintain the stability of a mass of soil or otherwise to improve its engineering properties.

SQUARE FOOTAGE - The unit of measure used to express the area of a lot, tract or parcel involved in a subdivision or land development; the length of a lot, in feet, times the width of a lot, in feet.

STAFF - The technical staff of the Bradford County Office of Community Planning and Grants.

STORM WATER - Water that surfaces, flows or collects during and subsequent to rain or snowfall.

STORM WATER MANAGEMENT PLAN - A plan for managing the storm water runoff from a proposed subdivision or land development, including data and calculations, prepared by the developer in accordance with the standards of this ordinance or any applicable municipal or watershed storm water management ordinance.

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

STREET CENTERLINE - The center of the surveyed street right-of-way, or where not surveyed, the center of the traveled cartway.

STREET GRADE - The officially established grade of the street upon which a lot fronts or in its absence the established grade of the other streets upon which the lot abuts, at the midpoint of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the street at such midpoint shall be taken as the street grade.

STREETS (MAJOR)

1. **ARTERIAL STREET**: A major street or highway with fast or heavy traffic volumes of considerable continuity and used primarily as a traffic artery among large areas.
2. **COLLECTOR STREET** - A major street or highway which carries traffic from major streets to

arterial streets including principal entrance streets of a residential development and streets for circulation within such a development.

3. LIMITED ACCESS HIGHWAY - A major street or highway which carried large volumes of traffic at comparatively high speed with access at designated points and not from abutting properties.

STREET (MARGINAL ACCESS) - A minor street which is parallel and adjacent to limited access highways or arterial streets and which provides access to abutting properties and protection from through traffic.

STREET (MINOR) – A street used primarily for access to abutting properties.

1. CUL-DE-SAC - A street intersecting a through street at one end and terminating at the other in a vehicular turn-around.
2. STREET, DEAD-END - A street or portion of a street with only one vehicular outlet, but which has a temporary turnaround and which is designed to be continued when adjacent open land is subdivided.
3. LOCAL - Streets which are used primarily for access to abutting properties, including streets with subdivisions or developments, usually characterized by low operating speeds and other dedicated or accepted for municipal ownership and maintenance.
4. PRIVATE ROAD - A legally established right-of-way other than a public street not offered for dedication or accepted for municipal ownership and maintenance.
5. PUBLIC - All streets open to the public and maintained by, or dedicated to and accepted by the municipality, the County, the State or the Federal Government.

STREET WIDTH - The shortest distance between the lines delineating the right-of -way of a street.

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

1. STRUCTURE, ACCESSORY - A structure detached from a principal structure, but located on the same lot, which is customarily incidental and subordinate to the principle building, structure or use.
2. STRUCTURE, PRINCIPLE - The main or primary structure on a given lot, tract or parcel.

SUBDIVIDER - The owner or authorized agent of the owner of a lot, tract or parcel of land to be subdivided for sale or development under the terms of this Ordinance.

SUBDIVISION - The division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, 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 (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

1. MAJOR SUBDIVISION - Any subdivision, as defined above, involving more than ten (10) lots, parcels of land or other divisions of land whether or not they involve new streets, additional utilities or other facilities immediate or future.
2. MINOR SUBDIVISION - The subdivision, as defined above, of a single lot, tract or parcel of land into ten (10) or fewer lots, tracts or parcels of land, for the purpose, whether immediate or future, of transfer of ownership or of building development, providing lots, tracts or parcels of land thereby created having frontage on an improved public street or streets and providing further that there is not created by the subdivision any new street, street easement, easements of access or need therefore.

SUBSTANTIALLY COMPLETED - Where in the judgment of the County Engineer, at least ninety (90%) percent (based on the cost of the required improvements for which financial security was posted pursuant to the requirements of this Chapter) 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.

SURFACE DRAINAGE PLAN - A plan showing all present and proposed grades and facilities for storm water drainage.

SURVEYOR, PROFESSIONAL LAND - An individual licensed and registered under the laws of this Commonwealth to engage in the practice of land surveying. A professional land surveyor may perform engineering land surveys but may not practice any other branch of engineering.

SWALE - A low-lying stretch of land characterized as a depression used to carry surface water run-off.

TOPOGRAPHIC MAP - A map showing the elevations of the ground by contours or elevations.

TOPOGRAPHY - The configuration of a surface area showing relative elevations.

TOP SOIL - Surface soils and subsurface soils which presumably are fertile soils and soil material, ordinarily rich in organic matter or humus debris. Top soil is usually found in the uppermost soil layer called the A Horizon.

UNDEVELOPED LAND - Any lot, tract or parcel of land which has not been graded to in any other manner prepared for the construction of a building.

UNIT - Means a part of the property, structure or building designed or intended for any type of independent use, which has direct exit to a public street or way or to an easement or right-of-way leading to a public street or way, and includes a proportionate undivided interest in the common elements, which is assigned to the property, structure or building.

UTILITY, PUBLIC OR PRIVATE - (1) Any agency which under public franchise or ownership, or under certificate of convenience and necessity, provides the public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection or other similar service, (2) a closely regulated private enterprise with an exclusive franchise for providing a public service.

WATERCOURSE - A permanent stream, intermittent stream, river, brook, creek, or a channel or ditch for water, whether natural or man-made.

WATERSHED STORM WATER MANAGEMENT PLAN - A plan for managing storm water runoff from and from within a particular watershed area.

WATER SYSTEM - A water facility providing potable water to individual lots or to the public for human consumption.

1. WATER SYSTEM, NON-PUBLIC - All water systems which are not public water systems.
2. WATER SYSTEM, OFF-LOT - An approved system in which potable water is supplied to a dwelling or other building from a central water source which is not located on the lot with the dwelling or building.
3. WATER SYSTEM, ON-LOT - A well or other approved system designed to provide potable water to a dwelling or building located on the same lot as the source.
4. WATER SYSTEM, PUBLIC - A water system, as defined by the Pennsylvania Department of Environmental Protection, which has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60-days out of the year.

WATER SURVEY - An inventory of the source, quantity, yield and use of creek, or a channel or ditch for water, whether natural or man-made.

YARD - Any open space located on the same lot with a building, unoccupied and unobstructed from the ground up, except for accessory buildings or such projections as are expressly permitted in this chapter. The minimum depth or width of a yard shall consist of the horizontal distance between the lot line and the nearest point of the foundation wall or the main building.

WETLANDS - Areas which are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal conditions do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. For the purposes of this ordinance, the term includes but is not limited to, wetland areas listed in the State Water Plan, the U.S. Forest Service Wetland Inventory of Pennsylvania, the Pennsylvania Coastal Zone Management Plan, the U.S. Fish and Wildlife National Wetlands Inventory and Wetlands Designated by a river basin commission.

ZONING PERMIT - States the purpose for which a building or land is to be used and that it is in conformity with the uses permitted and all other requirements of a particular municipal zoning ordinance for the zoning district in which the use is to be located.

Note: Definitions of all other terms not defined herein, shall be as included within the latest edition of "Webster's New Collegiate Dictionary" or the latest version of the Pennsylvania Municipalities Planning Code. Any term not defined in Article II of this Ordinance or in the latest edition of "Webster's New Collegiate Dictionary" shall be determined by the Planning Commission, taken from any other appropriate source. After the acceptance of any such definitions, they shall become part of Article II and may not be changed without amending this ordinance.

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Article III

Plan Requirements and Processing Procedures

SECTION 301. Plat Requirements.

(Steps to Completing a Subdivision/Land Development can be found in Appendix C, Checklist for Submission can be found in Appendix D, and all minor/major and land development applications can be found in Appendix E of this Ordinance.)

Whenever a subdivision of land or land development is proposed, the applicant may prepare Pre-Application (Sketch) Plans and Data in accordance with the requirements contained in Sections 302 and 303, and shall prepare a Preliminary Plat and Final Plan for processing, as follows:

1. Prepare Pre-Application Plans (Sketch Plans) and Data in accordance with the requirements contained in Sections 302 and 303. (*Pre-application plans are optional).
2. Prepare and submit a Preliminary Plan for the entire property of the owner proposing such subdivision in accordance with the requirements contained in Section 304 and 305, where Pre-Application (Sketch) Plans and Data have not been prepared then Section 302.1 and Sections 303.2, 303.4, 303.5, 303.6, 303.7, 303.8 and 303.9 shall be required, except as follows:
 - A. For a minor subdivision of land, the Commission, in response to a written request by the applicant, may waive Preliminary Plan Requirements. In such instances, the applicant shall submit a Final Plan and prepare and submit a Final Plan for that portion to be developed in accordance with Sections 306 and 307.

SECTION 302. Pre-Application (Sketch) Plans and Data: Procedure. (*Optional)

The Bradford County Planning Commission encourages developers to voluntarily submit pre-application (sketch) plans to afford an opportunity for both the Planning Commission and developer to discuss the proposed project on an informal basis. The staff and commission may be able to provide some input into the project design, and the developer may learn of factors that may offset the design or layout which can avoid costly mistakes in preparation of a preliminary plan. Sketch plan or pre-application meetings provide an opportunity to improve the quality of development which is advantageous to both the community and the developer. If all items throughout Sections 302 and 303 are addressed, the developer may request that a Pre-Application (sketch) Plan be submitted for review and input by the County Planning Commission.

1. Prior to the preparation and filing of the Pre-Application (Sketch) Plans and Data with the Commission, the Applicant may consult the Bradford County Conservation District, concerning the preparation of plans for Erosion and Sedimentation Control and:
 - A. Obtain a report indicating the extent and content of Erosion and Sedimentation Control Plans needed and whether a permit for earth moving activity may be required from the Department of Environmental Protection under the Rules

and Regulations, Chapter 102 "Erosion Control", P.L. 1987, June 22, 1937, as amended (See Section 406).

- B. Obtain a report on the soil characteristics of the site so that the Commission may determine the type and degree of development the site may accommodate because of the limitations of soils as related to basement and foundation construction, street and park area construction, and grading conditions.
2. The Applicant shall be advised of the accessibility of public sewer and public water to the development site.
 - A. The Applicant shall be required to complete a module and equivalent information as part of the preliminary plat submission in order that the module may be submitted by the municipality to the Department of Environmental Protection for conformance to the official plan or for approval, in the form of a resolution, as a revision to the official plan.
 - B. If the site is located within an area planned for or is currently receiving public sewer and/or water services, the Applicant shall consult with the Municipal Authority and/or appropriate water utility and request a written statement insuring availability for the said site.
 - C. Water Supply - if water is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the County Planning Commission that the subdivision is to be supplied by a Certified Public Utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable.
 - D. If on-site septic systems are applicable, soil suitability testing shall be required and verified by the local Sewage Enforcement Officer of the Bradford County Sanitation Committee.
 - (3) The Applicant shall then submit the following items in Section 303 and shall ascertain from the County Planning Commission those elements to be considered in the design of the subdivision.

SECTION 303. Pre-Application (Sketch) Plans and Data: Specifications. (*Optional)

Pre-Application (Sketch) Plans and Data shall include the following:

1. General information describing or outlining existing covenants, land characteristics, community facilities and utilities, and information describing the proposed subdivision or land development such as the number of lots, typical lot width and depth, parking areas, business areas, playgrounds, park areas, common open space, other public areas, proposed protective covenants, proposed utilities and street improvements.

2. A copy of the report on soils characteristics of the site reviewed by the local Sewage Enforcement Officer of the Bradford County Sanitation Committee for on-lot sewage disposal.
3. A copy of the report from the County Conservation District indicating the extent of Erosion Control Plans needed and whether a permit for each earth moving activity may be required from the Department of Environmental Protection (see Section 406.1.B and 406.1.C).
4. Evidence, in writing, where twenty-five (25) or more dwelling units are proposed in a subdivision or land development from the school district in which the subdivision or land development is located containing the review and comments of the school district on the proposed development.
5. A traffic study, where twenty-five(25) or more dwelling units are proposed in a subdivision or land development, indicating an estimated volume of vehicular traffic movement and the adequacy of the proposed and existing streets and highways to carry the traffic both within and beyond the proposed development including possible solutions to such problems as may be thereby identified.
6. A Storm Water Management Plan, where fifty (50) or more dwelling units are proposed in a subdivision or land development, indicating the general arrangement for storm water drainage, the estimated volume to be generated and the effect of such volumes on the drainage ways or streams within the development and that projected volumes can be accommodated by the existing drainage facilities or streams beyond the proposed development.
7. A Water Supply Study, where one hundred (100) or more dwelling units are proposed in a subdivision or land development, without a public water system, indicating the general arrangement for water supply including the location, source, type, and capacity of the proposed supply to serve the proposed development signed by a registered engineer.
8. Location map showing the relationship of the proposed subdivision or land development to existing community facilities, traffic arteries, utilities, churches, shopping centers, airports, hospitals, principal places of employment, title, scale, north arrow, and date.
9. Property map showing the entire lot, tract, or parcel to be affected by the proposed subdivision or land development drawn to a scale of one inch (1") equals one hundred feet (100') or less. A different scale may be used subject to approval of the County Planning Commission. This map shall also include:
 - A. The proposed name of the subdivision or land development
 - B. Name of applicant
 - C. Name of registered owner.
 - D. North arrow, scale, and date.
 - E. The name of the qualified person responsible for the map according to P.L. 534, No. 120.
 - F. Tract boundaries with bearing and distances.

- G. Approximate location of water courses, tree masses, rock outcrops, existing buildings, and actual location of sewers, inlets, water mains, easements, fire hydrants, railroads, existing or confirmed streets and their established grades.
 - H. Adjacent streets
10. Pre-application (Sketch) Plan, drawn on a print of the property map, showing in a simple sketch from the proposed layout of streets, lots, and other features, in relation to existing conditions.
 11. Proof of Highway Occupancy documentation from PENNDOT.

SECTION 304. Preliminary Plans: Procedure.

1. All applications for approval of a plan whether preliminary or final, shall be acted upon by the County Planning Commission within such time limits as may be fixed in the ordinance and the County Planning Commission shall render its decision and communicate it to the applicant not later than ninety (90) days following the regular meeting of the Planning Commission following the date the application is filed, provided that the next regular meeting occurs more than thirty (30) days following the filing of the application, the ninety (90) day period shall be measured from the thirtieth (30th) day following the day the application has been filed.
2. The Applicant, twelve days (12) prior to the meeting of the Commission at which consideration is desired, shall file with the Commission seven (7) copies of a preliminary plan of the proposed layout and copies of data and plans listed under Section 305.2, of the tract proposed for subdivision or land development. **The submission of a plan without the data and plans required under Section 305 shall not be considered an official submission.** The Applicant shall also submit concurrently a copy of the Preliminary Plan and the sewage "Plan Revision Module for Land Development", to the appropriate officials of the municipality in which the subdivision or land development is located.
3. The County Planning Commission may submit copies of the Preliminary Plan to the County Consulting Engineer, Public Utilities, Bradford County Conservation District, and other public agencies.
4. In the event that any alteration of requirements from this ordinance is requested by the Applicant or is deemed necessary by the County Planning Commission for approval, the alterations and the reasons for its necessity shall be entered in the records of the County Planning Commission.
5. The County Planning Commission shall decide whether the Preliminary Plan shall be approved, or approved subject to conditions or disapproved, and shall notify the Applicant of the decision in writing either personally or by mail to him at his last known address not later than 15 days following the decision.
6. When an application (or plan) is approved subject to conditions, the conditions must be based on the authority, guideline, or provision of this Ordinance. The Applicant must concur in each and every condition and must do so in writing or orally (if such concurrence occurs at a public meeting where concurrence may be

reflected in the official minutes). The concurrence or rejection of the Applicant in conditions must occur in a timely fashion so as to permit approval or disapproval of the application (or plan) within the time limitation set forth in Section 304.1 above. Approval of a plan subject to conditions shall be rescinded automatically upon the Applicant's failure to accept or reject such conditions in the timely fashion set forth above. Such automatic recession shall be deemed a disapproval and Applicant shall be so notified in the manner set forth in Section 304.5

7. ~~Before acting on any subdivision plan, the Commission may hold a public hearing thereon after public notice.~~
8. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of the statute, or ordinance relied upon.
9. Failure of the County Planning Commission to render a decision and communicate it to the Applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented 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.
10. Before taking final action on any submitted plan, the staff shall submit copies of the Preliminary Plan and accompanying data to the County Consulting Engineer who shall advise the County Planning Commission as to the suitability of all engineering details and specifications; to the local office of the Department of Environmental Protection; to the local municipal governing body; to all affected Public Utilities who shall be requested to make recommendations as to the suitability of the utility easements; and to the Pennsylvania Department of Transportation when the subdivision or land development will front on an existing or proposed state highway or has a proposed street entering such highway.
11. Approval of the preliminary plan shall not constitute approval of the final subdivision plan by the County Planning Commission.
12. Before approval of a Final Plan, the County Planning Commission must be assured by means of a proper completion guarantee in the form of a bond or the deposit of funds or securities in escrow sufficient to cover one hundred and ten (110%) percent of the cost of the required improvements, as estimated by the developer's engineer, to the satisfaction of the County Planning Commission that all improvements required in Article V of this Ordinance will be installed by the applicant in strict accordance with the standards and specifications of the municipality and within a specific time after approval of the Preliminary Plan. A Model Financial Security Statement can be found in Appendix F of this Ordinance. The bond or other security shall be made to and deposited with the Bradford County Planning Commission as follows:
 - A. Completion of improvements or guarantee thereof prerequisite to Final Plan Approval.
 - (1). No plan shall be finally approved unless the streets shown on such plan have been improved to a mud-free or otherwise permanently passable condition, or improved

as may be required by the subdivision and land development ordinance and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains,

sanitary sewers, storm sewers and other improvements as may be required by the subdivision and land development ordinance have been installed in accordance with such ordinance. In lieu of the completion of any improvements required as a condition for the final approval of a plan, including improvements or fees required pursuant to Section 509 (i), of Act 247 approved, the Subdivision and Land Development Ordinance shall provide for deposit with the County of financial security in the amount sufficient to cover the costs of such improvements or common amenities including, but not limited to, roads, storm water detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements, or buffer or screen plantings which may be required. The applicant shall not be required to provide financial security for the costs of any improvements for which financial security is required by and provided to the Department of Transportation in connection with the issuance of a highway occupancy permit pursuant to Section 420 of the act of June 1, 1945 (P.L. 1242, No. 428) known as the "State Highway Law."

- (2). When requested by the developer, in order to facilitate financing, the Bradford County Planning Commission shall furnish the developer with a signed copy of a Resolution indicating approval of the final plan contingent upon the developer obtaining prescribed financial security. The final plan or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within ninety (90) days unless a written extension is granted by the County Planning Commission; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer. (Appendix G).
- (3). Without limitation as to other types of financial security which the County may approve, which approval shall not unreasonably be withheld, Federal or Commonwealth of Pennsylvania chartered lending institution Irrevocable Letters of Credit and Restrictive or Escrow accounts in such lending institutions shall be deemed acceptable financial security for the purposes of this section.
- (4). Such financial security shall be posted with a bonding company or Federal or Commonwealth of Pennsylvania chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth of Pennsylvania.
- (5). Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements.
- (6). The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred and ten (110%) percent of the cost of the completion estimated as of ninety (90) days following the date scheduled for

completion by the developer. Annually, the County may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the County may require the developer to post additional security in order to assure that the financial security equals said one hundred and ten (110%) percent. Any additional security shall be posted by the developer in accordance with this subsection.

- (7). The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by an applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The county, upon recommendation of the county engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the County are unable to agree upon an estimate, then the estimate shall be recalculated and re-certified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the County and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the County and the applicant or developer.
- (8). If the party posting the financial security requires more than one (1) year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional ten (10%) percent for each one (1) year period beyond the first anniversary date from posting of financial security or to an amount not exceeding one hundred and ten (110%) percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one (1) year period by using the above bidding procedure.
- (9). In the case where development is projected over a period of years, the County Planning Commission may authorize submission of final plats by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.
- (10). As the work of installing the required improvements proceeds, the party posting the financial security may request the County Planning Commission to release or authorize the release, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the Bradford County Office of Community Planning and Grants, and the County Planning Commission shall have forty-five (45) days from receipt of such request within which to allow the County Engineer to certify, in writing, to the County Planning Commission that such portion of the work upon the improvements has been completed in accordance with the approved plan. Upon such certification, the County Planning Commission shall

authorize release by the bonding company or lending institution of an amount as estimated by the County Engineer fairly representing the value of the improvements completed or, if the governing body fails to act within the said forty-five (45) day period, the County Planning Commission shall be deemed to have approved the release of funds as requested. The County Planning Commission may, prior to final release at the time of completion and certification by its engineer, require retention of ten (10%) percent of the estimated cost of the aforesaid improvements.

- (11). Where the County Planning Commission recommends dedication of all or some of the required improvements following completion, the County Planning Commission may require the posting of financial security to secure structural integrity of said improvements in accordance with the design and specifications as depicted on the final plat for a term not to exceed eighteen (18) months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this section with regard to the installation of such improvements, and the amount of the financial security shall not exceed fifteen (15%) percent of the actual cost of installation of said improvements. A sample Performance Bond can be found in Appendix H. In addition, a sample Offer of Irrevocable Dedication can be found in Appendix I of this Ordinance.
- (12). 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 a 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 under this section.
- (13). If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plat as set forth in this section, a municipality shall not condition the issuance of building, grading or other permits relating to the erection or placement of improvements, including buildings, upon the lots or land as depicted upon the final plat upon actual completion of the improvements depicted upon the approved final plat. Moreover, if said financial security, occupancy permits for any building or buildings to be erected shall not be withheld following: the improvement of the streets providing access to and from existing public roads to service building or buildings to a mud free or otherwise permanently passable conditions, as well as the completion of all other improvements as depicted upon the approved plat, either upon the lot or lots or beyond the lot or lots in question if such improvements are necessary for the reasonable use of or occupancy of the building or buildings. Any ordinance or statute inconsistent herewith is hereby expressly repealed.

B. Release from Improvement Bond.

- (1). When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Bradford County Office of Community Planning and Grants, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the County Consulting Engineer.

The Bradford County Office of Community Planning and Grants shall, within ten (10) days after receipt of such notice, direct and authorize the County Consulting Engineer to inspect all of the aforesaid improvements. The County Consulting Engineer shall, thereupon, file a report, in writing, with the Bradford County Planning Commission, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the County Consulting Engineer of the aforesaid authorization from the Bradford County Planning Commission; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or shall be rejected by the County Consulting Engineer, said report shall contain a statement of reasons for such disapproval or rejection.

- (2). The Bradford County Office of Community Planning and Grants shall notify the developer, within fifteen (15) days of receipt of the County Consulting Engineer's report, in writing by certified or registered mail of the action of said Bradford County Planning Commission with relation thereto.
- (3). If the Bradford County Office of Community Planning and Grants or the County Consulting Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guarantee bond or other security agreement.
- (4). If any portion of the said improvements shall not be approved or shall be rejected by the Bradford County Planning Commission, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
- (5). Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the Bradford County Planning Commission or the County Consulting Engineer.
- (6). Where herein reference is made to the County Consulting Engineer, he shall be as a consultant thereto.
- (7). The County may prescribe that the applicant shall reimburse the County for the reasonable and necessary expense incurred for the inspection of improvements. Such reimbursement shall be based upon a schedule established by ordinance or resolution. ~~Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the County Consulting Engineer or consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the engineer or consultant to the County when fees are not reimbursed or otherwise imposed on applicants.~~
 - (a). In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, within ten (10) working days of the date of billing, notify the Bradford County Office of Community Planning and Grants that such expenses are disputed as unreasonable or unnecessary, in which case the Bradford County Planning Commission shall not

delay or disapprove a subdivision or land development application or any permit related to development application due to the applicant's request over disputed engineer expenses.

- (b). If, within twenty (20) days from the date of billing, Bradford County and the applicant cannot agree on the amount of expenses which are reasonable and necessary, when the applicant and County shall jointly, by mutual agreement, appoint another professional engineer licensed as such in the Commonwealth of Pennsylvania to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.
- (c). The professional engineer so appointed shall hear such evidence and review such documentation as the professional engineer in his or her sole opinion deems necessary and render a decision within fifty (50) days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.
- (d). In the event that the Bradford County and applicant cannot agree upon the professional engineer to be appointed within twenty (20) days of the billing date, then, upon application of either party, the President Judge of the Court of Common Pleas of the Judicial District in which the municipality is located (or if at the time there is no President Judge, then the senior active judge then sitting) shall appoint such engineer, who, in that case, shall be neither the County Consulting Engineer's nor any professional engineer who has been retained by, or performed services for, the County or the applicant within the preceding five (5) years.
- (e). The fee of the appointed professional engineer for determining the reasonable and necessary expenses shall be paid by the applicant if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment required in the decision is less than the original bill by one thousand (\$ 1,000) dollars or more, the County shall pay the fee of the professional engineer, but otherwise the County and the applicant shall each pay one-half (1/2) of the fee of the appointed professional engineer.

C. Remedies to effect completion of Improvements.

- (1). In the event that any improvements which may be required have not been installed as provided in the subdivision and land development ordinance or in accord with the approved final plat Bradford County Planning Commission is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Bradford County Planning Commission may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action or recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the installation of the improvements covered by such security, and not for any other municipal purpose.

- (2) When the developer has completed all the required improvements the developer shall notify the Bradford County Office of Community Planning and Grants, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the County Consulting Engineer.
 - A. The Bradford County Planning Commission shall, within ten (10) days after receipt of such notice, direct and authorize the County Consulting Engineer to inspect all of the required improvements.
 - B. The County Consulting Engineer shall, thereupon, file a report in writing, with the Bradford County Office of Community Planning and Grants, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the County Consulting Engineer of the authorization for inspection by the Bradford County Planning Commission.
 - C. The receipt shall be made and mailed within thirty (30) days after receipt by the County Consulting Engineer of the aforesaid authorization from the Bradford County Planning Commission.
 - D. The report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the County Consulting Engineer, said report shall contain a statement of reasons for non-approval or rejection.
 - E. The Bradford County Office of Community Planning and Grants shall notify the developer, in writing by certified or registered mail, of the action of the Bradford County Planning Commission with relation thereto.
 - F. If the Bradford County Office of Community Planning and Grants or the County Consulting Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released of all liability, pursuant to its performance guaranty bond or other security agreement.
 - G. If any portion of the said improvement shall not be approved or shall be rejected by the Bradford County Planning Commission, the developer shall proceed to complete the same, and upon completion, the same procedure of notification as listed above shall be followed.

SECTION 305. Preliminary Plans: Specifications.

1. The preliminary plat shall be of the area to be developed based on a survey of property and shall be drawn to a maximum scale of one inch (1") equals four hundred feet (400') and paper the size of at least eighteen inches (18") by twenty-four inches (24").

The County Planning Commission shall have the right to require a survey of the entire tract, which may be in excess of the property proposed to be developed, where the County Planning Commission deems such survey is necessary or where the number of lots previously subdivided from the original tract exceeds five (5) lots, including the previously subdivided lots. The preliminary plan shall show:

- A. Existing contours at vertical intervals of two feet (2') or less, as required by the County Planning Commission for the developed or subdivided tract or parcel. (Excludes minor or major subdivisions where engineering design is not required and shall adhere to a vertical contour interval of 20').
 - B. The layout, names, and widths of right-of-way, cartway and paving of proposed streets, alleys, and location and width of easement for the developed or subdivided lot, tract or parcel.
 - C. The layout of lots showing approximate dimensions, lot numbers, and approximate area of each lot.
 - D. Parcels of land intended to be dedicated or reserved for schools, parks, playgrounds, parking areas, common open space, or other public, semi-public, or community purposes.
 - E. Building setback lines showing numerical dimensions. In zoned municipalities, local building setbacks shall apply with numerical dimensions.
2. The preliminary plan shall be accompanied by the following data and plans:
- A. A profile of each street, including grades.
 - B. Location of existing and proposed utility mains and lines and existing right-of-way. Development within or adjacent to right-of-way lines must be accompanied by letter from the owner. Location plans of proposed sanitary, storm water sewers and of any proposed water distribution systems. If on-lot systems, appropriate DEP documentation with site locations shall be shown on the plan.
 - C. A profile of the proposed sanitary and storm sewers and water lines, with invert elevations, and connections to existing systems.
 - D. A preliminary Erosion and Sedimentation Plan together with a report of the County Conservation District indicating whether a permit for earth moving activity is required from the Department of Environmental Protection under the Rules and Regulations, Chapter 102, "Erosion Control", P.L. 1987, June 2, 1937, as amended. Also, if applicable, the Bradford County Conservation District may determine the need for any stream crossing permit.
 - E. North arrow, scale (written and graphic) and date of preparation.
 - F. Lighting, sidewalks, curbing, parking area, fire hydrants/dry hydrants and proposed signage.
 - G. Letter(s) for sewer and water availability from a local municipal authority.
 - H. A completed Sewage "Plan Revision Module for Land Development" and equivalent information sufficient to comply with the applicable forms and/or regulations of the Department of Environmental Protection.

- I. Storm water facilities (design and calculations).
- J. Zoning district (if applicable).
- K. Surveyor/engineer stamp. (Pennsylvania Licensed).
- L. Improvements cost estimate and a tentative construction schedule.
- M. Project narrative.
- N. Proof of appropriate Highway Occupancy Permit documentation from PENNDOT if required or driveway permit from a local municipality.
- O. Outline of the property from which the lot or lots are being subdivided, Scale one (1) inch equals four hundred (400) feet or less, including bearings and distances of the property taken from the property deed including the point of beginning. (Tract Map).
- P. When the subdivision of a lot, tract or parcel of land leaves a remnant of land equal to or less than 10 acres in size, this lot then must also be surveyed and included in the Final Plan.
- Q. A Location map on the (plat scale one (1) inch equals 2000' feet U.S.G.S. or PADOT References, or larger) showing property location, streets, wetlands and other pertinent information.
- R. Other items which may be applicable, upon staff recommendation, shall include Stream Crossing Permits, Part-And-Parcel language, Protective Covenants, Special Conditions, Easement and Right-Of-Way agreements for construction, drainage facilities and maintenance, Pre-Existing Structures Statement.
- S. Location on the property map of existing buildings, proposed lots, existing roads (name and number), streams/water bodies, fences, right-of-ways, soils, woods, floodplain, adjacent property owners, existing or proposed easements, wells (existing and proposed), on-lot sanitary sewer percolation and profile information, and utilities.

SECTION 306. Final Plans: Procedure.

- 1. The Applicant shall, within five (5) years after the date of approval of the preliminary plan for that portion he/she intends to develop, file with the County Planning Commission a final plan. Such filing shall include as part of the formal submission all the materials and other data required under the Final Plat: Specifications as listed in Section 307 of this Ordinance. Failure to comply with the time limitation herein provided shall make the approval of the Preliminary Plat null and void unless an extension of time is requested in writing by the Applicant, and, for good cause, granted by the Commission.
- 2. The Final Plat shall incorporate all the changes and modifications required by the Commission; otherwise, it shall conform to the approved Preliminary Plat, and it may constitute only that portion of the approved Preliminary Plat which the Applicant proposes to record and develop at the time, provided that such portion conforms with all the requirements of this Ordinance.

3. Seven (7) prints shall be filed by the applicant with the Commission twelve (12) days prior to the meeting of the Commission at which the consideration is desired.
4. Before action on any subdivision plat, the Commission may hold a public hearing thereon after public notice.
5. The Commission shall act on the final subdivision or land development plan within ninety days (90) and as prescribed in Section 304.1.
6. No change, erasures, modifications, or revisions shall be made on any Final Plan of a subdivision or land development after approval has been given by the Commission, and endorsed in writing on the plan, unless the plan is first resubmitted to the Commission.
7. As part of the approval process, Section 513.(a) and (b) of the Pennsylvania Municipalities Planning Code or Section 115 of this Ordinance specifies that approved plans are required to be recorded with the Bradford County Register and Recorder of Deeds within 90 days (90) after the date of approval of a final plan by the County Planning Commission. At that time, the Office of Community Planning and Grants staff will submit the plan, along with the appropriate fee submitted by the applicant, to the Recorder of Deeds to ensure proper recording.
8. Whenever plan approval by the County Planning Commission is required, the Recorder of Deeds of Bradford County shall not accept any plan for recording unless such plat officially notes the approval of the County Planning Commission.
9. Where the land for a subdivision abuts a state highway, no plan shall be finally approved unless it contains the following notice: *"A Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945; (P.L. 1242, No. 428), known as the State Highway Law, before driveway access to the state highway is permitted. No building permits shall be given by the municipality until the developer certifies in writing that a Highway Occupancy Permit from the Commonwealth of Pennsylvania, Department of Transportation will be issued for each lot shown on the plan that abuts a state highway."*
10. The Planning Commission may grant approval subject to conditions. If the conditions are not accepted within forty-five days (45) the approval will automatically be rescinded. The conditions must be accepted and met by the applicant in writing and the acceptance of the conditions by the applicant must be in writing.

SECTION 307. Final Plans: Specifications.

The Final Plan shall be drawn on reproducible linen, or other reproducible material of equal quality, 18"x 24" or to a maximum size of 24"x36", at a scale of one inch (1") equals one hundred feet (100') or less and show:

1. Point of beginning, approved by the Surveyor or Engineer, or description and "ties" to such control points, to which all dimensions angles, bearings, and similar data on the plan shall be referred.
2. Tract boundary lines, right-of-way of streets, easements and other right-of-way, and property line of residential lots and other sites with accurate dimensions, bearings, or deflection angles, and radii, arcs, and central angles of all curves.

3. Name and right-of-way width of each street or other right-of-way.
4. Location, dimensions, and purpose of easements.
5. Number to identify each lot and/or site.
6. Purpose for which sites other than residential lots are dedicated or reserved.
7. Building setback lines on all lots and other sites.
8. Locations and description of survey monuments. All permanent reference monuments shall be shown on the plan.
9. Names or owners of record of all adjoining unplatted land.
10. Reference to recorded subdivision plans of adjoining platted land and by record name, date, and numbers.
11. Signature and seal of the Pennsylvania Licensed Surveyor, Engineer or Landscape Architect.
12. Date and North Arrow.
13. A note of preliminary approval.
14. Flood plains and wetlands delineated.
15. Zoning district noted, if applicable.
16. Statement by owner dedicating streets, right-of-way and any sites for public uses which are to be dedicated.
17. Proposed Protective Covenants running with the land, if any.
18. Proposed and existing contours at vertical intervals of two feet (2') or less as required by the Commission for the developed or subdivided tract or parcel. (Excludes minor or major subdivisions where engineering design is not required and shall adhere to a vertical contour interval of 20').
19. Other Data: The Final Plat shall be accompanied by the following data and plans as prescribed by the Commission or as required by the laws of the Commonwealth.
 - A. Profiles of streets and alleys showing grades.
 - B. Typical cross sections of each type of street showing the width of right-of-way, width of cartway, location and width of sidewalks, if required.
 - C. Plans and profiles of proposed sanitary, and storm water sewers, with grades and pipe size indicated and a plan of any proposed water distribution system showing pipe sizes and location of valves and fire hydrants.
 - D. A final Erosion and Sedimentation Control Plan, showing the location and

types of erosion and sediment control measures, except where five (5) acres or more are being disturbed and new streets are involved, as required by the "Clean Stream Law of Pennsylvania", Act 222, July 31, 1970, as amended. In the case of the exception above such plans shall include a report signed by the County Conservation District indicating that the plan has been reviewed.

- E. A copy of an application for a permit for earth moving activity or a permit issued and signed by the Department of Environmental Protection as required by the Rules and Regulations, Chapter 102, "Erosion Control", under P.L. 1987, June 22, 1937, as amended.
- F. In the case of subdivision and land development plans proposed for the sale of lots only, the subdivider shall include on the Final Plan, a covenant with the land, assuring the implementation by the lot owners of the Erosion and Sedimentation Control Plan.
- G. A copy of the "Sewage Facilities Planning Module for Land Development" or other equivalent documentation approved by the Department of Environmental Protection and/or Bradford County Sanitation Committee.
- H. Such other certificates, affidavits, endorsements, or dedications as may be required by the County Planning Commission in the enforcement of these regulations.
- I. Where a Mobile Home Park is proposed, a Certificate of Registration from the Pennsylvania Department of Environmental Protection, as required under Title 25, Rules and Regulations Part I, Subpart D., Article II, Chapter 179, "Mobile Home Parks".
- J. If the water supply is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the Planning Commission that the subdivision is to be supplied by a certified public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable.
- K. Any additional information may be requested or required by the Commission or Commonwealth Agencies.

SECTION 308. Land Development Plans.

All Land Development Proposals shall conform to the requirements set forth under Pre-Application (Sketch) Plan (Section 302), Preliminary Plan (Section 305) and Final Plan (Section 307) submissions in addition to the criteria outlined below. Land Developments shall also follow the guidelines for Financial Security under Section 304.12 (A; B; and C.) of this Ordinance.

1. Minor Land Development Plan Requirements:

In addition to meeting the requirements under the above-referenced Plan submissions, all preliminary and final Minor Land Development Plans shall also contain the following information, where applicable.

- A. Location and size of all existing and/or proposed principle and accessory buildings and structures, including solid waste storage sites, signs, lighting facilities, fences, walls, utilities, aesthetic and landscaped amenities, curing and any other similar features deemed appropriate by the Bradford County Planning Commission, its staff or the County Consulting Engineer.
- B. Location of access ways, parking, loading and unloading areas.
- C. Location and width of all buffer yards, screen plantings, berms or riparian areas.

Minor Land Development Plan Data and Related Items:

- A. Detailed construction schedule that outlines initiation and completion dates along with projected project milestones. This schedule is strictly for financial security purposes.
- B. Detailed construction estimate that itemizes materials to be used in the installation of all required improvements, namely sidewalks, grading and paving, sewer and water connection, earth and sedimentation control and other improvements deemed eligible for inclusion by the County Consulting Engineer(s).
- C. Plans that address the layout and site design of the proposed development. Plans will include cross sections of access ways, driveways and parking area; proposed lighting, landscape and signage plan; all utility easements.
- D. Letter from the local municipal authority, where applicable, confirming the availability of sewer and water service. Otherwise, the applicant will be required to submit appropriate profile and percolation testing with an approved Department of Environmental Protection Sewage Planning Module for on-site sewage facilities.
- E. Letter from the municipality regarding compliance with adopted zoning regulations.
- F. Erosion and Sedimentation Control Plans and approval from the Bradford County Conservation District. Other requirements pertaining to NPDES, Wetland Delineation/Mitigation and Stream Encroachment or Crossing Permits shall also be required prior to final land development approval.
- G. Financial Security as outlines in Section 304.12.
- H. A description of the proposed development in sufficient detail for the County Planning Commission to evaluate the submission, including numbers of expected employees, tenants, customers or inhabitants.
- I. Where applicable, PENNDOT approved Highway Occupancy Permit or Municipal Driveway Permit.

2. Major Land Development Plan Requirements:

In addition to meeting the requirements under the above-referenced Plan submissions, all preliminary and final land development plans shall also contain the following information where applicable.

- A. Location and size of all existing and/or proposed principal and accessory buildings and structures, including solid waste storage sites, signs, lighting facilities, fences, walls, utilities, storm water management facilities, aesthetic and landscaped amenities, curbing and any other similar features deemed appropriate by the County Planning Commission, its staff or the County Consulting Engineer(s).
- B. Location of access ways, parking, loading and unloading areas.
- C. Location of all proposed on-site pedestrian and vehicular circulation routes and controls, including sidewalks, cross-walks, traffic signals, stop signs, trails (bike or pedestrian), turning lanes, etc.
- D. Location and width of all buffer yards, screen plantings, berms or riparian areas.

Major Land Development Plan Data and Related Items:

- A. Detailed project construction schedule that outlines initiation and completion dates along with projected project milestones. This schedule will be used strictly for financial security purposes.
- B. Detailed construction estimate that itemizes materials to be used in the installation of all required improvements, namely sidewalks, storm water facilities, grading and paving of streets and parking areas, sewer and water connection, earth and sedimentation control and other improvements deemed eligible for inclusion by the County Consulting Engineer(s).
- C. Plans that address the layout and site design of the proposed development. Plans will include cross-sections of access ways, driveways and parking area; storm water facilities; a proposed lighting, landscape and signage plan; all utility easements.
- D. Letter from the local municipal authority, where applicable, confirming the availability of sewer and water service. Otherwise, the applicant will be required to submit appropriate profile and percolation testing with an approved Department of Environmental Protection Sewage Planning Module for on-site sewage facilities.
- E. Letter from the municipality regarding compliance with adopted zoning regulations.
- F. A detailed storm water management report consistent with the provisions set forth in Article V, Section 505 of this Ordinance.
- G. Erosion and Sedimentation Control Plans and approval from the Bradford County Conservation District. Other requirements pertaining to NPDES, Wetland Delineation/Mitigation and Stream Encroachment or Crossing Permits shall also be required prior to final land development approval.
- H. Financial Security as outlined in Section 304.12.
- I. A description of the proposed development in sufficient detail for the Planning Commission to evaluate the submission, including anticipated traffic volumes and flows, and numbers of

expected employees, tenants, customers or inhabitants.

- J. **Where applicable, PENNDOT approved Highway Occupancy Permit.**
- K. **For all residential land developments in excess of an aggregate total of twenty-five (25) dwelling units and all non-residential proposals exceeding twenty-five thousand square feet (25,000) in gross floor area, the County Planning Commission may require the applicant to submit a detailed transportation study which describes the expected impact of the development on the roads and highway system in the vicinity of the development site. Such study shall be prepared by a Registered Professional Engineer or other transportation specialist acceptable to the County Planning Commission.**

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ARTICLE IV

Design Standards

SECTION 401. Streets.

1. **General Standards:** The arrangement, character, extent, width, grade and location of all streets shall conform to a municipality's Official Map or to the Community Comprehensive Plan, if either has been adopted, and proposed streets shall be considered in their relation to existing streets, to topographical conditions, to public convenience and safety and in the appropriate relation to the proposed uses of the land to be served by such streets. Where not shown on the Official Map or Community Comprehensive Plan, the arrangement and other design standards of streets shall conform to the provisions found herein.
 - A. The arrangement of streets in the new subdivision shall make provisions for the continuation of existing streets in adjoining areas. New street right-of-way widths that are a continuation of an existing street shall not be continued at a lesser width than the existing street.
 - B. Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall make provision for the proper projection of streets.
 - C. When a new subdivision adjoins un-subdivided land appropriate for subdivision, then the new streets shall be carried to the boundaries of the tract to be subdivided.
2. The right-of-way in any development shall be measured from lot line to lot line and shall be wide enough to sufficiently negotiate the placement of a cartway, curbs, shoulders, sidewalks, graded areas, utilities, etc.
3. Proposed right-of-ways shall be designed to accommodate any future development in a particular area as prescribed by the Bradford County Comprehensive Plan or by any municipal master/comprehensive plan or official map.
4. **Alleys:** Alleys shall be prohibited in residential subdivisions except where Traditional Neighborhood Design Standards may be utilized in a new development in accordance with Article VII-A of the Pennsylvania Municipalities Planning Code.
5. **Intersections:** Intersections involving the junction of more than two (2) crossing streets are prohibited. Right-angle intersections must be used wherever possible, however, in no case shall street intersect at less than seventy-five (75) degrees.
6. **Intersection curve radii:** At intersections of streets the radius of the curb or edge of pavement radii shall not be less than the following:

Intersection	Minimum Simple Curve Radius of Curb or Edge of Pavement
Major Street with Major Street	50 Feet
Major Street with Minor Street	35 Feet
Minor Street with Minor Street	15 Feet

7. **Intersection sight distance:** Proper sight lines must be maintained at all intersections.
 - A. Where intersections occur between proposed new streets within a new subdivision there must be a clear sight triangle of seventy-five feet (75') based on the measurement along the centerline. No building or obstruction shall be permitted in this area.
 - B. Where intersections occur between proposed new streets or driveways providing access to separate parcels of land and state highway (Legislative Route, Pennsylvania Routes and United States Routes) or arterial streets, there must be a clear sight triangle provided in accordance with the requirements of the Pennsylvania Department of Transportation.
8. **Streets not in alignment:** If streets are not in alignment, the distance between the centerlines of streets opening on opposite sides of an existing or proposed street shall be no less than one hundred twenty-five feet (125').
9. **Stopping Sight:** Stopping Sight distance must be provided with respect to both horizontal and vertical alignment. Measured along the centerline, observer height of three feet eight inches (3'8") to four inches (4") object height.

Design Speed (MPH)	Stopping Sight Distance
30	200 feet
40	275 feet
50	350 feet
55	425 feet

10. **Horizontal Curves:** Where connecting street lines deflect from each other at any one point by more than ten (10°) degrees, the line must be connected with a true circular curve. The minimum radius of the centerline for the curve must be as follows:

Design Speed (MPH)	Minimum Radius
30	250 feet
40	450 feet
50	750 feet
55	950 feet

Straight portions of the street must be tangent to the beginning or the end of curves. Except for minor streets, there must be a tangent of at least one hundred feet (100') between reverse curves.

11. Street widths:

A. Minimum street right-of-way and cartway widths shall be as follows:

* Use specific type streets under major categories.

Street Type	Right-of-Way	Shoulders	Cartway
Arterial and Limited Access Highway	*	*	*
Collector Street	60 Feet	16 Feet (8' each side)	20 Feet
Local Street	50 Feet	6 Feet (3' each side)	18 Feet
Private Road	50 Feet	None	18 Feet
Cul-de-Sac (Turn around)	120 Feet	N/A	100 Feet

* *As determined by the County Planning Commission, in consultation with the municipality, the municipal/county engineer and the Pennsylvania Department of Transportation.*

B. Provision for additional street width (right-of-way, cartway, or both) may be required when determined to be necessary by the Commission in specific cases for:

- (1). Public safety and convenience.
- (2). Parking in commercial and industrial areas and in areas of high density development.
- (3). Widening of existing streets where the width does not meet the requirements of the preceding paragraphs.

12. Cul-de-sacs: Cul-de-sacs designed to be so permanently shall not exceed five hundred feet (500') in length, and shall be provided with a turn around having minimum dimensions for right-of-way and cartway widths as indicated in the preceding section, except in non-residential areas where cul-de-sacs may exceed five hundred feet (500') in length when, under special circumstances, where the County Planning Commission or municipality deems such additional length necessary.

13. Street grades:

A. The grades of streets shall not be less than the minimum or more than the maximum requirements listed below:

Street Type	Minimum Grade	Maximum Grade
Arterial Streets and Limited Access Highway	As Determined by the Commission after Consultation with the Municipality and the Pennsylvania Department of Transportation	As Determined by the Commission after Consultation with the Municipality and the Pennsylvania Department of Transportation
Collector Streets	(0.5%)	(10%)
Minor Streets	(0.5%)	(15%)
Cul-de-Sac / Turn-around	(0.5%)	(5%)

B. On minor streets and alleys, grades greater than ten percent (10%) shall be not more than four hundred feet (400') in length but in no case shall the grades be greater than fifteen percent (15%).

C. Vertical curves shall be used in changes of grade when the algebraic difference exceeds one percent (1%), and shall be designed for maximum visibility. Intersections shall be approached on all sides by leveling areas. Where the grades exceeds seven percent (7%), such leveling areas shall have a minimum length of sixty feet (60') (measured from the intersection with the centerline) within which no grade shall exceed a maximum of four percent (4%).

14. Slope of banks along streets: The slope of banks along streets measured perpendicular to the street centerline shall be no steeper than the following:

A. One foot (1') of vertical measurement for three feet (3') of horizontal measurement for fills.

B. One foot (1') of vertical measurement for two feet (2') of horizontal measurement for cuts.

15. Dead End Streets: The creation or dedication of dead end streets are not to exceed five hundred feet (500').
16. Names of Streets: Names of new streets shall not duplicate or approximate existing or platted street names by use of suffixes such as "lane", "way", "drive", "court", "avenue". In approving the names of streets, consideration may be given to existing or platted street names within the postal delivery district served by the local post office. New streets shall bear the same name or number of any continuation or alignment with an existing or platted street.
17. Private roads are to be discouraged unless otherwise provided for in this Ordinance. Private Roads will be accepted only under circumstances where the municipality does not desire to accept a proposed street or where the municipality feels a public street may be unnecessary and further where it serves four (4) or more users and must adhere to PENNDOT Local Road Standards.
 - A. A private right-of-way agreement shall be properly executed between the landowner granting access and all affected parties abutting and adjoining said easement and shall create a private right-of-way which shall run with the land. Such private right-of-way shall not be less than fifty feet (50') in width and shall be made available for the use of all owners, present and future, of the land to be made accessible by said right-of-way. This agreement shall include all provisions listed in Appendix J.B.3. of this Ordinance and must be approved by the County Solicitor, where applicable, prior to Final Approval.
 - B. The subdivision shall be designed to provide an access street system adequate to accommodate the type and volume of traffic anticipated to be generated and shall be constructed to a sound all-weather driving surface, reasonably smooth and free from mud, dust or standing water. The private street system, unless or until built to applicable municipal specifications herein, shall be built to at least the following design requirements:
 - (1) Right-of-Way Width – Fifty feet (50');
 - (2) Cartway Width – Eighteen feet (18');
 - (3) Cartway construction specifications: Six inches (6") of suitable stone base material appropriately compacted and graded to provide a permanent, all-weather surface which will facilitate storm water drainage patterns;
 - (4) Maximum Allowable Grade: The maximum allowable grade for private access streets shall be a finished grade of fifteen percent (15%) slope;
 - (5) Cul-de-Sac Length: Excessive access street length shall be discouraged due to the increased difficulty which would be experienced by emergency vehicles. Cul-de-sac lengths shall be designed as specified in Section 401.12 of this Ordinance.
 - (6) Cul-de-Sac Turnaround Area: A turnaround area shall be provided at the terminus of all dead-end access streets and at other appropriate areas which

shall have a minimum unobstructed maneuvering area equivalent to a fifty foot (50') turning radius.

- (7) **Plan Notation:** A notation shall be placed on the Final Plan identifying the right-of-way as "Private Road".

Note: Where appropriate, the Commission may allow certain reductions in the above standards subject to specific topographical and/or environmental constraints; whereby an innovative design is submitted consistent with the intent of this Ordinance.

SECTION 402. Easements.

1. Easements shall be provided for drainage facilities, overhead or underground public utility facilities in consultation with the municipality's engineer, the electrical utility companies, the Pennsylvania Department of Transportation, telephone utility companies and cable TV and other communication companies.
 - A. The minimum width of such easements shall be twenty feet (20'). Additional width may be required by the Bradford County Planning Commission depending on the purpose and use of the easements.
 - B. Wherever possible such easements shall be centered on the side or rear lot lines, or along front lot lines.
2. Where a subdivision is traversed by a water course, drainage way, channel or stream, a drainage easement shall be established. This easement shall substantially conform with the line of such water course, drainage way, channel or stream, and of such width as will be adequate to preserve the unimpeded flow of natural drainage or for the purpose of widening, deepening, relocating, improving and protecting such drainage facilities, or for the purpose of installing a storm water sewer. Minimum easements shall be ten feet (10') from the centerline of the water. The County Planning Commission has a right to impose greater easement widths. No structures or buildings shall be erected within such easements. (See Article V, Section 505.16.)

SECTION 403. Blocks.

Length, width and shape of blocks shall be determined with due regard to the following:

1. Blocks shall not exceed sixteen hundred feet (1,600') in length and shall be of sufficient depth to permit two (2) tiers of lots.
 - A. Provision of building sites adequately suited to the specific needs of the uses contemplated.
 - B. Municipal zoning requirements, if applicable.
 - C. Topography.
 - D. Requirements for convenient access, circulation and safety of pedestrian and vehicular traffic.

SECTION 404. Lots.

The arrangement and other design standards of lots shall conform to the following requirements:

1. Layouts of lots: Every lot shall abut a street. Lot frontage or access shall be physically accessible by standard vehicle in existing condition or the County Planning Commission shall require illustration of the site improvements planned and necessary to allow steep banks, floodplains, visibility limitations, etc. to a condition that will facilitate safe and adequate access. The County Planning Commission may also require that lots be arranged to reserve a right-of-way for street access to future lots.
 - A. Side lot lines should be substantially at right angles or radial to street lines.
2. Double frontage: Double frontage lots shall be avoided, except that, where desired along limited access highways, reverse frontage lots may face on an interior street, and back on such thoroughfares.

Interior lots having frontage on two streets shall be avoided except where unusual conditions make it necessary.
3. Size, Shape and Orientation: The lot width, depth, shape, orientation and the minimum building setback lines shall be appropriate for the location of the subdivision, type of development and use contemplated. A length to width ratio of two and one half (2½) to one (1) is considered desirable, however, the lot depth in relation to width shall not exceed a ratio of three (3) to one (1); except where lots exceed ten (10) acres, the lot depth in relation to width shall not exceed a ratio of five (5) to one (1).
4. Lots in newly platted subdivisions shall be suitably shaped to encourage and facilitate use and maintenance of all portions of the lot. Accordingly, lots shall be square or generally rectangular in shape. Lot configurations which result in flag lots and L-Shaped, T-Shaped, triangular or otherwise inappropriately shaped lots shall be discouraged.
5. Lot Slope: Each lot shall have an average natural slope not greater than twenty percent (20%) and shall be accessible from the existing or proposed street by means of a driveway or private access street having a maximum grade of fifteen percent (15%). In the case of lots utilizing an on-site sewage disposal system, there shall be sufficient area for a primary and a replacement sewage disposal field which meets current Department of Environmental Protection Regulations.
6. Dimensions and areas of a lot: The dimensions and areas of lots, unless regulated by local municipal zoning ordinance, shall conform to the following requirements:
 - A. Lots not served by both public water and public sanitary sewers:
 - (1). In developments where neither connection to a public sewage system nor a package collection and treatment system is planned by the developer, on-lot disposal facilities, holding tanks or privys shall be provided on an individual lot or parcel basis according to the soil characteristics and physical features of each lot or parcel. Such installations shall be planned in advance by the developer. On-lot sewage holding or disposal plans must be submitted to the municipality in which the

development is proposed by the developer, and must include an implementation schedule for construction of sewage collection and treatment facilities in those instances where holding tanks or privys are planned.

- (2). Residential lots, not served by both public water and public sanitary sewers, which meet the necessary percolation and soil survey standards, shall be not less than one hundred feet (100') wide measured at the front building setback line, nor less than one acre (1) in area, per dwelling unit.

B. Lots served by private sewer and public water:

- (1). Residential lots, served by private sewers and public water which meet the necessary percolation and soil survey standards shall be not less than one hundred feet (100') wide measured at the front building setback line, nor less than fifteen thousand square feet (15,000) in area, per dwelling unit.

C. Lots served by public sewers and by private water supply:

- (1). Residential lots, served by public sewers and by private water shall be not less than eighty-five feet (85') wide, measured at the front building setback line, nor less than eight thousand five hundred square feet (8,500) in area, per dwelling unit.

D. Lots serviced by public water and public sanitary sewers:

- (1). Residential lots served by both public water and public sanitary sewers shall conform to the following requirements:

Dwelling	Minimum Lot Width with at Front Building Setback	Minimum Lot Area
Single Family Detached	75 feet	7,500 square feet
Single Family Semi-Detached	55 feet	5,500 square feet
Single Family Attached (Row Home)*	16 feet interior, end lot must adhere to applicable building setback lines	2,400 square feet
Two-Family Detached	85 feet	8,500 square feet
Two-Family Semi-Detached	65 feet	6,500 square feet
Multi-Family	100 feet	12,500 square feet

* (Except from Section 404.3.)

E. Lots for Other Than Residential Uses:

The lot width and area requirements of properties reserved or laid out for uses

other than residential shall provide adequate space for yards and off-street loading, unloading, and parking facilities.

F. Lot Sizes and Sewage Facility Requirements:

- (1). The applicant shall arrange for the required test to be made on the tract as prescribed by the Department of Environmental Protection and Bradford County Sanitation Committee in order to provide the data necessary for the platting of lots for adequate size for on-lot sewage disposal or to determine the need for other sewage disposal methods. (Section 302.2).
- (2). The results of these tests shall be submitted to the Department of Environmental Protection in a form acceptable to the Department, and, if required, showing the review and comments to the Bradford County Planning Commission.
- (3). From the results of these tests and reports, the lot size shall be established large enough to provide for specified minimum area required for the absorption field as prescribed in accordance with the Department of Environmental Protection report, if on-lot sewage disposal is permitted, but in no case shall the lot size be less than designated in Section 404.5.A or Section 404.5.B.
- (4). Where on-lot water is to be used, the lot shall be large enough so that the water source shall be located at least one hundred feet (100') in radius from the absorption field of the on-lot sewage facilities specified in accordance with the "Rules and Regulations of the Department of Environmental Protection."

G. Corner Lots for Residential Uses:

Corner lots designed for residential use shall have extra width of at least ten percent (10%) of the above required width to permit appropriate building setback from, the orientation to, both streets.

H. Building Setback Lines:

- (1). Building setback lines must conform to zoning ordinance, if applicable. Where no such ordinance exists, the minimum setback from the right-of-way line shall be as follows:
- (2). Setback lines must conform to any zoning requirement, if applicable. Otherwise, the minimum building setback line for all structures in subdivisions, land developments, Mobile Home Parks, Recreational Vehicle Parks or Campgrounds shall be measured from the required street right-of-way and shall be one-half (1/2) of the street right-of-way, provided that the maximum required setback shall be forty feet (40').
- (3). Where an existing building line is established, on at least fifty percent (50%) of the properties in a block in which the proposed subdivision is located or within two hundred feet (200') immediately adjacent to the proposed subdivision, the required minimum may be increased or decreased to conform with such established building line.

- (4). On a corner lot, the setback from each adjacent street centerline shall be applicable.
- (5). In a Mobile Home Park Recreational Vehicle Park or Campground, setback lines on private streets shall be not less than ten feet (10') from the right-of-way of the private street.

I. Side and Rear Building Lines:

- (1). Building lines shall not be less than ten feet (10') from the side lot lines and twenty-five feet (25') from the rear lot line except in attached dwellings.

J. Space Between Buildings for Land Development:

- (1). The space between buildings where land development is proposed shall be provided in accordance with the following schedule:

Building Position	Spacing Between Buildings
Front to Front	70 feet
Front to Side	50 feet
Front to Rear	70 feet
Side to Rear	30 feet
Side to Side	30 feet
Rear to Rear	50 feet
Corner to Corner	20 feet

- (2). The space between buildings shall be increased one foot for each additional foot that the height of the building exceeds thirty-five feet (35').

- K. The land upon which two single family semi-detached houses are situated may be considered for subdivision to divide the land at the party wall, without the alteration of requirement first being granted for substandard lot areas or lot widths, provided that the building was in existence prior to the date of this Ordinance.

L. Accessory Buildings:

- (1). When the subdivision of lots is proposed, an accessory building may be erected within one of the side yards or rear yard provided such accessory building be located not less than five feet (5') from the side or rear lot line or ten feet (10') from any building. When an accessory building is erected within the side or rear yard adjacent to a side street on a corner lot, the accessory building shall be not less than the required front yard depth from the exterior side lot line.

SECTION 405. Erosion and Sedimentation Control.

1. GENERAL STANDARDS:

Effective soil conservation measures shall be planned and implemented for all subdivisions and land developments in accordance with the Rules and Regulations of the Pennsylvania Department of Environmental Protection (DEP) (PA Code, Title 25, Chapter 102 – Erosion Control, or as may hereafter be amended) and the following criteria.

- A. No changes shall be made in the contour of the land; no grading, excavating, removal or destruction of the topsoil, trees or other vegetative cover of the land shall be commenced unless adequate provisions are made by the landowner for minimizing soil erosion and sedimentation.
- B. For the purposes of this Ordinance, a complete Erosion and Sedimentation Control Plan as outlined in the most current edition of the Erosion and Sediment Pollution Control Program Manual, developed by the Bureau of Soil Conservation of the DEP, shall be prepared by an individual of demonstrated capability for subdivision and land development proposals where:
 - (1). Where five thousand (5,000) square feet or more will be disturbed to develop the site (including construction of the dwelling, driveway and sewage system, etc.); or
 - (2). Site improvements are involved; or
 - (3). Major earthmoving activities are proposed; or
 - (4). Disturbances are proposed for areas of steep or severe slope or for areas adjacent to streams or water bodies; or
 - (5) The proposal involves any commercial, institutional or industrial use; or
 - (6) Where such is deemed appropriate by the County Planning Commission.
- C. Where required, Erosion and Sedimentation Control Plans shall be submitted by the developer to the County Planning Commission along with preliminary or final subdivision or land development plans, as appropriate. A copy of the Plan shall then be forwarded to the Planning Commission Consulting Engineer, the Bradford County Conservation District, and, as necessary, to the DEP for review and acceptance prior to approval of the proposed subdivision or land development.
- D. Where appropriate, a notice may be required to be placed on all final subdivision and land development plans indicating that future property owners or developers must meet the Erosion and Sedimentation Control requirements of the DEP before lot development is initiated.
- E. Whenever sedimentation results from stripping vegetation, grading, regarding or other activity, it shall be the responsibility of the person, corporation or other entity causing such sedimentation to remove it from all adjoining surfaces, drainage systems and watercourses and to repair any damage at his expense. (All State-mandated permits shall be obtained by the contractor before initiating work in a stream or watercourse.)
- F. Where construction activities associated with a subdivision or land development propose to disturb lands, the developer shall apply for and obtain a National Pollutant Discharge Elimination System (NPDES) Permit for the site runoff and discharge from the DEP prior to initiating such activities. A copy of this Permit shall be submitted to the County as part of the subdivision or land development plan submission.

2. **Grading:** In order to provide suitable building sites, the following standards shall be met:
 - A. All lots, tracts or parcels shall be graded to provide proper drainage away from buildings without creating ponding problems, and all land within a development shall be graded to drain storm water.
 - B. Grading shall not divert water onto adjacent properties without the express permission of the land owner and the County.
 - C. Grading equipment shall not enter or cross any wetland, stream or watercourse without first obtaining the necessary approval or permit from the PA DEP, U.S. Army Corps of Engineers, or other agencies as appropriate.
 - D. All excavation and fill activities shall adhere to the following standards:
 - (1) Cut and fill slopes shall not be steeper than a two (2) to one (1) (2:1) ratio unless stabilized by a retaining wall or cribbing.
 - (2) Adequate provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surface of fills.
 - (3) Cut and fill slopes shall not endanger adjoining properties and shall be graded or tapered so that the bottom edge of the slope is no closer than ten feet (10') to any property line.
 - (4) Fills shall be placed, compacted, and stabilized to minimize sliding or erosion.
 - (5) Fills shall not encroach within 50' of non-delineated natural wetlands, watercourses, nor constructed channels.
 - (6) Fills placed adjacent to natural watercourses or constructed channels shall have suitable protection against erosion during periods of flooding and shall be subject to all applicable municipal floodplain management regulations and all floodplain requirements of the DEP, Federal Emergency Management Agency (FEMA), and U.S. Army Corps of Engineers. No fill shall be placed in any designated Floodway.
 - E. Grading shall not accelerate stormwater runoff rates without provision for adequate erosion protection.

SECTION 406. Floodway and Flood Fringe Requirements.

1. If the lot, tract or parcel is located in the Flood Way area, or is located in the Flood Fringe area, the following regulations shall apply:
 - A. The Applicant shall prepare a map including contours of the area proposed for subdivision or land development showing which portion of the tract is in the Flood Way and which portion of the tract is in the Flood Fringe according to the Official Flood Damage Prevention Map or the Federal Flood Insurance Administration Map for the municipality in which the proposed subdivision or land development is located.

- B. Where the tract is located in the Flood Way, the land shall not be platted for residential occupancy.
- C. Where the tract is located in the Flood Way, structural development for other than residential occupancy shall not be permitted except where the effect of such development on flood heights is fully offset by accompanying stream improvements on the tract, which have been approved by all appropriate local, state and/or federal authorities.
- D. Where the tract is located in the Flood Fringe, the development of land shall be permitted, provided that all such uses, activities, and/or development shall be undertaken in strict compliance with the flood proofing and related provisions contained in all other applicable municipal codes and ordinances as well as the following:
- (1) Basements or first floor levels in non-residential buildings may be constructed below the level of the Flood Fringe provided that they are designed to preclude inundation to an elevation of at least one and one-half feet (1 ½') above the elevation of the one hundred (100) year flood and to withstand the hydrostatic load of the one hundred (100) year flood waters.
 - (2) No basements shall be permitted in residential structures. First floor levels in residential structures shall be constructed above an elevation of one and one-half feet (1 ½') above the elevation of the Flood Fringe as indicated by the Federal Flood Insurance Administration Map and detailed study where available.
 - (3) Adequate Building Site - to insure that residential structures will have sufficient flood free land upon which to build a residence the County Planning Commission shall require the following:
 - a. Each lot shall contain a building site which shall be raised to such an elevation as will enable the first floor level to be constructed one and one-half feet (1 ½') above the level of the flood fringe.
 - b. If fill is used to raise the finished surface on the first floor level above the one and one-half foot(1 ½') level of the Flood Fringe:
 - i. The fill shall extend laterally fifteen feet (15') beyond the building line at all points.
 - ii. The fill shall consist of soil and small rock materials only. Fill material shall be compacted to provide necessary permeability.

- iii. Fill slopes shall be no steeper than one (1) vertical or two (2) horizontal, unless substantiating data justifying steeper slopes are submitted to and approved by an Engineer.
- iv. Fill shall be used only to the extent to which it does not extend into adjacent properties.

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Article V

Improvement and Construction Requirements

SECTION 501. Authorizing Statement.

The applicant shall provide all improvements required by these regulations. Where a municipality does not have its own engineering specifications for the improvements required, the specifications for the improvements contained herein shall apply.

SECTION 502. Monuments and Markers.

1. Monuments must be set:
 - A. At the intersections of all street right-of-way lines.
 - B. At the intersection of lines forming angles in the boundaries of the subdivision.
 - C. At such intermediate points as may be required by the engineer or surveyor.
2. Markers must be set:
 - A. At all lot corners except those monumented.
 - B. By the time the property is offered for sale.
3. Monuments and markers shall be made of the following size and material:
 - A. Monuments shall be six inches (6") square or four inches (4") in diameter and shall be made of concrete, stone, or by setting a four inch (4") inch cast iron or steel pipe filled with concrete.
 - B. Markers shall be five-eighths of an inch (5/8") square or five-eighths of an inch (5/8") in diameter, eighteen to twenty-four inches (18"-24") long. Markers shall be made of iron pipes, or iron or steel bars.
4. Monuments and markers must be placed so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They must be set so that the top of the monument or marker is level with the finished grade of the surrounding ground. Monuments must be marked on the top with a copper or steel dowel set in the concrete.

SECTION 503. Street Surfacing.

1. Pavements.

Streets must be surfaced to the grades and dimensions drawn on the plat, profiles, and cross-sections submitted by the applicant and approved by the Commission. Before paving the street surface, the applicant must install the required utilities and provide where necessary, adequate storm water drainage for the street, acceptable to the municipal engineer and/or the local governing body. The pavement base and wearing surface must be constructed according to the following specifications:

Roadway and Shoulder Construction Standards

Roadways

Shoulders

Street Class	Base Course Alternates		Surface Course Alternates		Base Course Alternates		Surface Course Alternates	
	Material	Compacted Depth	Material	Compacted Depth	Material	Compacted Depth	Material	Compacted Depth
Arterial	Crushed stone	12"	ID-2A or 4.5mm	3"	Crushed stone	10"	ID-2A or 4.5mm	1 ½"
	BCBC	8"	ID-2A or 4.5mm	3"	BCBC	6"	ID-2A or 4.5mm	1 ½"
Collector or Marginal Access	Crushed stone	10"	ID-2A or 4.5mm	2 ½"	Crushed stone	6"	ID-2A or 4.5mm	1 ½"
	BCBC	6"	ID-2A or 4.5mm	2 ½"	BCBC	4"	ID-2A or 4.5mm	1 ½"
					2RC or 2A Modified	8"	Double Surface Seal	1"
Local (Paved Option)	Crushed stone	8"	ID-2A	1 ½"	Crushed stone	6"	Fines for choke	-
	BCBC	4"	ID-2A	1 ½"	2RC or 2A Modified	6"		
Local (Double Surface Seal Option)	Crushed stone	8"	Double Surface Seal	1"	Crushed stone	6"	Fines for choke	-
	2RC or 2A Modified	8"	Double Surface Seal	1"	2RC or 2A Modified	6"		
Local (Select Surface Option)	Crushed stone	6"	2RC or 2A Modified	4"	Crushed stone	6"	Fines for choke	-
	Crushed shale	8"	2RC or 2A Modified	4"	2RC or 2A Modified	6"		
Private	Crushed stone	4"	2RC or 2A Modified	3"	N/A			
	Crushed shale	6"	2RC or 2A Modified	3"	N/A			

Base course to be placed on graded and compacted subgrade. All unsuitable material is to be removed and replaced with subbase.

Dust oil or asphalt emulsified primer (AEP) required over the base prior to application of surface treatment.

2. Driveway entrances.
 - A. Where a proposed commercial or residential driveway provides access onto a State Highway (State Route, Pennsylvania Route, or United States Route, Township Road or Borough Street), the design of such driveway access and drainage shall be prepared in accordance with the requirements of the Pennsylvania Department of Transportation and shall be subject to the approval and issuance of permits by PENNDOT, if applicable. (Title 67, Ch.441 Access to and Occupancy of Highways by Driveways and Local Roads).

SECTION 504. Sewers and Water.

1. Where a public sanitary sewer system is within one thousand feet (1,000') of, or where plans approved by the municipality provided for the installation of such public sanitary sewer facilities to within one thousand feet (1,000') of a proposed subdivision, the applicant shall provide the subdivision with a complete sanitary sewer system if, in the County Planning Commission's opinion, it is feasible and there is sufficient capacity available at the municipal treatment facility.
2. Where the installation of a sanitary sewer system is not required, the applicant or owner of the subdivision shall provide for each lot, at the time improvements are erected thereon, a private sewage disposal system consisting of a septic tank and tile absorption field or other approved sewage disposal system. All such individual sewage disposal systems shall be constructed in accordance with the "Rules and Regulations of the Pennsylvania Department of Environmental (Act 537, As amended) Protection". Where off-lot sewage systems are proposed, easement agreements shall be required by the County Planning Commission.
3. Where a water main supply system is within one thousand feet (1,000') of, or where plans approved by the municipality provide for the installation of such public water facilities shall provide the subdivision with a complete water main supply system to be connected to the existing or proposed water main system connected to the existing or proposed water main system in accordance with the municipality's specifications and that there is ample water supply in that particular area.
4. Where installation of a public water main supply system is not required, the applicant or owner of the subdivision shall provide for each lot, at the time improvements are erected thereon, an individual water supply in accordance with the rules and regulations of the Pennsylvania Department of Environmental Protection, as to source and installation. Where off-lot water supplies are proposed the County Planning Commission will require easement agreements.
5. Where required by the municipality, fire hydrants, existing or proposed, shall be provided as an integral part of any public water supply system. Locations of existing/proposed fire hydrants/dry hydrants shall be submitted with the preliminary plat. If facilities are proposed, the County Planning Commission shall require recommendation from the municipality and the fire department serving the area in question.

SECTION 505. Storm Water Management and Drainage.

There shall be no increase in the rate of storm water discharge from the land development or subdivision above that which would have occurred from the land prior to the proposed activity.

Each person, corporation, or other entity which makes any surface changes shall be required to both: a) manage on-site surface runoff as required by current NPDES regulations or by the ordinance, and b) safely convey existing off-site runoff through its development.

1. Storm Water Management Plan:

Prior to the preliminary and final approval of subdivision, land development or the issuance of any permit, or the commencement of any land disturbance activity, the owner, subdivider, developer, or his agent shall submit a storm water management plan to the Bradford County Planning Commission for approval.

2. Plan Requirements:

The plan shall meet the requirements set forth herein, and shall also be in compliance with all applicable State and Federal Regulations.

The following items, where appropriate, shall be included in the plan:

I. GENERAL

- a. General description of project.
- b. General description of stormwater controls both during and after development.
- c. Expected project time schedule, including anticipated start and completion dates.
- d. Training and experience of person(s) preparing plan.
- e. An executed signature block by a Pennsylvania Registered Professional Engineer as follows:
"I, _____, have prepared and hereby certify that the storm water management plan meets all design standards and criteria of the Bradford County's Subdivision and Land Development Ordinance."

II. MAP(S) OF THE PROJECT AREA SHOWING

- a. The location of the project relative to highways, municipalities or other identifiable landmarks.
- b. Existing contours at intervals of two (2) feet or less.
- c. Streams, lakes, ponds, or other bodies of water within the project area or adjacent to the site which will be affected by runoff from the project.
- d. Wetlands areas shall be delineated for the entire parcel. Wetland boundaries shall be shown on the plans. A note shall be placed on the plans indicating the source of the wetland delineation. If no wetlands are located on the parcel, then the following statement, "There are no wetlands located on this parcel." such shall be included on the plans.

- e. Other physical features including drainage swales and areas of natural vegetation to be preserved.
- f. Location of existing overhead and underground utilities, sewers, and water lines.
- g. Location of proposed underground utilities, sewers, and waterlines.
- h. Soil types and boundaries.
- i. Proposed changes to land surface and vegetative cover.
- j. Areas to be cut or filled.
- k. Proposed structures, roads, paved areas, and buildings.
- l. Final contours at intervals of two (2) feet or less.
- m. Location(s) of where water will exit the site and the means for discharging.
- n. The location of where stormwater runoff exits the site based upon predeveloped conditions.
- o. Boundaries of the drainage area contributing to each point of discharge based upon predeveloped and post developed conditions including areas beyond the property being developed.
- p. The runoff flow lines used in the time-of-concentration calculations for both the predeveloped and post developed conditions.
- q. Separate mapping for the predeveloped and the post developed conditions.
- r. Detailed drawings of all proposed stormwater management facilities.
- s. All existing and proposed easements on the plan drawings. Identify each by use and width, along with identification legend of existing versus proposed.
- t. Identify whom the easement is being granted and for what purpose.

3. Stormwater Management Controls:

The plan shall show the location and description of permanent control measures and facilities to be provided at the site, including:

- A. Permanent vegetation or other soil stabilization measures.
- B. Where required and authorized by state and federal regulatory agencies, infiltration facilities such as seepage pits, seepage trenches or other similar structures including on-

lot retention systems for groundwater recharge. When such structures are used, the location of septic tank infiltration areas and wells relative to these facilities; cross-sections of proposed infiltration facilities must be provided upon the plan.

- C. Other control devices or methods such as roof-top storage, semi-pervious paving materials, grass swales, parking lot ponding, vegetated strips, detention or retention ponds, drainage easements, storm sewers, culverts, etc.
- D. A summary of calculations, assumptions and criteria used in the design of the control device or method.
- E. The title and date of the Stormwater Management Report.
- F. Details on the types, locations and dimensions of facilities for storm water detention and conveyance and for groundwater recharge.
- G. Schedule for installation of the control measures and devices.
- H. A 25-foot easement around all storm water management structures and from such structures to a public right of way wherever a municipality may be requested to accept the dedication of such structures.

4. Hydrologic/Hydraulic Calculations:

As an attachment to the plan, hydrologic/hydraulic calculations shall be provided for storm water flows from the site and from the entire area tributary to the site under conditions existing prior to development and resulting from the proposed development. Hydrologic/hydraulic calculations, assumptions and criteria used in the design of storm water control devices or methods shall also be provided.

A written narrative, which fully describes the Stormwater Management Plan, shall be submitted with the required hydrologic/hydraulic calculations.

5. Plan Submission:

Four copies of the completed plan and all related calculations shall be submitted along with the required fee as set forth in the Ordinance.

6. Plan Approval Process:

Section 113 (Approval of Plats) of this Ordinance shall govern the plan approval process and time limitations applicable for the Planning Commission's decisions on subdivision and/or land development plans.

7. Approval and Financial Security for Plan:

No preliminary or final major subdivision or land development plan shall be approved unless there has been a Storm Water Management Plan approved by the Bradford County Planning Commission that provides for controlling storm water runoff consistent with this Section or there has been a determination by the Bradford County Planning Commission that a plan for

storm water runoff is not necessary. If the Planning Commission renders a determination that improvements indicated upon the approved stormwater management plan, do not require to be installed at the time of final approval or prior to final approval, an improvement bond or other form of financial security shall be deposited with the County which shall insure and guarantee the installation and completion of required improvements as indicated upon the approved stormwater management plan within one year or less from the date of final plan approval.

The developer or lot owner shall provide financial security as a construction guarantee in a form to be approved by the Bradford County Planning Commission Solicitor, in an amount equal to One Hundred Ten Percent (110%) of the full cost to install the facilities required by the approved plan. The financial security shall be released only after receipt by the Bradford County Planning Commission of certifications and Final drawings as required.

8. Maintenance Program:

A maintenance program for all storm water management control facilities must be included. This program must include the proposed ownership of the control facilities and detail the financial responsibility for any required maintenance. If the developer of a major subdivision or land development does not intend to retain the ownership and/or long-term maintenance of stormwater management control facilities, then offering a municipality dedication of such facilities is encouraged.

9. Maintenance Guarantees:

Upon acceptance of any stormwater management facilities by a municipality, the developer shall provide a financial security, in a form approved by the Bradford County Planning Commission Solicitor for a maintenance guarantee, equal to fifteen percent (15%) of the total cost of the installation of said facility, used as financial security to guarantee the stability of the newly constructed facility and re-vegetation for a period of eighteen (18) months, except where stormwater retention systems have been constructed, where the developer shall provide a financial security for a period of sixty (60) months, due to the difficulty in determining the long-term functionality of such systems.

10. Compliance a Condition of Preliminary Plan Approval:

The Bradford County Planning Commission, in its consideration of all Preliminary Plans of subdivision and land development, shall condition its approval upon the execution of stormwater management control measures as contained in this Section.

A. Inspection and Certifications:

The developer must submit a certification by a Pennsylvania Registered Professional Engineer; which certificate shall certify that all elements of the approved plan have been constructed as designed and approved.

The Bradford County Planning Commission or their designee may inspect all phases of development of the site including, but not limited to:

1. Completion of preliminary site preparation including stripping of vegetation,



stockpiling of topsoil, and construction of temporary storm water management and erosion control facilities.

2. Completion of rough grading, but prior to placing topsoil, permanent drainage or other site development improvements and ground covers.
 3. During construction of the permanent storm water facilities at such times as specified by the Bradford County Planning Commission or their designee.
 4. Upon completion of permanent storm water management facilities, including established ground covers and plantings.
 5. Upon completion of any final grading, vegetative control measures or other site restoration work done in accordance with approved plans and permit.
- B. It is the responsibility of the developer to notify Bradford County Planning Commission forty-eight (48) hours in advance of the completion of each phase of development identified above.

Any portion of the work, which does not comply with the approved plan must be corrected by the developer. No work may proceed on any subsequent phase of the storm water management plan, the subdivision or land development or building construction until the required corrections have been made.

If at any stage of the work, Bradford County Planning Commission determines that the soil or other conditions are not as stated or shown in the approved application or plan, it may refuse to approve further work and may revoke existing approvals until a revised plan is submitted and approved.

11. Final Plans Required:

Following the completion of construction, the developer shall submit drawings(s) of all improvements included within the scope of the approved stormwater management plan to the Bradford County Planning Commission. Said drawings shall bear the seal of a Pennsylvania Registered Professional Engineer or a Pennsylvania Registered Land Surveyor indicating the "Final" location and characteristics of all required improvements shown upon the drawings. No approved dedication of improvements shall be accepted by the municipality without the submission of "Final" drawings as per Sections 306 and 307 of this Ordinance.

12. Fees and Expenses:

A. General

Fees covering costs to Bradford County Planning Commission for plan review, and inspections shall be established by resolution of Bradford County Planning Commission. No approval to begin any work on the project shall be issued until the requisite fees have been paid.

B. Modification of Plans

If it is determined that a modification to the approved storm water management plan is required under applicable provisions of this Ordinance, a new approval shall not be issued until the additional fees have been paid by the applicant.

13. Exemptions:

Subdivisions and land developments, which will contain less than ten percent (10%) by area of impervious surfaces up to a maximum of ten thousand square feet (10,000) of impervious surface upon completion and development within a watershed that retains an approved Stormwater Management Plan such as Wysox Creek Watershed may request a waiver of exemption from the stormwater discharge rate requirements of this section. The area of impervious surface shall be calculated based on existing and proposed impervious surfaces on the parcel to be developed.

Impervious surfaces for the purpose of this section shall include but shall not be limited to the following:

- Bituminous and concrete surfaces
- Gravel surfaces
- Building structures

Any parcel which has been previously subdivided and/or developed and which said subdivision and/or land development has been granted a waiver under this section shall not be eligible for a waiver of the requirements of this section unless the total aggregate impervious surface from all previous development on the original tract shall remain at less than ten thousand square feet (10,000). However, no lot shall have an impervious cover greater than ten percent (10%) by area. The original tract shall mean final approved subdivision and/or land development recorded as of January 1, 2002.

The applicant request for waiver shall include a letter issued by a Pennsylvania registered professional engineer stating that the increased stormwater discharge shall have no adverse affect on all adjacent and downstream properties.

The Planning Commission may request additional information, including engineering calculations, maps, or other information.

14. Calculating Storm Water Runoff :

The general criteria for calculating storm water runoff shall include the following:

- A. Point of Evaluation: The point of evaluation shall be the point or points at which the storm water leaves the development site. The Bradford County Planning Commission may require additional points of evaluation beyond the development site as the engineer deems necessary.
- B. Method of Computation: The acceptable methods of computation shall be those that are listed below.

- 1) Rational Method
- 2) Modified Rational Method
- 3) SCS TR-55 Graphical Method
- 4) SCS TR-55 Tabular Method
- 5) SCS TR-20
- 6) PSU IV
- 7) Penn State Runoff Model (PSRM)
- 8) EPA Stormwater Management Model (SWMM)
- 9) HEC-1

These methods are contained in the publication "Recommended Hydrologic Procedures for Computing Urban Runoff from Small Watersheds in Pennsylvania". The limitations of each method are defined in said publication. The same method of computation shall be used for predevelopment and post development calculations as well as subsequent revisions unless specifically approved by the Bradford County Planning Commission.

Where previously constructed impervious surfaces are located within the parcel to be developed, the designer may only consider fifty percent (50%) of the existing impervious surface in the predevelopment condition runoff calculations, the remaining fifty percent (50%) shall be evaluated using the lowest land use coefficient (C or CN) used elsewhere for the site or 0.30 for C or 60 for CN, whichever is less.

- C. Rainfall Frequency Data: Rainfall frequency data are available from the U.S. Department of Commerce, Weather Bureau, and from the Pennsylvania Department of Environmental Protection, Research Publication Number 70.
- D. Rainfall Intensity: Rainfall intensity values are available from the Pennsylvania Department of Transportation, Publication 13M, Design Manual, Part 2, Highway Design, Latest Edition. All stormwater management facilities designed in accordance with this section shall utilize rainfall intensities for Region 2 regardless of location.
- E. Design Storms: The following controls shall be designed based on the following design event criteria:
 - (a) All storm water retention/detention facilities shall be designed so that the post development peak stormwater flow rate shall not exceed the pre-development peak stormwater flow rate for all storms of a twenty-four hour (24) hour duration and for frequencies for two (2), ten (10), and twenty-five (25) years.
 - (b) Emergency spillways shall be designed to pass the expected post development flows for a one hundred (100) year storm frequency, assuming the principal outlet is one hundred percent (100%) blocked.
 - (c) Storm sewer and drainage swale systems shall be designed to convey the peak rate of runoff from a storm of ten year (10) frequency. This design shall be used for (i) building drains and (ii) local streets. Culverts shall be sized for the following classes of roads and storm frequencies: (i) secondary and local (collector) roads for storms of 10-year frequency; (ii) primary

(arterial) highways for storm of twenty-five year (25) frequency; and (iii) expressways for storms of fifty year (50) frequency.

- (d) Storm drainage systems, site grading, and roadways shall be designed to convey any overflow runoff from storm sewers and swale systems to the intended point of discharge from a storm of twenty-five year (25) frequency except where greater design storm frequencies are required.
- (e) Greater design frequencies may be imposed on individual projects if deemed necessary for particular uses of land by the Bradford County Planning Commission.
- (f) Where State or Federal laws impose a greater design frequency, they shall prevail.

F. Release Rate: The release rate of storm water from retention/detention facilities shall not exceed the predevelopment peak discharge for each storm frequency, for that particular point of discharge

15. Methods of Storm Water Runoff Detention and Control:

The following represents a listing of detention and control methods that may be utilized in stormwater management systems, based upon site conditions. All State and Federal regulations must be followed in the use of any control method.

- a. On-lot retention of roof-water
- b. Roof-top storage
- c. Parking lot ponding
- d. Porous pavement and concrete lattice-block surfaces
- e. Grassed channels and vegetative strips
- f. Routing flow over grass
- g. Decreased impervious area coverage
- h. Detention basins
- i. Retention basins

The following detention and control methods for stormwater management systems are specifically prohibited, except where required and authorized by state or federal regulatory agencies.

- a. Seepage pits, seepage trenches or other similar infiltration structures
- b. Cisterns and underground reservoirs

The use of other control methods that meet the criteria in this section shall be permitted if approved by the Bradford County Planning Commission Engineer. Various combinations of methods should be tailored to suit the particular requirements of the type of development and topographic features of the project area.

16. Design of Control Methods:

The following publications should be consulted as an aid in designing control facilities:

- A. Chapter 105. Water Obstructions and Encroachments, Title 25, Rules and Regulations of the Pennsylvania Department of Environmental Protection.
- B. Guidelines for Storm Water Management, Pennsylvania Department of Environmental Protection, Bureau of Dams and Waterways Management.
 - 1) Urban Hydrology for Small Watersheds, Technical Release No. 55, U.S. Department of Agriculture, Soil Conservation Service, January 1975.
- C. Pennsylvania Department of Transportation, Publication 13M, Design Manual, Part 2, Highway Design, Latest Edition.

17. Storm Drainage Systems:

- A. Storm drainage systems shall be required when the storm water runoff cannot be satisfactorily handled within the street cartway in the determination of the Bradford County Planning Commission and its Consulting Engineer. Where existing storm sewers are accessible, proposed subdivisions and land developments shall be required to connect to them. Where storm sewers are to be located in undedicated land, they shall be placed in an easement at least twenty feet (20') wide.
- B. Storm water shall not be permitted to cross intersections or the crown of a street. Inlet spacing shall be designed in accordance with Pennsylvania Department of Transportation, Publication 13M, Design Manual, Part 2, Highway Design, Latest Edition. Inlets or manholes shall be placed at all changes in storm sewer grade or direction, except that the Bradford County Planning Commission and its Consulting Engineer may approve a curvilinear horizontal pipe alignment that conforms to the roadway geometry. The maximum allowable spacing between structures to be used for inspecting and cleaning storm sewers shall be based upon the following table:

<u>Pipe Diameter (Inches)</u>	<u>Maximum Allowable Spacing</u>
15	400 feet
18-36	500 feet
42-60	700 feet
66 or larger	1000 feet

Inlets shall be designed to PENNDOT Publication 408, or latest edition, Type C or M or S. Inlet tops shall be cast-in-place reinforced concrete or precast concrete.

- C. Culvert ends shall be provided with either reinforced concrete headwalls or pipe end sections. Headwalls or end sections are required where flow enters inlets from natural or man-made swales or channels.
- D. Minimum pipe size shall be fifteen inches (15") in diameter and shall be made of reinforced concrete or aluminized steel or smooth bore or corrugated polyethylene (PE) as approved by the Bradford County Planning Commission. When material for storm drain systems is not specified, the specifications of the Pennsylvania Department of Transportation shall govern.

- E. Drainage structures that are located on or discharging onto State highway rights-of-way shall be approved by the Pennsylvania Department of Transportation. A letter from that office indicating such approval shall be directed to the Bradford County Planning Commission.

18. Natural Drainageways:

- A. Where a subdivision or land development is traversed by a natural watercourse, a drainage easement shall be provided conforming substantially to the line of such watercourse. The width of such easement shall be of sufficient width to carry the unimpeded flow of natural drainage from a storm with a twenty-five (25) year frequency and to provide adequate access along the watercourse for maintenance purposes.
- B. No person, corporation, or other entity shall block, impede the flow of, alter, construct any structure, or deposit any material or thing, or commit any act which will affect normal or flood flow in any communal stream or watercourse without having obtained prior approval from the Pennsylvania Department of Environmental Protection or other local, state or federal agency, whichever is applicable. Any watercourses not under the jurisdiction of other official agencies are to be maintained open and free flowing.

19. Roof Drains, Sump Pumps, Downspouts, Etc.:

Stabilized outlets shall be provided for storm water roof drains, springs and sump pumps, footer drains, floor drains, and downspouts. No storm water shall be discharged directly onto sidewalks from these sources. All discharges from roof drains, sump pumps, downspouts, etc. shall not cause a hazard to the public or cause damage or otherwise negatively impact right-of-way improvements or private property improvements and are subject to the approval of the Bradford County Planning Commission and its Consulting Engineer. All discharges shall be accommodated for per the Stormwater Management Plan as approved by the Bradford County Planning Commission.

20. Lot Drainage:

Lots shall be laid out and graded to provide positive drainage away from new and existing buildings.

21. Drainage onto Adjacent Properties:

Special consideration shall be given in the design of storm drainage facilities so as to prevent excess runoff or new concentrations of runoff onto adjacent properties. Whenever a subdivision or land development disposes storm water runoff to an adjacent property not within a natural watercourse or in a manner that exceeds the predevelopment flow carried in the watercourse, a drainage release shall be obtained from the affected property owner in writing and a copy submitted with the preliminary plan. Drainage releases are required from all downstream property owners affected by the diversion, relocation or increase of storm water flow. Calculations shall be provided and sealed by a Pennsylvania registered professional engineer demonstrating that such runoff will not erode or overtax any existing drainage facilities or watercourses on adjacent and/or downstream properties. Ultimate approval of such drainage systems will depend upon approval by the Bradford County Planning Commission even though the adjacent property owner and downstream affected property owners grant consent in writing.

22. Detention/Retention Basin Requirements:

- A. The design of any basin intended to meet the requirements of this Ordinance shall be verified by routing the design storm hydrograph through the proposed basin. For basins designed using the modified rational method technique, the detention volume shall, at minimum, equal the volume derived from the approximate routing process as contained in SCS Technical Release Number 55, latest edition, Chapter 6, (Figure 6-1). All detention basin routing will be performed using acceptable routing methods. Selected time of increments will be of a short enough duration to allow reasonable approximation of the inflow hydrograph.
- B. All stormwater detention facilities shall be designed based upon the following criteria. Due to the uniqueness of each stormwater detention basin and the variability of soil and other site conditions, the following criteria may be modified or deleted at the discretion of the Bradford County Planning Commission, if warranted.
1. The basin is to be sodded or top soiled and seeded including the bottom, side slopes and all earthen dams and embankments.
 2. Suitable lining shall be required at all points of inflow to the basin where erosion and scour may occur.
 3. Stormwater detention facilities shall be designed to completely dewater within a twenty-four hour (24) period upon completion of the storm event. Stormwater retention facilities shall be designed to completely dewater within a forty-eight hour (48) period upon completion of the storm event. Exceptions to this include wet bottom basins that are designed to contain a permanent pool elevation, in which case the required storage volume shall be provided above the permanent pool elevation.
 4. An easement to allow maintenance crews access to the basin and outlet areas shall be established around all basins to be maintained. The limits of such easements shall be twenty-five feet (25') feet from the outside toe of all dams and embankments and the top of all pond side slopes, with said easement being connected to a public right-of-way.
 5. The design dimensions of the detention basin shall be maintained throughout construction, unless it is to be used as a sedimentation basin during construction in the watershed. If so, it shall be immediately returned to design dimensions following the completion of such construction. If used as a temporary sedimentation basin, it shall be designed based upon the most recent standards of DEP for sedimentation basins.
 6. Runoff from areas uphill or upstream from the development site may be passed across the development site on stabilized surfaces or in conduit without detention or storage. If it is more convenient, part or all of such

water may be passed through the detention means described above, and an appropriate amount of water as determined by engineering calculations that originates on site may be passed downhill or downstream. If any such upstream water enters the detention structure, the amount of detention shall be increased accordingly.

7. The inlets and outlets to the basin shall enter at the opposite end of the basin if possible. The basin shall have a minimum bottom slope of one percent (1%) towards the primary outlet to assure positive drainage. Low flow channels may be required to convey small inflows to the basin outlet.
8. Side slopes shall be a maximum of two feet horizontal to one-foot (1') vertical (2:1) ratio.
9. At the discretion of the Planning Commission, basins with a depth of three feet or greater shall be enclosed by a fence around the entire perimeter. A gate shall be installed to allow access into the basin for required maintenance. Basin depth shall be defined as the difference in the lowest ground elevation within the basin to the highest design pool elevation of the basin.
10. The runoff entering the basin may result in the accumulation of considerable amounts of sedimentation. Provision shall be made within the maintenance schedule for periodic removal of accumulated solid materials.
11. Responsibility for operation and maintenance of detention facilities, including periodic removal of accumulated materials, shall remain with the owner who is granted subdivision or land development approval of a given development, unless the detention facilities are dedicated and accepted by the local municipality.
12. In some instances, the provision of separate detention facilities for a number of single sites may be more difficult to maintain than the provision of joint facilities for a number of sites. In such cases, the Bradford County Planning Commission may consider the provision of joint detention facilities, which would then meet all requirements of stormwater management. In such cases, a properly planned staged program of detention facilities may be approved by the Bradford County Planning Commission in which compliance with certain specified requirements may be postponed at early stages, while preliminary phases are undertaken. This shall however pertain to stormwater management only and not erosion and sedimentation pollution control.
13. Ledges shall be constructed on the side slopes of all detention basins designed to have a permanent pool of water. The ledges shall be four feet (4') to six feet (6') in width and located approximately two and one half feet (2-1/2') to three feet (3') below and one foot (1') to one and one half feet (1-1/2') above the permanent water surface. Side slopes

shall conform to paragraph 8 of this subsection.

14. Where the project consists of more than one phase, the stormwater controls shall be designed so that the rate of runoff for the maximum built out condition of the site is consistent with release rate specified in the plan. The outlet structure may have to be modified for the first phase. The stormwater detention basin shall be constructed prior to the first phase. In watersheds with approved Act 167 Planning, release rates found in the Act 167 shall govern.
15. All detention basins shall have, at minimum, a primary outlet to control the design storm. All basins shall also provide an emergency spillway to safely convey the one hundred year (100) design storm with one foot (1.0') of freeboard.
16. If the flow from the basin is proposed to be concentrated and discharged onto adjacent property, the developer must provide documentation that there are adequate downstream conveyance facilities to safely transport the concentrated discharge or otherwise provide documentation that no adverse affects will result on all affected downstream properties from the concentrated discharge. Written permission from the adjacent property owner and all affected downstream property owners must be obtained which fully explains the proposed discharge to allow for consideration of such discharge. Ultimate approval of the feasibility of such discharges shall required the approval by the Bradford County Planning Commission.
17. Maximum velocities in emergency spillways shall be determined based on the velocity of the peak flow in the spillway resulting from the routed emergency spillway hydrograph. The spillway lining material shall be determined based on the Department of Environmental Protection, Erosion and Sediment Pollution Control Program Manual, latest edition.
18. The minimum top width of all basins shall be as follows:

<u>Height</u>	<u>Top Width</u>
0 to 3.0 feet	6 feet
3.1-5.0 feet	8 feet
5.1-14.9 feet	10 feet
15 or greater	As per DEP regulations

19. Retention basin and subsurface infiltration design shall include the following:
 - (a) Test Pits: To determine the ground water table elevation in accordance with accepted standards for on-lot sanitary disposal systems. The test pit shall be excavated to the elevation of the proposed facility bottom elevation and at the location of the proposed facility.

- (b) Retention basins and subsurface infiltrators may not be used where the seasonal high ground water table will intersect with the proposed facility.
 - (c) Percolation Test: To determine soil permeability in accordance with accepted standards for on-lot sanitary disposal systems. Percolation test depths shall be conducted at the proposed elevation of the bottom of the retention basin or subsurface infiltration facility and at the location of the proposed facility.
 - (d) Adequate measures shall be used to prevent clogging or siltation of retention basin storage areas and may include separate basin areas for sediment storage and percolation. Separate sediment storage areas for permanent retention basins shall contain a volume equal to fifty percent (50%) of the size required by Chapter 102 regulations for sediment basins.
20. Any basin intended to meet the requirements of this Ordinance which requires a Dam Safety Permit from DEP shall be designed consistent with the provisions of the Dam Safety and Encroachment Act and DEP Chapter 105 Rules and Regulations.
21. The applicant shall comply with any additional design requirements that may be recommended by the Bradford County Planning Commission based upon site conditions.

23. Individual On-Lot Stormwater Management Systems:

Storm sewers, culverts, drainage easements and related measures shall be provided so as to control drainage and shall be included where applicable in the management plan:

- A. On-Lot Retention/Detention Systems: The developer or the lot owner of the individual lot, subdivision or land development shall be required to observe the following:
- 1. When required, a storm water retention or detention area shall be constructed on each lot prior to issuance of an Occupancy Permit.
 - 2. Storm water runoff from impervious areas must be collected and conveyed to a retention/detention area.
 - 3. Where individual on-lot stormwater management systems are proposed, conveyance lines, collection lines, and other appurtenances and management facilities are to be owned and maintained by the lot owner. Repair/replacement and maintenance of the system is the responsibility of the lot owner.
 - 4. The stormwater management system shall be designed to accommodate anticipated peak flow from 25 year, 24-hour rainfall.
 - 5. The system shall be designed by a Professional Engineer in Pennsylvania and

shall be approved by the Municipal Engineer, where applicable, or the Bradford County Planning Commission prior to its construction.

6. The system shall be constructed concurrently with or immediately after a house or structure is framed.
7. Where individual on-lot retention systems are proposed, the design shall be based on the seasonal high ground water table, subsurface soil permeability and slope. Proper tests shall be conducted to substantiate design considerations and test results are to be provided to proper officials along with design details. At a minimum, the following tests are to be conducted on each lot and in the area where the system will be constructed:
 - (a) Test Pit: To determine the ground water table elevation in accordance with accepted standards for on-lot sanitary disposal systems.
 - (b) Percolation Test: To determine soil permeability in accordance with accepted standards for on-lot sanitary disposal systems. Percolation test depths shall be conducted at the proposed depth of the bottom of the retention facility.

The system design shall include the following:

- (a) Filter fabric or other acceptable devices shall be utilized to prevent clogging or siltation of the storage areas. Other adequate measures may be required to prevent clogging or siltation of storage areas including separate basin areas for sediment storage and percolation.
 - (b) Cleanouts and traps are to be provided for maintenance purposes.
 - (c) Collection pipes are to be a minimum 4-inch PVC, perforated pipe or equivalent.
 - (d) Storage area is to include all necessary tanks, large diameter pipes, and aggregate as required.
 - (e) Outlet pipes are to be solid wall PVC pipe or equivalent, directed to adjacent swales and ditches in roadway areas, or to any adjacent streams that traverse the lot.
 - (f) Outlet pipes shall not discharge any runoff directly onto any adjacent lot.
 - (g) Large diameter pipes utilized for storage areas are to be either solid wall PVC or galvanized corrugated metal pipe, corrugated H.D.P.E. pipe or other approved substitutes.
- B. Municipal Officials, as designated by a municipality, shall inspect the system during construction and prior to backfilling. If the system is covered over prior to inspection, the lot owner will be required to re-excavate the backfill so proper inspection can be

conducted.

- C. An Occupancy Permit shall not be issued until the Bradford County Planning Commission and its Consulting Engineer confirms the system has been constructed in accordance with the approved design plans.

SECTION 506. Curbs and Gutters.

Wherever a proposed subdivision or land development shall average four (4) or more dwelling units or lots per gross acre included in the subdivision, or where any subdivision is immediately adjacent to or within one thousand feet (1,000') of any existing or recorded subdivision within the same municipality, having curbs and gutters, curbs and gutters shall be installed on each side of the street surface in accordance with the specifications. The County Planning Commission may require installation of curbs and/or gutters in any subdivision where the evidence indicates that such improvements are necessary for proper drainage.

1. Curbs, gutters, or combination curbs and gutters shall be constructed according to the specifications set forth in Section 640 "Plain Cement Concrete Curb Gutter", in the Pennsylvania Department of Transportation Specifications, Latest Revisions.
2. Where vertical curbs are provided they shall not be less than six inches (6") wide at the top and seven inches (7") wide at the bottom. The overall depth of the curb shall be not less than eighteen inches (18"). The curbs shall rest on a six inch (6") crushed stone base.
3. The cross section of gutters and the combination of curbs and gutters shall be constructed in accordance with the details shown on approved plats.
4. Curbs and gutters shall be set and finished to the lines and grades given on the approved plats.

SECTION 507. Sidewalks.

Wherever a proposed subdivision shall average four (4) or more lots per gross acre included in the subdivision, or where any subdivision is immediately adjacent to or within one thousand feet (1,000') of any existing or recorded subdivision within the same municipality having sidewalks, sidewalks shall be installed on each side of the street in accordance with the specifications. The County Planning Commission may require installation of sidewalks in any subdivision where the evidence indicates that sidewalks are necessary for the public safety.

1. Sidewalks shall be within the right-of-way of the street and shall extend in width from the right-of-way line toward the curb line.
2. Sidewalks must be at least four feet (4') wide. In the vicinity of shopping centers, schools, recreation areas and other facilities, sidewalks must be at least six feet (6') wide and located within the street right-of-way.
3. Sidewalks shall be constructed according to the specifications as set forth in Section 676, "Cement Concrete Sidewalks" in the Pennsylvania Department of Transportation Specifications, Latest Revision, Form 408, "Specifications".

SECTION 508. Parking.

Parking standards for residential and non-residential land uses are necessary to direct traffic and pedestrians to appropriate access points in any land development. As a result, an adequate number of parking spaces are required in any development to accommodate visitors, employees and residents alike.

1. General Standards:

- A. If a subdivision or land development is proposed in a municipality that adheres to specific planning requirements under a municipal parking or zoning ordinance, the County Planning Commission shall recommend to the developer to design spaces in accordance with the municipal specifications.
- B. Handicapped parking spaces shall comply with the current Americans with Disabilities Act Accessibility Guidelines.
- C. No exit or entrance drive connecting a parking area and a street shall be permitted within thirty feet (30') of the intersection of two (2) public rights-of-way.
- D. In stadiums, churches and other places of assembly, in which patrons or spectators occupy benches, pews, or other similar seating facilities; each twenty (20") of such seating facility shall be counted as one seat.
- E. If the uses, structures or parcels are under separate ownership, the right to joint use of the parking space must be evidenced by a deed, covenant, lease, contract or other appropriate written document to establish the joint use.
- F. Fractional numbers of parking spaces shall be increased to the next whole number.
- G. For projects involving more than one use and/or structure, the total number of parking spaces required shall be determined by summing the number of spaces for each individual use.
- H. Number of Parking Spaces - Developments proposed within the jurisdiction of this ordinance shall follow the following parking standards set forth for residential and non-residential land uses:

1. Off-Street Parking for Residential Land Uses:

<u>Housing Type and Size</u>	<u>Off-Street Parking Requirement</u>
<u>Single Family Detached</u>	
2 Bedroom	1.5
3 Bedroom	2.0
4 Bedroom	2.5
5 Bedroom	3.0

Apartments and Townhouse

1 Bedroom	2.0
2 Bedroom	2.5
3 Bedroom	3.0

2. Off-Street Parking Requirements for Non-residential Uses:

<u>Non-residential Land Uses</u>	<u>Required Off-street Parking Spaces per Indicated Area</u>
Home occupations/home based businesses	1 additional space for each nonresident employee
Homes for handicapped or infirm, nursing homes, group care homes, halfway houses and similar uses	3 per every 5 beds
Hotels, motels, boarding and tourist homes, bed and breakfast establishments and other uses providing overnight accommodations	1.1 per bedroom
<u>Sales and rental of goods merchandise and equipment:</u> Retail establishments Wholesale establishments Flea Markets Roadside stands	1 per 200 SFGFA open to the public 1 per 800 SFGFA 1 per 200 square feet of lot area designated for display or sales
<u>Offices, research facilities and services not primarily related to goods:</u> Drive-In banks Funeral homes	1 per 200 SFGFA open to the public plus reservoir land capacity equal to 5 spaces per drive-in window 1 per 100 SFGFA open to the public
<u>Manufacturing, processing, renovating, assembling goods, merchandise and equipment:</u> Area devoted to manufacturing, processing , etc. Area devoted to storage or stationary operating equipment Area devoted to outside storage Additional spaces required	1 per 800 SFGFA 1 per 1,500 SFGFA 1 per 3,000 SFGFA 1 per each company vehicle

<p><u>Educational, cultural religious social, fraternal uses:</u></p> <p>Public/private schools</p> <p>Trade/Vocational schools and colleges</p> <p>Nursery/elementary schools</p> <p>Churches, synagogues and temples</p> <p>Libraries, museums, social, fraternal clubs and lodges; and similar uses</p>	<p>1.75 per classroom for elementary and middle schools; and 5 per classroom for high schools</p> <p>1 per 100 SFGFA open to the public</p> <p>1 per employee plus 2 additional spaces per classroom</p> <p>1 per every 4 seats used for services</p> <p>1 per 300 SFGFA open to the public</p>
<p><u>Recreation, amusement and entertainment:</u></p> <p>Bowling alleys, skating rinks, indoor athletic or exercise facilities and similar uses</p> <p>Movie theaters, stadiums and similar uses with seating accommodations</p> <p>Public and private outdoor recreation facilities such as golf courses, swimming pools and similar uses</p> <p>Private membership clubs</p>	<p>1 per every 3 persons of fully utilized design capacity (if measurable in such fashion), otherwise 1 per 200 SFGFA</p> <p>1 per every 4 seats</p> <p>1 per 200 SFGFA open to the public plus 1 per every 3 persons of fully utilized design capacity</p> <p>1 per 100 SFGFA of public assembly area</p>
<p>Hospitals, clinics and other medical treatment facilities</p>	<p>1 per bed or 1 per 200 SFGFA, whichever is greater</p>
<p>Restaurants, bars, taverns and other eating establishments</p>	<p>1 per 40 SFGFA open to the public plus reservoir land capacity equal to 5 spaces per drive-in window</p>
<p><u>Vehicle related uses:</u></p> <p>Sales, service, repair</p> <p>Gas sales</p> <p>Car wash</p>	<p>1 per 240 SFGFA</p> <p>1 per 240 SFGFA plus sufficient parking area of pumps which does not interfere with other required spaces</p> <p>1 per 100 SFGFA plus 2 reservoir spaces in front of each stall for self-serve and 5 reservoir spaces for conveyor type</p>

Warehousing and storage	1 per 4,000 SFGFA
<u>Miscellaneous uses:</u>	
Veterinary	1 per 200 SFGFA open to the public
Nursery schools and day care	1 per 140 SFGFA open to the public
Greenhouses	1 per 200 SFGFA open to the public
Emergency services	1 per 200 SFGFA open to the public
Junk and scrap yards	1 per 200 SFGFA open to the public
Post Office	1 per 200 SFGFA open to the public
<u>Offices</u>	
Under 49,999 SF GFA	4.5 per 1,000 SF GFA
50,000 - 99,999 SF GFA	4 per 1,000 SF GFA
100,000+ SF GFA	3.5 per 1,000 SF GFA

NOTE: SFGFA means "square feet of gross floor area". Gross floor area is the sum of the total horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for vehicles, or any space where the floor-to-ceiling height is less than six feet.

SOURCE: *Listokin, David and Walker, Carole, The Subdivision and Site Plan Handbook, Rutgers, the State University of New Jersey, Center for Urban Policy Research, Last Date.*

- I. A one car garage and driveway (that is approximately thirty feet (30') in length) combination shall count as 2.0 parking spaces. Length of the driveway shall be measured from the face of the garage door to the edge of the adjacent cartway or sidewalk; if one is present.
- J. Developments that are of mixed use shall apply a shared off- street parking approach and follow provisions set forth under the requirements for residential and non-residential land uses. This shared approach will be reviewed by the County Planning Commission prior to the approval of the preliminary plats.
- K. In commercial and industrial uses, any off- street parking area, service or access drive shall be graded for proper drainage and shall be stabilized sufficiently to accommodate the anticipated traffic.
- L. The circulation patterns in large off-street parking facilities (more than 40 vehicles) shall be so arranged as to provide for orderly and safe parking and storage of self-propelled vehicles, including the separation of lanes intended for general circulation through the facility from the lanes used to circulate through and among the dedicated parking lanes and areas.
- M. For uses not specifically provided above, the Bradford County Planning Commission, in consultation with their consulting engineer, shall determine the required number of spaces based upon the similarity of the proposed use to be uses provided.

- N. Parking areas, with the exception of single family residences, shall be covered with a suitable all-weather, dust-free surface. If bituminous or concrete paving is used, the individual spaces shall be visibly marked with paint or other durable material.
- O. A minimum of eight percent (8%) of the interior of any parking lot having twenty-five (25) or more parking spaces shall be maintained with landscaping, including trees and shrubs in plots of at least sixty (60) square feet in area. Trees and landscaping plots shall be so located to provide visual relief and sun and wind interruption within the parking area and to insure safe patterns of internal circulation.
- P. Plant species shall be of a type proven suitable to local soil and climate conditions and which are resistant to disease, road salt and air pollution. All landscaping, including plants, shall be protected from damage by vehicles and shall be maintained in a good condition with plants that have died being replaced by similar plants.
- Q. A landscaping plan showing the arrangement of the landscaping and parking areas and including plant sizes and species shall be submitted by the applicant for approval by the County Planning Commission as part of the Land Development Plan.

2. Size of Space and Angle:

- A. Parking spaces shall measure nine feet (9') in width by eighteen feet (18') feet in length. Parking spaces for physically challenged persons shall follow requirements set forth by ADA requirements, the Department of Labor and Industry and all ADA reports.
- B. The width of all aisles providing direct access to individual parking spaces shall follow the specifications identified below:

<u>Parking Angle (Degrees)</u>	<u>Aisle Width (Feet)</u>
30	12
45	13
60	18
90	22

Only one way traffic shall be permitted in aisles serving single-row parking spaces at an angle other than ninety degrees (90).

- C. Parked vehicles shall not overhang an adjacent sidewalk unless an additional one foot (1') is provided in order to accommodate such an overhang.

3. Handicapped Parking:

A. Number of Spaces

Any lot including four (4) or more off-street parking spaces shall include a minimum of one (1) handicapped space. The following number of handicapped spaces will be provided, unless a revised regulation is established under the Federal Americans With Disabilities Act (ADA).

<u>Total Number of Required Spaces on Parking Lot</u>	<u>Required Minimum Number/Reserved of Handicapped Parking Spaces</u>
4 to 25	1
26 to 40	2
51 to 75	3
76 to 100	4
101 to 149	5
150 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of required number of spaces
1,001 or More	20 plus 1% of required number of spaces over 1,000

- B. Handicapped parking spaces shall be located where access to the use is via the shortest, reasonable accessible distance. Curb cuts with an appropriate slope shall be provided as needed to provide access for the handicapped spaces.
- C. Each required handicapped parking space shall be a minimum of eight feet (8') by eighteen feet (18'). In addition, each space shall be adjacent to an access aisle five feet (5') in width. Such access aisle may be shared by two (2) handicapped spaces by being placed between the spaces. One of every eight (8) required handicapped spaces shall have an adjacent access aisle of eight feet (8') in width instead of five feet (5').
- D. Handicapped parking spaces shall be located in areas of less than two percent (2%) slope in all directions in accord with ADA requirements.
- E. All required handicapped spaces should be well marked by clearly visible signs and one on pavement markings.

SECTION 509. Off-Street Loading and Unloading Requirements.

- 1. Each loading berth, either open or enclosed, shall be fifty-five feet (55') long, twelve feet (12') wide and fourteen feet (14') high; businesses utilizing vehicles not larger than panel trucks may have berths which are not smaller than twenty feet (20') long, ten feet (10') wide and eight feet (8') high.
- 2. All berths shall be located in such a way as to not interfere with the movement of people and vehicles on public roads.
- 3. The following are considered minimum berth requirements for retail stores, wholesale establishment, storage and other commercial uses:

<u>Gross Floor Area Square Feet</u>	<u>Loading and Unloading Berth</u>
3,000 – 15,000	1
15,001 – 40,000	2
Each 25,000 Additional	1 Additional

Motels, Hotels and Office Buildings

100,000 or less	1
100,001 – 300,000	2
Each 200,000 Additional	1 Additional

Industrial/Manufacturing

15,000 or less	1
15,001 to 40,000	2
40,001 to 100,000	3
Each 40,000 Additional	1 Additional

* *The County Planning Commission, upon recommendation of its Consulting Engineer, may require additional berths as necessary to adequately accommodate the proposed land development.*

SECTION 510. Solid Waste Disposal.

The developer shall provide a statement explaining how solid waste generated by the proposed development can feasibly be collected and disposed of, and the statement must be in compliance with the municipal regulations.

SECTION 511. Street Lighting Requirements.

Lighting for safety should be provided at road intersections, along walkways, at entryways, between buildings and in parking areas. The height and shielding of lighting standards shall provide proper lighting without hazard to drivers or nuisance to residents, and the design of lighting entrances shall be a type appropriate to the development and the municipality. Any lighting used to illuminate any off-street parking area shall be so arranged as to reflect the light away from adjoining residential use premises, as well as from vehicles moving upon a public thoroughfare.

SECTION 512. Road Signage.

Design and placement of all traffic signs shall follow the Commonwealth of Pennsylvania Department of Transportation regulation and requirements for placement.

SECTION 513. General Design Standards/Environmental Protection Standards.

1. General Design Standards:
 - A. Land shall be suited to the purpose for which it is to be subdivided. Land which is unsafe or unsuited for development due to flooding, wetlands, subsidence, caverns and sinkholes, underground fires, open quarries, unconsolidated fill, steep slopes or other hazardous conditions shall not be subdivided unless proper safeguards are provided by the developer and approved by the County Planning Commission.
 - B. Consideration shall be given in the design of all land developments and subdivisions to the

future development needs of the County and to any objectives established in any County or Municipal Comprehensive or Master Plan for land use, streets and thoroughfares, public utilities and facilities and to other governmental plans affecting the subdivision or land development.

- C. All subdivision and land development plans shall conform with any officially adopted Zoning Ordinance or official map concerning the area.
- D. In reviewing subdivision and land development plans, the County Planning Commission will consider the adequacy of existing or proposed community facilities to serve the additional dwellings or uses proposed by the subdivision.

Areas may be required to be provided or reserved for such community facilities and these should be adequate to provide for building sites, landscaping and off-street parking as appropriate to the use proposed.

- E. The layout of the proposed subdivision shall be in general conformity with the features or developments proposed in any officially adopted plan of the municipality or the County.
- F. All plan proposals shall be coordinated with existing and proposed development on adjoining or adjacent land.

2. Environmental Protection Standards:

- A. In the design of any subdivision and land development, the County Planning Commission shall require that maximum consideration be given to the preservation and protection of the natural environment so as to safeguard the public health, safety and welfare of all residents of the Municipality and to minimize any adverse effects resulting from the proposed development.
- B. Where the development may create an environmental problem which affects the public health, safety or welfare, the County Planning Commission may require and the subdivider shall present a plan indicating the specific manner in which the problem will be minimized or eliminated.

No Preliminary, Final Plan or Land Development shall be considered effective until such a required environmental plan has been submitted. The Commission may refer such a plan to any appropriate governmental or other agency or authority qualified to review and/or determine if the plan meets the requirements and objectives of this Ordinance and the requirements of any other Federal, State, County, Municipality or other applicable law or regulation.

- C. Environmental factors for which the Commission may request a plan, include, but are not limited to the following:
 - 1. Erosion and sedimentation control for which a plan is required as set forth in Section 405.
 - 2. Conservation and topsoil protection.

3. Identification and preservation of wetland areas.
4. Avoidance of drainage problems.
5. Natural and historic feature preservation.
6. Protection of flood plain areas and avoidance of future flooding problems.
7. Lake, stream and river frontage preservation.
8. Tree preservation, removal and planting.
9. Topographic and geologic factors.
10. Preservation of prime agricultural land.
11. Where applicable, as determined by the Commission, a reclamation and a reseedling plan may be required for mining or earth moving activities or for any use which substantially modified the nature of the existing terrain or environment.

SECTION 514. Other Subdivision Provisions.

1. Subdivision of Property with Existing Dwellings – Subdivision of property with existing dwellings or developments shall be regulated by the following:
 - A. Each dwelling or use shall be serviced by separate utility, sewer and water connections. Shared sewer systems shall be approved by the Bradford County Sanitation Committee and will require proper platting of line easements and notation of property owner maintenance agreements.
 - B. Each dwelling or use subdivided shall be on sufficient land area to satisfy minimum lot area and yard setback line requirements. Where adequate land area is not available to satisfy minimum standards, the subdivision may be permitted when:
 - (1) Each dwelling or principal building is in good structural condition.
 - (2) An equitable amount of land is proposed between the existing user or buildings.
2. Lot additions, subdivisions with right-of-ways or easements, and non-developable lots shall include pertinent plan notes and covenants to avoid misinterpretation of the intent of the subdivision or land development plan. Applicable deed language may also be requested in these situations. Sample Covenants and Agreements can be found in Appendix J of this Ordinance.
3. Proposed deeds filed subsequent to subdivision or land development approval shall accurately and correctly describe the property therein. Deeds shall be consistent with all plan notes and covenants.

Recording of a deed which omits or contradicts the information on an approved subdivision or land development plan shall be a violation of this ordinance.

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Article VI

Mobile Home Park and Campground Development Standards

SECTION 601. Grant of Power.

The governing body of each municipality may regulate subdivision and land development within the municipality by enacting a subdivision and land development ordinance. Provisions regulating mobile home parks shall be set forth in separate and distinct articles of any subdivision and land development ordinance adopted pursuant to the "Pennsylvania Municipalities Planning Code" Act 247, as amended, by Act 93, 1972, and Act 67 and 68 of 2000, Article V, Section 501.

SECTION 602. Purpose, Authority and Jurisdiction.

The purpose, authority, and jurisdiction for land development as a mobile home park are the same as contained in Article I of this Ordinance.

SECTION 603. Plan Requirements and Processing Procedure.

The plan requirements and processing procedure for a mobile home park, as a land development, shall be in accordance with the requirements contained in Article III, Section 308. of this Ordinance.

SECTION 604. Design Standards.

The arrangement and other design standards of streets, easements, blocks, lots, recreation areas and erosion and sedimentation control shall be in accordance with the requirements contained in Article IV of this Ordinance except as specified below:

1. General Standards and Requirements:
 - A. Overall density of a Mobile Home Park shall not exceed five (5) mobile home lots per acre of gross acres of the park.
 - B. All Mobile Home Parks shall be located on well-drained land and the average slope of the area of the site intended for development shall not exceed ten percent (10%).
 - C. The site of a proposed Mobile Home Park shall not be subject to flooding or to any other naturally recurring hazards.
2. Street widths in Mobile Home Parks:
 - A. Provision for additional street width (right-of-way, cartway, or both) may be required when determined to be necessary by the Commission in cases for:

- (1) Public safety and convenience.
- (2) Where the number of mobile homes proposed to be located in a Mobile Home Park exceeds one hundred (100) units.
- (3) Widening of existing streets where the width does not meet the requirements of the preceding paragraphs.

3. Lots in Mobile Home Parks and Recreational Vehicle Parks:

- A. On land laid out as a Mobile Home Park, not served by public or Mobile Home Park water system and public or Mobile Home Park sewage collection and treatment system, and meeting the necessary percolation and soil survey requirements and approved by the Department of Environmental Protection, the lots shall not be less than one hundred feet (100') wide measured at the required setback line nor less than twenty thousand square feet (20,000) in area per mobile home unit, exclusive of streets and other public uses. All wells shall be one hundred feet (100') from all existing or proposed on-lot systems.
- B. On land laid out as a Mobile Home Park served by public or Mobile Home Park sewage collection and treatment system and a private water supply or served with a private sewage collection and treatment facility and with a public or Mobile Home Park water system, and meeting the necessary percolation and soil survey requirements and approved by the Department of Environmental Protection, the lots shall not be less than eighty-five feet (85') measured at the required setback line nor less than eight thousand five hundred square feet (8,500) in area, per mobile home unit, exclusive of streets and other public uses.
- C. On land laid out as a Mobile Home Park, served by both public or Mobile Home Park water system and public or Mobile Home Park sewage and collection and treatment system acceptable to the Department of Environmental Protection, the lots shall be not less than fifty feet (50') wide measured at the required setback line nor less than five thousand square feet (5,000) in area, per mobile home unit, exclusive of streets and other public uses.

4. Building setback lines:

- A. In a Mobile Home Park, the setback lines must conform to any applicable zoning or Mobile Home Park Ordinance. Where no such ordinance exists, the minimum setback from right-of-way line of a dedicated public street shall be as follows: Requirements set forth in Article IV, Section 404, H.2.

5. Side and rear building lines:

- A. In a Mobile Home Park, side and rear building lines shall be not less than ten feet (10') from the side and rear lot lines of each mobile home lot and not less than twenty-five feet (25') from the Mobile Home Park property lines on the sides and rear lot adjacent to a dedicated public street right-of-way.

6. Off-street parking requirements:

- A. In a Mobile Home Park, improved off street parking areas shall be provided at the rate of at least two (2) vehicular parking spaces for each mobile home lot. Each with a minimum width of ten feet (10') and a minimum length of twenty feet (20').

7. Open space and Recreation Area requirements:

- A. Where a Mobile Home Park is proposed to exceed ten (10) lots, not less than ten percent (10%) of the total land area shall be provided for usable open space. Such open space shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located and easily accessible to all park residents.
- B. Such open space shall be protected with a vegetation growth that is capable of preventing soil erosion and the emanation of dust during dry weather.
 - In all parks, there shall be one or more recreation areas which shall be easily accessible to all park residents.
 - The size of such recreation area shall be based upon a minimum of two hundred square feet (200) for each lot. No outdoor recreation area shall contain less than three thousand square feet (3,000).

SECTION 605. Improvements and Construction Requirements.

In a Mobile Home Park, all improvements, construction requirements, and engineering specifications for the improvements required shall be provided in accordance with Article V of this Ordinance and shall also provide the following additional improvements:

1. Buffer strips:

- A. In a Mobile Home Park, a suitable vegetative screen or landscaped buffer strip at least ten feet (10') wide, approved by the County Planning Commission, shall be provided by the developer along all of the property lines separating the mobile home park from adjacent uses.

2. Road Signs and Lighting:

For residential and non-residential land uses, the following shall apply:

- A. At least two street name signs shall be placed at each four way street intersection, and one at each "T" intersection. Signs shall be installed under light standards and free of visual obstruction. The design of street name signs shall be consistent, of a style appropriate to the community and of a uniform size and color. If a municipal zoning ordinance or 9-1-1 addressing policy/ordinance exists in a particular municipality, the placement, style and size shall be consistent with those requirements.
- B. Site information signs in planned developments shall follow a design theme that is related and complementary to elements to the overall site design.

- C. Street types that require signage: arterial, collector, local and private.
 - D. All means of ingress, egress, walkways, streets, and parking lots shall be adequately lit.
3. Other site improvements:
- A. An enclosure of compatible design and material shall be erected around the entire base of each mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.
 - B. All mobile home lots within the Mobile Home Park shall be improved to provide a base and adequate support for the placement of the mobile home, and shall be properly equipped to render the lot usable. All such improvements shall be maintained in satisfactory condition by the developer or park owner.
 - C. The mobile home lot pad or stand shall be equal to the length and width of the mobile home proposed to use the lot.
 - D. The mobile home lot pad or stand shall not heave, shift or settle unevenly under the weight of the mobile home due to frost action, inadequate drainage, vibration or other forces acting on the structure and shall be designed to uniformly support the mobile home in a level position. At a minimum, each pad shall be provided with one frost-proof footer at least sixteen inches (16") in width, extending the full width of the pad, for every ten feet (10') of mobile home length.
 - E. Each mobile home lot pad or stand shall be provided with anchors and tie-downs, such as "Deadman" eyelets embedded in the concrete, or runways, screwaugers, arrowhead anchors, or other devices designed to secure the stability of the mobile home. The type, number and location of the tie-downs or anchors shall be as specified by the manufacturer of the mobile home, or where such information is not available, shall be of a type consistent with mobile home industry standards. At a minimum, there shall be no less than one tie-down on each corner of the home, with intermediate tie-downs placed at intervals of no more than fifteen feet (15'). Final determination of the adequacy of the proposed anchoring system shall be made by the County Planning Commission Consulting Engineer.
 - F. Provisions shall be made by the park operator to have garbage and waste collected at least once every week. Any refuse disposal site proposed within the mobile home park shall be subject to the approval of the Department of Environmental Protection.
 - G. There shall be provided, in each mobile home park, such other improvements as the County Planning Commission may require whereby such requirements shall at all times be in the best interest of the park.

SECTION 606. Exceptions.

- 1. None of the provisions of this Ordinance shall apply to the business of mobile home sales, provided that the mobile homes on such lots shall not be occupied.
- 2. None of the provisions of this Ordinance shall apply to a mobile home located on the site of a

construction project, survey project, or other similar work project and used solely as a field office or work or tool house in connection with such project, provided such mobile home is removed from said site within thirty (30) days after the completion of such project.

SECTION 607. Campground Development Standards and Required Improvements.

The design standards and required improvements set forth in this Section will be applied by the County Planning Commission in evaluating applications for Campgrounds that are in single ownership and provide camp sites on a lease or rental basis only. Camp sites are permitted in approved Campgrounds only.

1. General Standards and Requirements:
 - A. All Campground subdivisions or developments shall have a total land area of not less than ten (10) acres.
 - B. All Campgrounds shall be located on well drained land; the average natural slope of the area to be improved for camp sites shall not exceed twelve percent (12%).
 - C. The site of the proposed Campground shall not be subject to flooding or to any other naturally recurring hazard.
 - D. The proposed Campground shall have direct access to an existing public street.
 - E. No camp site shall be occupied on a permanent basis.
2. Submission, Application and Compliance:
 - A. All provisions of Article III, Section 308 shall apply with respect to submission, application and approval.
3. Design Standards:
 - A. The maximum gross density for camp site development shall not exceed ten (10) sites per acre.
 - B. To insure privacy, it is recommended that each site be screened from adjacent sites, preferably by the retention of planting of trees and shrubbery.
 - C. No individual camp site may be located closer than fifty feet (50') to any exterior property line of the Campground. The land between the camp sites and the exterior property lines shall have sufficient existing or planted trees and/or shrubbery to screen the Campground from the adjacent lands and to serve as a buffer.
 - D. Electric service shall be provided to a minimum of fifty percent (50%) of the camp sites.
 - E. All camp sites which are not provided with a connection to a centralized sewage system shall be located within three hundred feet (300') of a bath house/toilet facility which shall be equipped with toilets, urinals and lavatories in accordance with the Department of Environmental Protection regulations. Camp sites which are provided with a connection

to a centralized sewage system shall be located within seven hundred fifty feet (750') of such facilities. There shall be at least one shower head for each sex for every twenty (20) camp sites.

- F. All camp sites designed for recreational vehicles shall have off-street on-site parking spaces for the recreational vehicle and for one passenger vehicle. The parking spaces shall be level in a longitudinal direction and shall be uniformly crowned in a transverse direction and shall be well drained. The parking spaces need not be paved, but shall have a minimum depth of six inches (6") of compacted crushed stone, bank run gravel or shale.
 - G. All camp sites designed for tenting may be provided with on-site parking spaces or may have a common parking area not over three hundred feet (300') from the most distant camp site. Common parking areas shall provide at least one and one-half (1-1/2) spaces per camp site. The minimum parking space shall be at least ten feet (10') wide by twenty feet (20') long, exclusive of any aisle.
 - H. The central water and central sewage system shall be designed in accordance with the requirements of the Department of Environmental Protection.
 - I. The Campground shall be equipped with sewage dumping stations designed and constructed in accordance with the Department of Environmental Protection requirements.
4. Streets within the Campground shall conform to the following:
- A. All campground streets shall have a minimum depth of six inches (6") compacted shale, bank run gravel or crushed stone.
 - B. One-way streets shall have a minimum right-of-way width of twenty feet (20') and shall be improved with a cartway not less than fifteen feet (15') in width.
 - C. Two-way streets shall have a minimum right-of-way width of thirty feet (30') and shall be improved with a cartway not less than twenty feet (20') in width.
 - D. The minimum center-line radius of any horizontal curves in any interior campground street shall be not less than fifty feet (50').
 - E. The maximum grade of any campground street shall not exceed ten percent (10%).
 - F. Drainage facilities shall be designed and constructed in accordance with the standards set forth in Section 505.
 - G. At least five percent (5%), but not less than one-half (1/2) acre, of the area improved for camp sites shall be suitable for and improved to provide for active recreation for users of the campground. Such active recreation may include, but is not limited to: swimming pools, playgrounds, play fields, ball fields, courts of all types, community buildings, and similar facilities.

- H. The access road(s) serving the campground shall be designed and constructed in accordance with the standards set forth for local streets in this Ordinance.

SECTION 608. Fees.

At the time of filing the land development application for the development of a tract of land for a mobile home park or campground, the applicant shall be required to pay to the Commission fees in accordance with the requirements of Article VII of this Ordinance.

SECTION 609. Modification of Requirements.

The application for any modification of requirements shall be in accordance with the requirements of Article VIII of this Ordinance.

SECTION 610. Amendments, Preventive Remedies, Enforcement and Severability.

The Amendments, Enforcement, Preventative Remedies and Severability shall be in accordance with the rules and regulations of Article I, Sections 110, 116, 118 and 121 of this Ordinance.

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Fees

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ARTICLE VII

FEES

SECTION 701. Commission Fee for Review or Approval.

1. For a subdivision or land development requiring County Planning Commission approval or disapproval.
 - A. At the time of application for subdivision or land development (which is the time of the submission of both the preliminary plat and of the final plat) for a tract of land, either totally or partially located in a municipality not having its own Subdivision and Land Development Regulations, the applicant shall pay by a check made payable to the **Bradford County Treasurer** for review of each plat with the required maps and data.
 - B. Each subdivision or land development plan application shall be accompanied by the required review, engineering and recording fees. Fees shall be payable at the time of application submission and plan processing. Approval and recording shall not be completed until all required fees are paid.
 - C. There shall be no refund or credit of fees or a portion of any fee should the applicant withdraw the plan during the review process or fail to receive plan approval.
 - D. The fee schedule may be amended from time to time by adoption of a resolution by the Bradford County Board of Commissioners setting forth the new fees.
 - E. In the event the applicant disputes the amount of inspection/engineer fees for a particular subdivision or land development application, the procedure for resolving such disputes contained in Article III, Section 304.12.B.7.(a) through (e) (7) of this Ordinance.
 - F. Fees cover the cost of the County Planning Commission staff reviewing all subdivision and land development applications for consistency with ordinance and application requirements, proper soils testing, public sewer and/or water adequacy, zoning (if applicable), state agency permits (DEP, PENNDOT), storm water management, wetlands preservation and/or mitigation, floodplain regulations, site inspections and any other permit approvals required prior to final application approval.

The current Fee Schedule is posted in the Office of Community Planning and Grants and can also be found in Appendix K of this Ordinance.

SECTION 702. Engineering Fee.

1. The applicant shall reimburse Bradford County for all reimbursable and necessary charges incurred by the County Consulting Engineer for the review of:
 - A. The plat's engineering detail.

- B. Inspecting the layout of the site for conformance to the survey and plan.
- C. Reviewing the results of the percolation tests.
- D. Reviewing the cost estimates of required improvements.
- E. Inspecting the installation of all required improvements.
- F. Review and approval of the Storm Water Management Plan and Report.
- G. Review plan consistency with County Subdivision and Land Development Ordinance.
- H. Final inspection on completion of installation of the required improvements.

Such engineering fees shall be made payable to the **Bradford County Treasurer** and in accordance with the Agreement set forth between the County Commissioners and the County Consulting Engineer. The engineering fees shall be paid prior to the approval of preliminary or final plans, as applicable, or prior to the release of financial security guaranteeing satisfactory improvement installation.

SECTION 703. Commission Review and Report.

- 1. For a subdivision or land development requiring review and report to the municipality by the Commission in any borough or township having an adopted subdivision or land development ordinance, when an application is made for preliminary or final approval of the municipality shall promptly forward a copy of such plat and all attached or related documents, which have been submitted to the County Planning Commission. Each plat shall be accompanied by a request for a review report, indicating the name and address to which the review report can be mailed, and the name and telephone number of the municipal official or representative who could provide or obtain additional information, if necessary. A municipal review fee shall be required under Appendix K of this Ordinance.

SECTION 704. Recording Fee.

- 1. At the time a subdivision or land development is filed with the County Planning Commission, the applicant shall submit fees that adequately cover the cost of recording with the Bradford County Register and Recorder. Such fees change from time to time, and shall be posted with the most current subdivision/land development fee schedule. The applicant shall pay a check made payable to: **The Bradford County Register and Recorder.**

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Article VIII

MODIFICATION OF REQUIREMENTS

SECTION 801. Modifications.

1. If any applicant feels that any mandatory provision of this ordinance is unreasonable and would cause unique and undue hardship as it applies to a proposed subdivision or land development, such applicant may apply to the County Planning Commission, in writing, for a waiver or modification of a said provision or provisions. If, upon review, the County Planning Commission finds that substantial justice would be served and the public interest secured by granting the applicant's request, the County Planning Commission may grant a modification in writing to such applicant; provided such modification will not have the effect of nullifying the intent and purpose of this Ordinance.
2. The County Planning Commission may grant a modification of requirements for one (1) or more provisions of this Ordinance if the literal enforcement will enact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of this Ordinance is observed.
3. All requests for modification shall be in writing and shall accompany and be a part the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of this Ordinance involved and the minimum modification necessary. Modification request form can be found in Appendix L.
4. Fees for each modification request will be required and are illustrated in Appendix K of this ordinance.
5. The Planning Commission shall keep a written record of all action on all requests for modifications.
6. In granting modifications, the County Planning Commission may impose conditions as will, in their judgment, encourage innovative design and secure substantially the objectives of the standards and requirements so waiver or modified.

ADOPTION DATE AND SIGNATURES:

This Ordinance and Regulations contained herein have been enacted in accordance with the provisions of the "Pennsylvania Municipalities Planning Code" of 1968, Act No. 247, Article V, Section 501 through Section 515, as amended by Act 170 of 1988 and by Acts 67 and 68 of June 2000. The new Ordinance will become effective from and after the date of passage below. The Subdivision and Land Development applications submitted prior to this date of passage will adhere to the 1981 Subdivision and Land Development Ordinance Regulations.

Adopted this 30th day of JANUARY, 2003.

Board of Commissioners of the County of Bradford



John M. Sullivan, Chairman



Janet Lewis, Vice-Chairman



Nancy Schrader, Commissioner

Attest:



Gary L. Wood, Chief Clerk

Appendix A

Municipal Comment Forms

**BRADFORD COUNTY PLANNING COMMISSION
SUBDIVISION/LAND DEVELOPMENT APPLICATION REVIEW**

MUNICIPAL COMMENT FORM

1. Subdivision/Land Development Information:

A. Subdivision/Land Development Applicant: _____

B. Township or Borough: _____

C. Please check all the following that your municipality has reviewed in regards to this application:

Sewage Flood Plain Driveway Permits Local Ordinances

Subdivision Zoning Building Permits Road Dedication to the Township

Performance Bonding Municipal Sewer/Water Availabilty

2. Does your municipality have any comments with regard to this proposed Subdivision/Land Development?

~~No Adverse comment~~ with regards to this Subdivision/Land Development.

~~Our municipality wishes to comment on the following:~~

Signature of the Chair of the Township Supervisor/Borough Councilman: _____

(Please seal the signature)

Municipal Title: _____

Date of Meeting Reviewed: _____

Please return to: Bradford County Office of Community Planning and Grants
Bradford County Courthouse
301 Main Street
Towanda, PA 18848

Your Municipality has 30-days to review and respond to this proposed subdivision/land development as clearly stated in Act 170. If comments are not received in the allotted time period, it will be assumed that the municipality has no comment.

This section below is to be filled out by the Bradford County Office of Community Planning and Grants.

Login Date: _____ 30TH Day of Review: _____

**BRADFORD COUNTY PLANNING COMMISSION
SUBDIVISION/LAND DEVELOPMENT APPLICATION REVIEW**

MUNICIPAL ZONING COMMENT FORM

I. Zoning Review Information

A. Please identify the zoning district the proposed subdivision/land development is located in: _____.

B. Does the proposed subdivision/land development comply with district zoning standards with regards to minimum lot size, building setbacks, lot coverage, parking, signage, lighting, sidewalks, etc.

YES

NO

C. If the proposed subdivision/land development **does not** comply, please identify the process the applicant must comply with prior to zoning approval:

Variance

Special Exception

Conditional Use

Non-Conforming Use

Explain:

D. If the municipality granted one of the above, please provide our office with a copy of the written/transcribed decision and date of the zoning hearing:

Copy of decision enclosed

Review Date:

Municipality:

Zoning Officer Signature:

** Please submit this form with the Municipal Subdivision/Land Development Municipal Comment Form

Appendix B

Missing Items Checklists

Major Subdivision Checklist for Missing Items

Applicant: _____ Municipality: _____ File No.: _____

- (1) _____ Letter Regarding Municipal Sewer & Water Availability
- (2) _____ Part & Parcel Acknowledgement or Proposed Deed
- (3) _____ Right-of-Way Agreement or Proposed Deed
- (4) _____ Pre-Existing Structures Acknowledgement
- (5) _____ Modification Request with Hardship Information
- (6) _____ Highway Occupancy Permit Application
- (7) _____ Survey Data (Covered on Enclosed Checklist)
- (8) _____ Insufficient Fees (Correction Calculation Below) Treasury: \$ _____ Recording: \$ _____
- (9) _____ Copy of the Parent Tract Deed
- (10) _____ Sewage Disposal Information or Appropriate DEP Sewage Facilities Planning Module
- (11) _____ Incomplete Subdivision Application
- (12) _____ Confirmation Regarding Compliance of Local Zoning
- (13) _____ Construction Estimates / Construction Schedule
- (14) _____ Stream Crossing Permit
- (15) _____ Wysox Creek Watershed Storm Water Management Compliance
- (16) _____ Storm Water Management Calculations (Hydrology Report)
- (17) _____ Financial Security (Irrevocable Letter of Credit, Escrow Account, Bond)
- (18) _____ Erosion & Sedimentation Review
- (19) _____ Wetlands Delineation
- (20) _____ Other _____

Comments:

Signed: _____

Dated: _____

Minor Land Development Checklist for Missing Items

Name of Development: _____ Municipality: _____ File No.: _____

- (1) _____ Letter Regarding Municipal Sewer &/or Water Availability
- (2) _____ Part & Parcel Acknowledgement or Proposed Deed
- (3) _____ Right-of-Way Agreement or Proposed Deed
- (4) _____ Pre-Existing Structures Acknowledgement
- (5) _____ Narrative of Solid Waste Disposal Method
- (6) _____ ~~Highway Occupancy Permit Application~~
- (7) _____ Modification Request with Hardship Information
- (8) _____ Insufficient Fees: 1. Administrative 2. Engineering 3. Recording
- (9) _____ Survey Data (Covered on Enclosed Checklist)
- (10) _____ Sewage Disposal Information / Appropriate DEP Sewage Facilities Planning Module
- (11) _____ Copy of the Parent Tract Deed
- (12) _____ Confirmation Regarding Compliance of Local Zoning
- (13) _____ Incomplete Land Development Application
- (14) _____ Stream Crossing Permit
- (15) _____ Construction Estimates / Construction Schedule
- (16) _____ On-Site Storm Water Management Report
- (17) _____ Erosion & Sedimentation Review / NEPDES Permit
- (18) _____ Road Information: Municipal Dedication Home Owners Association Documentation
- (19) _____ Financial Security (Irrevocable Letter of Credit, Escrow Account, Bond)
- (20) _____ Wetlands Delineation
- (21) _____ Other

Comments:

Signed: _____

Dated: _____

Major Land Development Checklist for Missing Items

Name of Development: _____ Municipality: _____ File No.: _____

- (1) _____ Letter Regarding Municipal Sewer &/or Water Availability
- (2) _____ Part & Parcel Acknowledgement or Proposed Deed
- (3) _____ Right-of-Way Agreement or Proposed Deed
- (4) _____ Pre-Existing Structures Acknowledgement
- (5) _____ Narrative of Solid Waste Disposal Method
- (6) _____ Highway Occupancy Permit Application
- (7) _____ Modification Request with Hardship Information
- (8) _____ Insufficient Fees: 1. Administrative 2. Engineering 3. Recording
- (9) _____ Survey Data (Covered on Enclosed Checklist)
- (10) _____ Sewage Disposal Information / Appropriate DEP Sewage Facilities Planning Module
- (11) _____ Copy of the Parent Tract Deed
- (12) _____ Confirmation Regarding Compliance of Local Zoning
- (13) _____ Incomplete Land Development Application
- (14) _____ Stream Crossing Permit
- (15) _____ Construction Estimates / Construction Schedule
- (16) _____ On-Site Storm Water Management Report
- (17) _____ Erosion & Sedimentation Review / NEPDES Permit
- (18) _____ Road Information: Municipal Dedication Home Owners Association Documentation
- (19) _____ Financial Security (Irrevocable Letter of Credit, Escrow Account, Bond)
- (20) _____ Wetlands Delineation
- (21) _____ Other

Comments:

Signed: _____ Dated: _____

Mobile Home Parks and Campgrounds Checklist for Missing Items

Name of Development: _____ Municipality: _____ File No.: _____

- (1) _____ Letter Regarding Municipal Sewer &/or Water Availability
- (2) _____ Part & Parcel Acknowledgement or Proposed Deed
- (3) _____ Right-of-Way Agreement or Proposed Deed
- (4) _____ Pre-Existing Structures Acknowledgement
- (5) _____ Narrative of Solid Waste Disposal Method
- (6) _____ Highway Occupancy Permit Application
- (7) _____ Modification Request with Hardship Information
- (8) _____ Insufficient Fees: 1. Administrative 2. Engineering 3. Recording
- (9) _____ Survey Data (Covered on Enclosed Checklist)
- (10) _____ Sewage Disposal Information / Appropriate DEP Sewage Facilities Planning Module
- (11) _____ Copy of the Parent Tract Deed
- (12) _____ Confirmation Regarding Compliance of Local Zoning
- (13) _____ Incomplete Land Development Application
- (14) _____ Stream Crossing Permit
- (15) _____ Construction Estimates / Construction Schedule
- (16) _____ On-Site Storm Water Management Report
- (17) _____ Erosion & Sedimentation Review / NEPDES Permit
- (18) _____ Road Information: Municipal Dedication Home Owners Association Documentation
- (19) _____ Financial Security (Irrevocable Letter of Credit, Escrow Account, Bond)
- (20) _____ Wetlands Delineation
- (21) _____ Other

Comments:

Signed: _____

Dated: _____

Appendix C

Steps to Completing a Subdivision or Land Development

BRADFORD COUNTY SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

Contact: Aaron G. Lankford, Planner, BRADFORD COUNTY OFFICE OF COMMUNITY PLANNING AND GRANTS (570) 265-1715

STEPS TO COMPLETING A MINOR SUBDIVISION

1) Go to the Bradford County Sanitation Committee to fill out the appropriate forms that pertain to your subdivision

- Form B Non-Building Waiver: -used when an existing septic is still functioning and there is no need to replace it; or
-when you are splitting off a piece of land ten (10) acres or more and intend to use the land exclusively for agricultural purposes with no septic or perc tests*.
- DEP Module (Component I): -used when the applicant wants to perc the land in order to obtain an on-lot septic. This form is generally filled out for a septic tank for a single home.
- DEP Module (Component II): -also used when the applicant wants to perc the land in order to obtain an on-lot septic. This form is generally filled out for a septic tank when more than one home is proposed.

2) Have a survey done by a Pennsylvania Licensed Professional Surveyor

- One (1) copy should be given to the Bradford County Sanitation Committee.
- Seven (7) copies should be submitted to the Bradford County Planning Office.

3) Come to the Bradford County Planning Office to submit your application, fees, copy of your deed, and seven copies of the survey (as indicated on the Pink Checklist our Office Provides)

· once you submit items one thru four (1-4) on the Pink Checklist, the information is taken to the Planning Commission's monthly meeting which is when the review period begins. The county planning office staff will have a ninety (90) day review period to see that all the necessary items are enclosed for preliminary/final approval**.

· once the application is logged into the County Planning Office, a comment sheet will be sent out to the Township/Borough for their review of the proposed subdivision. The Township/Borough will have thirty (30) days to make those comments. If no comments are received within the thirty (30) days, our office will assume the Township/Borough does not have adverse comment on the subdivision. Any forms submitted by the applicant already filled out by the Township/Borough will not be accepted.

OUR OFFICE WILL SEND OUT THE MUNICIPAL COMMENT FORMS ON THE DATE THE APPLICANT SUBMITS A FULL AND COMPLETE APPLICATION

· If the proposed subdivision does not meet the requirements of the Subdivision and Land Development Ordinance, a modification request can be filed with the Planning Commission and be discussed at their monthly meeting

(Your surveyor or attorney can help you with identifying proper modifications*, if necessary; the fees for the modifications are listed in the fee schedule of the application).**

4) Once all the necessary items have been obtained by the Planning Office, the subdivision will be approved

· Upon obtaining Preliminary/Final Approval from the Planning Commission by letter:

- 1) Go to your attorney and handle any legal matters (such as new deed, maintenance agreements, etc.)
- 2) Get your septic permit (if applicable).
- 3) Get your building permit from the Township/Borough (if applicable).

BUILDING OR PLACEMENT OF STRUCTURES ON YOUR PROPERTY CANNOT COMMENCE UNTIL THE BRADFORD COUNTY PLANNING COMMISSION GRANTS PRELIMINARY/FINAL APPROVAL

**Perc Tests: Must be conducted by the Bradford County Sanitation Committee for both Component I and II Modules*

***Preliminary/Final Approval: Granted by the Bradford County Planning Commission when a subdivision meets the requirements of the Bradford County Subdivision and Land Development Ordinance. This includes both Preliminary Approval and Final Approval in one step instead of going before the Planning Commission once for each approval. The Planning Commission may impose certain conditions prior to actual approval, which will need to be met by the applicant. Staff will notify the applicant of those conditions in writing after that month's Planning Commission Meeting.*

**** Modifications: Modifications are not guaranteed and applicants must show hardship. The Planning Commission does not consider financial burden as hardship. A hardship is more closely related with geographic or topographic constraints.*

BRADFORD COUNTY SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

Contact: Aaron G. Lankford, Planner, Bradford County Office of Community Planning and Grants (570) 265-1715

STEPS TO COMPLETING A MAJOR SUBDIVISION

1) Go to the Bradford County Sanitation Committee to fill out the appropriate forms that pertain to your subdivision.

- Form B Non-Building Waiver: -used when an existing septic is still functioning and there is no need to replace it: or
- when you are splitting off a piece of land ten (10) acres or more and intend to use the land exclusively for agricultural purposes with no septic or perc tests*.
- DEP Module (Component I): -used when the applicant wants to perc the land in order to obtain an on-lot septic. This form is generally filled out for a septic tank for a single home.
- DEP Module (Component II): -also used when the applicant wants to perc the land in order to obtain an on-lot septic. This form is generally filled out for a septic tank when more than one home is proposed.

2) Have a survey done by a Pennsylvania Licensed Professional Surveyor

- One (1) copy should be given to the Bradford County Sanitation Committee.
- Seven (7) copies should be submitted to the Bradford County Planning Office.

3) If a road is being proposed, engineer work will need to be done for the Profile and Cross-Section

This work will need to be done by a Pennsylvania Licensed Engineer.

- Seven copies of the engineering and survey should be submitted to the Bradford County Planning Office.

4) Come to the Bradford County Planning Office to submit your application, fees, copy of your deed, and seven copies of the survey (as indicated on the Pink Checklist our office provides)

· once you submit items one thru four (1-4) on the Pink Checklist, the information is taken to the Planning Commission's monthly meeting which is when the review period begins. The county planning office staff will have a ninety (90) day review period to see that all the necessary items are enclosed for preliminary final approval**.

· all Major Subdivisions must go before the Planning Commission for review, modification consideration and approval.

· Applicants proposing Major Subdivisions where a road is proposed, have the option to gain **Preliminary Approval******: With Preliminary Approval, no bond shall be posted for the road work to be completed, however, the applicant has five years to complete the road work and may not sell lot individual lots until **Final Approval** is granted from the Bradford County Planning Commission. All Preliminary Approvals must come back before the Planning Commission for **Final Approval******.

· the sale of lots can commence with **Preliminary/Final Approval** and the issuance of some form of Financial Security. If the road is intended for dedication to the Township/Borough, the applicant must gain written approval for the Township/Borough to take over the road. This approval must be given by the Township or Borough Governing Body.

· if the proposed subdivision does not meet the requirements of the Subdivision and Land Development Ordinance, a modification request can be filed with the Planning Commission and be discussed at their monthly meeting.

(Your surveyor or attorney can help you with identifying proper modifications* if necessary; the fees for the modifications are listed in the fee schedule of the application).**

· once the application is logged into the County Planning Office, a Municipal Comment Form will be sent out to the Township/Borough for their comments on the proposed subdivision. The Township/Borough will have thirty (30) days to make those comments. If no comments are received within the thirty (30) days, our office will assume the Township/Borough does not have adverse comment on the proposed subdivision. Any forms submitted by the applicant already filled out by the Township/Borough will not be accepted.

OUR OFFICE WILL SEND OUT THE MUNICIPAL COMMENT FORMS ON THE DATE THE APPLICANT SUBMITS A FULL AND COMPLETE APPLICATION

Continued...

5) **Once all the necessary items have been obtained by the Planning Office, the subdivision will be approved**

·Upon obtaining Preliminary/Final Approval or Final Approval from the Planning Commission by letter:

- 1) Go to your attorney and handle any legal matters (such as new deed, maintenance agreements, etc.)
- 2) Get your septic permit (if applicable).
- 3) Get a Deed of Dedication from the Township/Borough and post the appropriate Performance Bond (This is only done in a situation where an applicant is dedicating a road to the Township/Borough).
- 4) Get your building permit form the Township/Borough (if applicable).

BUILDING OR PLACEMENT OF STRUCTURES ON YOUR PROPERTY CANNOT COMMENCE UNTIL THE BRADFORD COUNTY PLANNING COMMISSION GRANTS PRELIMINARY/FINAL APPROVAL

**Perc Tests: Must be conducted by the Bradford County Sanitation Committee for both Component I and II Modules*

***Preliminary/Final Approval: Granted by the Bradford County Planning Commission when a subdivision meets the requirements of the Bradford County Subdivision and Land Development Ordinance. This includes both Preliminary Approval and Final Approval in one step instead of going before the Planning Commission once for each approval. The Planning Commission may impose certain conditions prior to actual approval, which will need to be met by the applicant. Staff will notify the applicant of those conditions in writing after that month's Planning Commission Meeting.*

**** Modifications: Modifications are not guaranteed and applicants must show hardship. The Planning Commission does not consider financial burden as hardship. A hardship is more closely related with geographic or topographic constraints.*

***** Preliminary Approval: Granted by the Bradford County Planning Commission when the applicant wants to begin work on his/her subdivision without posting any type of financial security. This type of approval is generally granted by the Planning Commission when a road is being proposed in a subdivision..*

******Final Approval: Granted by the Bradford County Planning Commission when the applicant has successfully met the requirements of the approved plans that received Preliminary Approval. The applicant must gain final approval to have their subdivision recorded and sell lots.*

BRADFORD COUNTY SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

Contact: Aaron G. Lankford, Planner, Bradford County Office of Community Planning and Grants (570) 265-1715

STEPS TO COMPLETING A LAND DEVELOPMENT (both MAJOR and MINOR)

1) Go to the Bradford County Sanitation Committee to fill out the appropriate forms that pertain to your land development.

- Form B Non-Building Waiver: -used when an existing septic is still functioning and there is no need to replace it; or
- when you are splitting off a piece of land ten (10) acres or more and intend to use the land exclusively for agricultural purposes with no septic or perc tests*.
- DEP Module (Component I): -used when the applicant wants to perc the land in order to obtain an on-lot septic. This form is generally filled out for a septic tank for a single home.
- DEP Module (Component II): -also used when the applicant wants to perc the land in order to obtain an on-lot septic. This form is generally filled out for a septic tank when more than one home is proposed.

2) Have a survey done by a Pennsylvania Licensed Professional Engineer or Surveyor

- One (1) copy should be given to the Bradford County Sanitation Committee.
- Seven (7) copies should be submitted to the Bradford County Planning Office.
- Two (2) copies of an Erosion and Sediment Control Plan need to be submitted.
- Two (2) copies of a Storm Water Management Plan also need to be submitted.

3) If a road is being proposed, engineer work will need to be done for the Profile and Cross-Section

This work will also need to be done by a Pennsylvania Licensed Engineer.

4) Come to the Bradford County Planning Office to submit your application, fees, copy of your deed, and seven copies of the survey/plans (as indicated on the Pink Checklist our office provides)

· once you submit items one thru four (1-4) on the Pink Checklist, the information is taken to the Planning Commission's monthly meeting which is when the review period begins. The county planning office staff will have a ninety (90) day review period to see that all the necessary items are enclosed for preliminary final approval**.

· all Land Developments must go before the Planning Commission for review, modification consideration and approval.

· Applicants proposing Land Development have the option to gain **Preliminary Approval******. With Preliminary Approval, no bond shall be posted for the road work to be completed, however, the applicant has five years to complete the site work and operation may not begin until **Final Approval** is granted from the Bradford County Planning Commission. All Preliminary Approvals must come back before the Planning Commission for **Final Approval******.

· the operation can commence with **Preliminary/Final Approval** and the issuance of some form of Financial Security. If the road is intended for dedication to the Township/Borough, the applicant must gain written approval for the Township/Borough to take over the road. This approval must be given by the Township or Borough Governing Body.

· if the land development does not meet the requirements of the Subdivision and Land Development Ordinance, a modification request can be filed with the Planning Commission and be discussed at their monthly meeting.

(Your engineer or attorney can help you with identifying proper modifications* if necessary; the fees for the modifications are listed in the fee schedule of the application).**

· once the application is logged into the County Planning Office, a Municipal Comment Form will be sent out to the Township/Borough for their comments on the proposed land development. The Township/Borough will have thirty (30) days to make those comments. If no comments are received within the thirty (30) days, our office will assume the Township/Borough does not have adverse comment on the proposed subdivision. Any forms submitted by the applicant already filled out by the Township/Borough will not be accepted.

OUR OFFICE WILL SEND OUT THE MUNICIPAL COMMENT FORMS ON THE DATE THE APPLICANT SUBMITS A FULL AND COMPLETE APPLICATION

Continued...

5) **Once all the necessary items have been obtained by the Planning Office, the land development will be approved**

·Upon obtaining Preliminary/Final Approval or Final Approval from the Planning Commission by letter:

- 1) Go to your attorney and handle any legal matters (such as new deed, maintenance agreements, etc.)
- 2) Get your septic permit (if applicable).
- 3) Get a Deed of Dedication from the Township/Borough and post the appropriate Performance Bond (This is only done in a situation where an applicant is dedicating a road to the Township/Borough).
- 4) Get your building permit form from the Township/Borough (if applicable).
- 5) Write a letter to the Bradford County Planning Commission requesting the release of the bond put up for the site site work (if a bond was put in place)

BUILDING OR PLACEMENT OF STRUCTURES ON YOUR PROPERTY CANNOT COMMENCE UNTIL THE BRADFORD COUNTY PLANNING COMMISSION GRANTS PRELIMINARY/FINAL APPROVAL

**Perc Tests: Must be conducted by the Bradford County Sanitation Committee for both Component I and II Modules*

***Preliminary/Final Approval: Granted by the Bradford County Planning Commission when a subdivision meets the requirements of the Bradford County Subdivision and Land Development Ordinance. This includes both Preliminary Approval and Final Approval in one step instead of going before the Planning Commission once for each approval. The Planning Commission may impose certain conditions prior to actual approval, which will need to be met by the applicant. Staff will notify the applicant of those conditions in writing after that month's Planning Commission Meeting.*

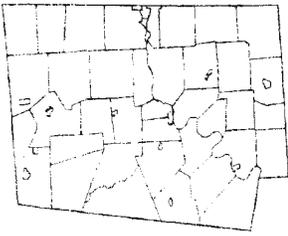
**** Modifications: Modifications are not guaranteed and applicants must show hardship. The Planning Commission does not consider financial burden as hardship. A hardship is more closely related with geographic or topographic constraints.*

***** Preliminary Approval: Granted by the Bradford County Planning Commission when the applicant wants to begin work on his/her subdivision without posting any type of financial security. This type of approval is generally granted by the Planning Commission when a road is being proposed in a subdivision.*

****** Final Approval: Granted by the Bradford County Planning Commission when the applicant has successfully met the requirements of the approved plans that received Preliminary Approval. The applicant must gain final approval to have their subdivision recorded and sell lots.*

Appendix D

Checklist for a Subdivision or Land Development



**BRADFORD COUNTY
OFFICE OF COMMUNITY PLANNING AND GRANTS**

301 Main Street
Courthouse, 4th Floor
Towanda, PA 18848

Administrative Agency for the Bradford County Planning Commission

*Raymond J. Stolinas, Jr., AICP, Director
Jason R. Finnerty, GIS Coordinator
Phil Swank, Grants Coordinator
Aaron Lankford, County Planner
Robyn D'Anna, Comprehensive Planner
B. Sue Strickland, Secretary
Jonathan P. Foster, Solicitor*

(570) 265-1715 Phone
(570) 265-1747 or 1729 FAX
(570) 265-1725 Grants Dir. Line
bcocpg@cyber-quest.com

SUBDIVISION/LAND DEVELOPMENT APPLICATION CHECKLIST

- **Please meet with staff prior to any formal submission. Sketch plans are encouraged, but are not mandatory.**
 - **The full application must consist of the following information (where applicable). An application will only be accepted when all of the items mentioned below are submitted to this office.**
 1. **Seven (7) survey plans** (Land Developments may require several layers of platting.)
 2. **One (1) copy of the completed, signed and dated subdivision/land development application.**
 3. **One (1) check** made payable to the Bradford County Treasurer where preliminary and final approval is sought.
 - * **All applications for final approval must have a separate check made payable to the Bradford County Register and Recorder to cover the appropriate recording fee. Staff will record final maps immediately upon final approval.**
 - 4. **One (1) photocopy** of the existing parent deed.
 - 5. Existing or proposed sewage information with regards to the lots/parcel(s). In addition, the subdivider/developer must also submit information on the remaining lands. All necessary DEP (Department of Environmental Protection) forms and Bradford County Sanitation Committee documentation must be approved by the DEP or it's assigned agency prior to formal subdivision/land development submission. (ie. Major Modules, Form B-Waiver). In cases where municipal sewage is available, a letter of sewer availability needs to be obtained and submitted.
 - 6. The following information may be required in a given situation:

<ul style="list-style-type: none">- Part and Parcel Covenant(s)- PENNDOT Highway Occupancy Permits- Municipal Driveway Permit- Modification Request Letter- NPDES Permit- Municipal Zoning Compliance- Construction Sequence- Easement Maintenance Agreement	<ul style="list-style-type: none">- Right-of-Way Maintenance Agreement(s)- Stream Crossing Permit(s)- Pre-existing Structures Acknowledgment- Sewage Service Availability- PHMC Compliance- Wetland/Floodplain Delineation- Improvements Cost Estimate
---	--
- *** Any attempt to make formal submission without all pertinent information detailed above will result in a prompt return of the incomplete package.**

PLANNING COMMISSION MEMBERS

- Emerson Abell - Glenn Aikens - Kerry Dibble - Robert Kendall - Warren Knapp - Don Murray - Lincoln Welles, Jr. - Steve Westbrook - Charles Woodard -

Appendix E

Applications

Minor Subdivision Application



Minor Subdivision

The subdivision of a single lot, tract, or parcel of land into ten (10) or fewer lots, tracts, or parcels of land, for the purpose, whether immediate or future, of transfer of ownership or of building development, providing lots, tracts or parcels of land thereby created having frontage on an improved public street or streets and providing further that there is not created by the subdivision any new street, street easement, easements of access or need therefore.

Grantor Information:

Name: _____

Address: _____

Recipient of Correspondence for Approval and Outstanding Items:

Name: _____

Address: _____ Phone Number: () _____

AGREEMENT BETWEEN THE BRADFORD COUNTY PLANNING COMMISSION AND SUBDIVISION / LAND DEVELOPMENT APPLICANT

Steps to Completing a Minor Subdivision, Major Subdivision or Land Development Application

I / We _____, property owner (s) of record, have read and understand the aforementioned list of steps for completing a [please circle one of the following]: (MINOR SUBDIVISION / MAJOR SUBDIVISION / MINOR LAND DEVELOPMENT / MAJOR LAND DEVELOPMENT / MOBILE HOME PARK / CAMPGROUND) and acknowledge that excavation, earth moving, placement of structures or construction relative to this proposal shall not commence until all necessary permitting and approval from the Bradford County Planning Commission has been granted upon a complete and satisfactory application. Failure to do so will subject me / us , the applicant, to a fine of \$500.00 per day as per **Section 118— Enforcement Remedies** of the Bradford County Subdivision and Land Development Ordinance.

***THIS SIGNED AGREEMENT MUST ACCOMPANY ALL APPLICATIONS SUBMITTED TO THE OFFICE OF COMMUNITY PLANNING AND GRANTS. FAILURE TO DO SO WILL RESULT IN AN UNACCEPTABLE APPLICATION AND ITS PROMPT RETURN TO THE APPLICANT**

Signed:

Dated:

Parent Tract Information

Tax Parcel No.: _____ - _____ - _____ - _____ - _____ Acres: _____ Road Number(s): _____

Municipality: _____ (Township/Borough) Date Acquired: _____

Deed Book _____ Page Number _____ Instrument No. _____ Zoning District: _____

Current Land Use: _____ Sewage System: _____ Year: _____

Structural Improvements: _____ Water Supply: _____

Is your parcel enrolled in *Clean and Green*? Yes ___ No ___ If yes, contact the assessment office before subdivision.

Is your parcel an enrolled Agricultural Security Area? Yes ___ No ___ If yes, contact the B.C. Conservation District

Is your parcel within a Flood Hazard Area? Yes ___ No ___ What is the name of the waterway: _____

Has the property been subdivided since 1981? Yes ___ No ___ File Number: _____

Any utility easements? Yes ___ No ___ Any Right-of-Ways? Yes ___ No ___ Deed Reference: _____

What is the Pole No. that the Electric is Coming From? _____

Subdivision Information

Number of Parcels: _____ Include the Remaining Parent Tract as 1 Lot

Lot No. _____ Proposed Land Use: _____ Water Supply: _____

Sewage System: _____ Any Proposed Utility Easements? Yes ___ No ___

Acres: _____

Any Proposed Right-of-Ways? Yes ___ No ___ *Maintenance Agreement must accompany application.*

Any Proposed Easements? Yes ___ No ___ *Maintenance Agreement must accompany application.*

Lot No. _____ Proposed Land Use: _____ Water Supply: _____

Sewage System: _____ Any Proposed Utility Easements? Yes ___ No ___

Acres: _____

Any Proposed Right-of-Ways? Yes ___ No ___ *Maintenance Agreement must accompany application.*

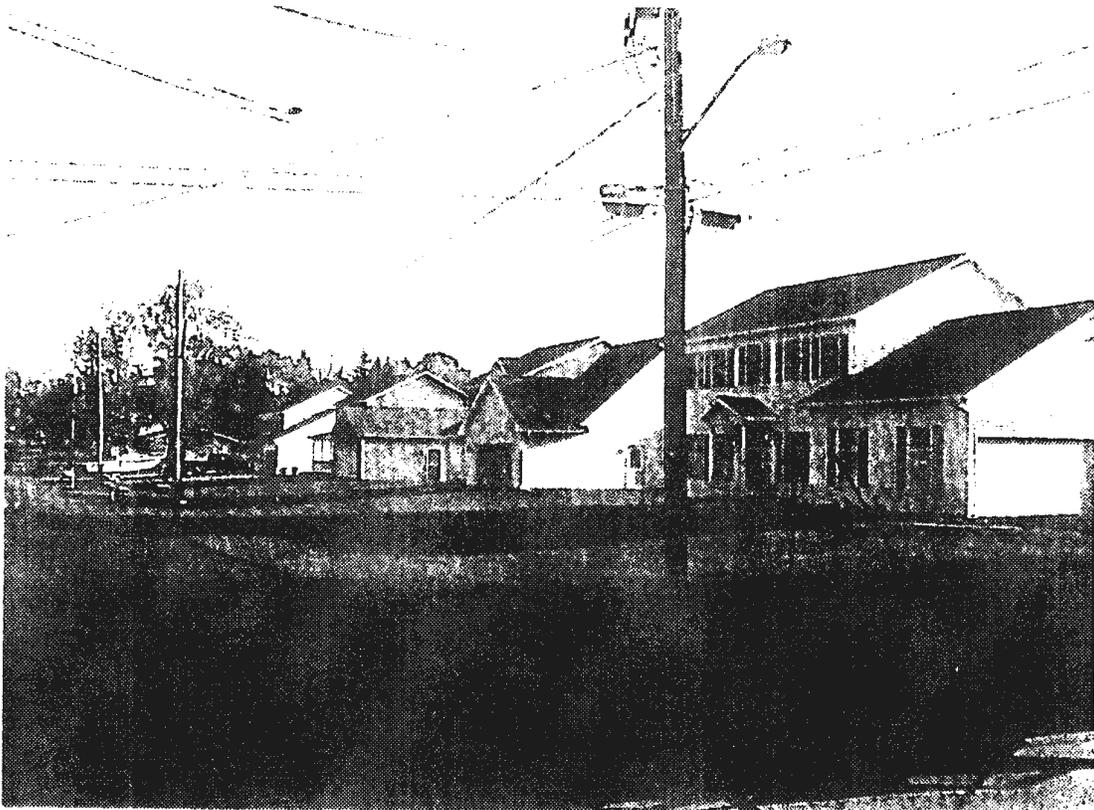
Any Proposed Easements? Yes ___ No ___ *Maintenance Agreement must accompany application.*

Surveyor Checklist

PLEASE CHECK THE FOLLOWING LIST TO MAKE SURE YOU HAVE INCLUDED THE REQUIRED INFORMATION ON THE SURVEY PLAT. THESE ITEMS ARE REQUIRED UNDER ARTICLES 305 AND 307 OF THE BRADFORD COUNTY SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (2002). MINOR SUBDIVISIONS ARE INCLUDED UNDER THESE CRITERIA.

- 1) Existing contours at intervals of twenty (20) feet or less shown on the site map of the plat.
- 2) The layout, names, and widths of right-of-way, cart way, and paving of existing streets and alleys.
- 3) The location, purpose and width of easement for the entire lot, tract, or parcel.
- 4) The layout of lots showing approximate dimensions, lot numbers, and approximate area of each lot.
- 5) Building setback lines showing numerical dimensions. Use zoning building setback line dimensions when applicable.
- 6) Locations and descriptions of permanent monuments.
- 7) Parent Tract Map with subdivision located within boundaries.
- 8) Location map (either USGS 7.5' Quarter Quad or Bradford County Assessment Office tax parcel map).
- 9) Remaining acreage of the Parent Tract.
- 10) All adjacent property owners.
- 11) Locations and footprints of all existing buildings.
- 12) Date of the plat.
- 13) North Arrow.
- 14) Flood plains and wetlands delineated.
- 15) Zoning District (if applicable).
- 16) Surveyor's seal.
- 17) Date of the Plat.
- 18) Scale of the site plan.
- 19) Locations of existing sewer systems.
- 20) Locations of existing wells/springs.
- 21) PENNDOT HOP or Municipal HOP Number.
- 22) Agricultural Use Affidavit Language.
- 23) Part and Parcel Notes.
- 24) Pre-Existing Structures Acknowledgement Language.
- 25) Provisional Secondary Use Affidavit Language.
- 26) Right-Of-Way Maintenance Agreement Language.

Major Subdivision Application



Major Subdivision

Any subdivision involving ten (10) or more lots, parcels or land or other divisions of land whether or not they involve new streets, additional utilities or other facilities immediate or future.

Grantor Information:

Name: _____

Address: _____

Recipient of Correspondence for Approval and Outstanding Items:

Name: _____

Address: _____ Phone Number: () _____

AGREEMENT BETWEEN THE BRADFORD COUNTY PLANNING COMMISSION AND SUBDIVISION / LAND DEVELOPMENT APPLICANT

Steps to Completing a Minor Subdivision, Major Subdivision or Land Development Application

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Signed:

Dated:

Parent Tract Information

Tax Parcel No.: _____ - _____ - _____ - _____ Acres: _____ Road Number(s): _____

Municipality: _____ (Township/Borough) Date Acquired: _____

Deed Book _____ Page Number _____ Instrument No. _____ Zoning District: _____

Sewage System: _____ Year: _____ Permit No: _____

Current Land Use: _____ Structural Improvements: _____

Water Supply: _____ NPDES Permit Approved: _____

Is your parcel enrolled in *Clean and Green*? Yes ___ No ___

(If yes, contact the assessment office before subdivision.)

Is your parcel within a Flood Hazard Area? Yes ___ No ___

What is the name of the waterway: _____

Has the property been subdivided since 1981? Yes ___ No ___ File Number: _____

Any utility easements? Yes ___ No ___ Any Right-of-Ways? Yes ___ No ___

What is the Pole No. that the Electric is Coming From? _____

Deed Reference _____ (for utilities or right-of-ways)

Total square feet of proposed impervious surface: _____ sq ft Existing: _____ sq ft

Type of Storm Water Facility Proposed: _____

Maintenance Agreement/Proposed Deed for Facility (circle one)

Parking Spaces Proposed: _____ Handicapped: _____ Traffic Study: Yes ___ No ___

Side Walks or Curbs Required: Yes ___ No ___ Loading Docks: _____

Buildings Proposed _____ PENNDOT/Municipal Access Permit No.: _____

Any Curb Cuts: Yes ___ No ___ How Many Feet?: _____ ft

Solid Waste Removal Plan: Yes ___ No ___ If no, why not?: _____

Waste Hauler: _____

Lot No. _____ Proposed Land Use: _____ Water Supply: _____

Sewage System: _____ Any Proposed Utility Easements? Yes ___ No ___

Acres: _____

Any Proposed Right-of-Ways? Yes ___ No ___ *Maintenance Agreement must accompany application.*

Any Proposed Easements? Yes ___ No ___ *Maintenance Agreement must accompany application.*

Lot No. _____ Proposed Land Use: _____ Water Supply: _____

Sewage System: _____ Any Proposed Utility Easements? Yes ___ No ___

Acres: _____

Any Proposed Right-of-Ways? Yes ___ No ___ *Maintenance Agreement must accompany application.*

Any Proposed Easements? Yes ___ No ___ *Maintenance Agreement must accompany application.*

Lot No. _____ Proposed Land Use: _____ Water Supply: _____

Sewage System: _____ Any Proposed Utility Easements? Yes ___ No ___

Acres: _____

Any Proposed Right-of-Ways? Yes ___ No ___ *Maintenance Agreement must accompany application.*

Any Proposed Easements? Yes ___ No ___ *Maintenance Agreement must accompany application.*

Lot No. _____ Proposed Land Use: _____ Water Supply: _____

Sewage System: _____ Any Proposed Utility Easements? Yes ___ No ___

Acres: _____

Any Proposed Right-of-Ways? Yes ___ No ___ *Maintenance Agreement must accompany application.*

Any Proposed Easements? Yes ___ No ___ *Maintenance Agreement must accompany application.*

Lot No. _____ Proposed Land Use: _____ Water Supply: _____

Sewage System: _____ Any Proposed Utility Easements? Yes ___ No ___

Acres: _____

Any Proposed Right-of-Ways? Yes ___ No ___ *Maintenance Agreement must accompany application.*

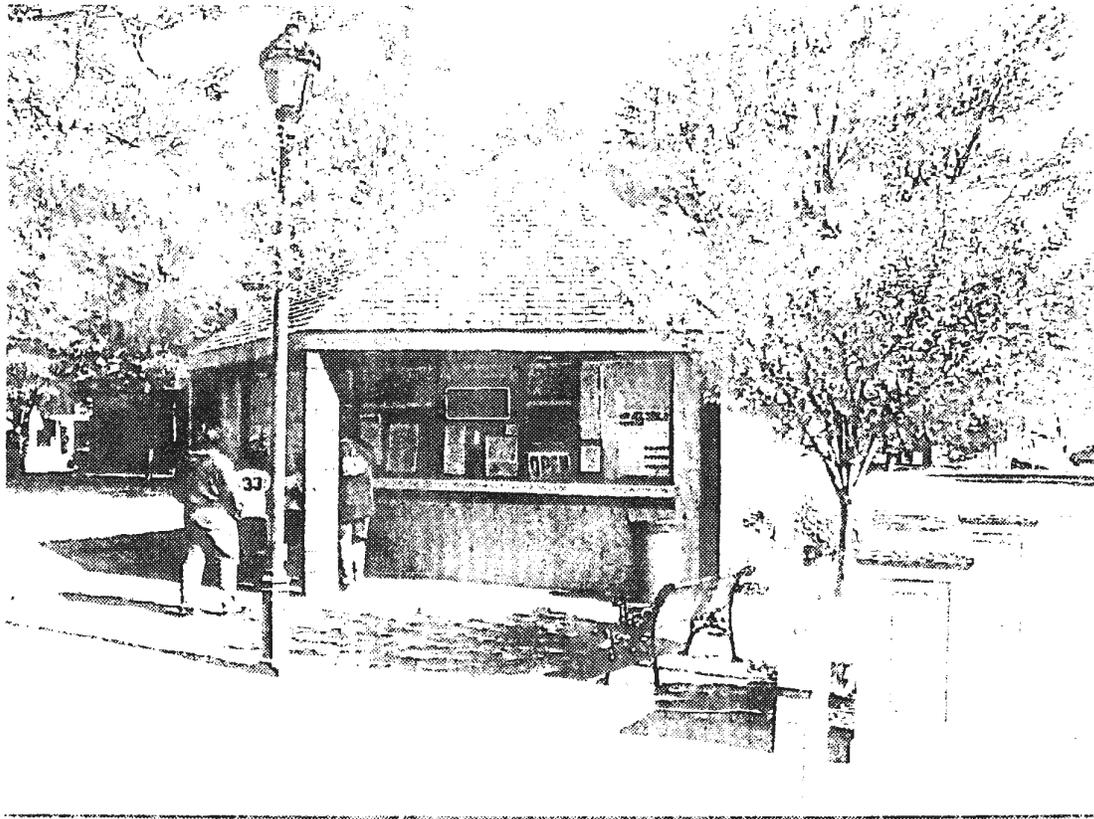
Any Proposed Easements? Yes ___ No ___ *Maintenance Agreement must accompany application.*

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- 2) The layout, names, and widths of right-of-way, cart way, and paving of existing streets and alleys.
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- 4) The layout of lots showing approximate dimensions, lot numbers, and approximate area of each lot.
- 5) Building setback lines showing numerical dimensions. Use zoning building setback line dimensions when applicable.
- 6) Locations and descriptions of permanent monuments.
- 7) Parent Tract Map with subdivision located within boundaries.
- 8) Location map (either USGS 7.5' Quarter Quad or Bradford County Assessment Office tax parcel map).
- 9) Remaining acreage of the Parent Tract.
- 10) All adjacent property owners.
- 11) Locations and footprints of all existing buildings.
- 12) North Arrow.
- 13) Flood plains and wetlands delineated.
- 14) Zoning District (if applicable).
- 15) Surveyor's/Engineer's seal.
- 16) Date of the Plat.
- 17) Scale of the site plan.
- 18) Locations of existing sewer systems.
- 19) Locations of existing wells/springs.
- 20) Profile and Cross-section of all proposed streets (public or private).
- 21) Storm water facilities (along with profiles and cross-section).
- 22) Wysox Creek Stormwater Management Plan details.
- 23) Right-Of-Way Maintenance Agreement Language.
- 24) Parcels of land intended to be dedicated or reserved for schools, parks, playgrounds, parking areas, common open space, or other public, semi-public, or other community purposes.
- 25) PENNDOT HOP or Municipal HOP Number.
- 26) Part and Parcel Notes.
- 27) Pre-Existing Structures Acknowledgement Language.
- 28) Provisional Secondary Use Affidavit Language.
- 29) Agricultural Use Affidavit Language.

Minor Land Development Application



Minor Land Development

Any type of development which is less than or equal to five thousand (5,000) square feet of impervious surface.

Grantor Information:

Name: _____

Address: _____

Recipient of Correspondence for Approval and Outstanding Items:

Name: _____

Address: _____ Phone Number: () _____

AGREEMENT BETWEEN THE BRADFORD COUNTY PLANNING COMMISSION AND SUBDIVISION / LAND DEVELOPMENT APPLICANT

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Signed:

Dated:

Parent Tract Information

Tax Parcel No.: _____ - _____ - _____ - _____ Acres: _____ Road Number(s): _____

Municipality: _____ (Township/Borough) Date Acquired: _____

Deed Book _____ Page Number _____ Instrument No. _____ Zoning District: _____

Sewage System: _____ Year: _____ Permit No: _____

Current Land Use: _____ Structural Improvements: _____

Water Supply: _____ NPDES Permit Approved: _____

Is your parcel enrolled in *Clean and Green*? Yes ___ No ___

(If yes, contact the assessment office before subdivision.)

Is your parcel within a Flood Hazard Area? Yes ___ No ___

What is the name of the waterway: _____

Has the property been subdivided since 1981? Yes ___ No ___ File Number: _____

Any utility easements? Yes ___ No ___ Any Right-of-Ways? Yes ___ No ___

What is the Pole No. that the Electric is Coming From? _____

Deed Reference _____ (for utilities or right-of-ways)

Total square feet of proposed impervious surface: _____ sq ft Existing: _____ sq ft

Type of Storm Water Facility Proposed: _____

Maintenance Agreement/Proposed Deed for Facility (circle one)

Parking Spaces Proposed: _____ Handicapped: _____ Traffic Study: Yes ___ No ___

Side Walks or Curbs Required: Yes ___ No ___ Loading Docks: _____

Buildings Proposed _____ PENNDOT/Municipal Access Permit No.: _____

Any Curb Cuts: Yes ___ No ___ How Many Feet?: _____ ft

Solid Waste Removal Plan: Yes ___ No ___ If no, why not?: _____

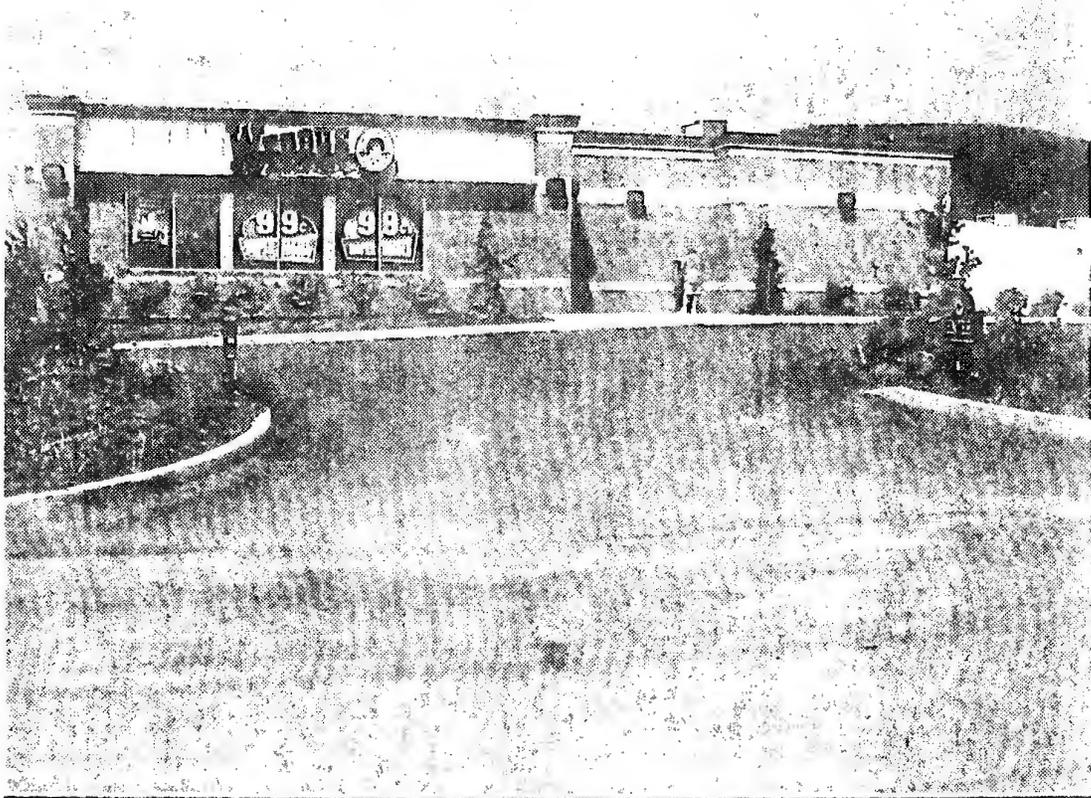
Waste Hauler: _____

Surveyor Checklist

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- 1) Existing contours at intervals of two (2) feet or less shown on the site map of the plat.
- 2) The layout, names, and widths of right-of-way, cart way, and paving of existing streets and alleys.
- 3) The location, purpose and width of easement for the entire lot, tract, or parcel.
- 4) The layout of lots showing approximate dimensions, lot numbers, and approximate area of each lot.
- 5) Building setback lines showing numerical dimensions. Use zoning building setback line dimensions when applicable.
- 6) Locations and descriptions of permanent monuments.
- 7) Parent Tract Map with subdivision located within boundaries.
- 8) Location map (either USGS 7.5' Quarter Quad or Bradford County Assessment Office tax parcel map).
- 9) Remaining acreage of the Parent Tract.
- 10) All adjacent property owners.
- 11) Locations and footprints of all existing buildings, solid waste facilities, lighting facilities, walls, utilities, aesthetic and landscaped amenities and curbing.
- 12) North Arrow.
- 13) Flood plains and wetlands delineated.
- 14) Zoning District (if applicable).
- 15) Surveyor's/Engineer's seal.
- 16) Date of the Plat.
- 17) Scale of the site plan.
- 18) Locations of existing sewer systems.
- 19) Locations of existing wells/springs.
- 20) Profile and Cross-section of all proposed streets (public or private).
- 21) Wysox Creek Stormwater Management Plan details.
- 22) Parcels of land intended to be dedicated or reserved for schools, parks, playgrounds, parking areas, common open space, or other public, semi-public, or other community purposes.
- 23) PENNDOT HOP or Municipal HOP Number.
- 24) Part and Parcel Notes.
- 25) Pre-Existing Structures Acknowledgement Language.
- 26) Right-Of-Way Maintenance Agreement Language.

Major Land Development Application



Major Land Development

Any type of development which is greater than 5,000 square feet of proposed impervious surface, or addition that is greater than 5,000 square feet of proposed impervious surface.

Grantor Information:

Name: _____

Address: _____

Recipient of Correspondence for Approval and Outstanding Items:

Name: _____

Address: _____

Phone Number: () _____

AGREEMENT BETWEEN THE BRADFORD COUNTY PLANNING COMMISSION AND SUBDIVISION / LAND DEVELOPMENT APPLICANT

Steps to Completing a Minor Subdivision, Major Subdivision or Land Development Application

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Signed:

Dated:

Parent Tract Information

Tax Parcel No.: _____ - _____ - _____ - _____ - _____ Acres: _____ Road Number(s): _____

Municipality: _____ (Township/Borough) Date Acquired: _____

Deed Book _____ Page Number _____ Instrument No. _____ Zoning District: _____

Sewage System: _____ Year: _____ Permit No: _____

Current Land Use: _____ Structural Improvements: _____

Water Supply: _____ NPDES Permit Approved: _____

Is your parcel enrolled in *Clean and Green*? Yes ___ No ___

(If yes, contact the assessment office before subdivision.)

Is your parcel within a Flood Hazard Area? Yes ___ No ___

What is the name of the waterway: _____

Has the property been subdivided since 1981? Yes ___ No ___ File Number: _____

Any utility easements? Yes ___ No ___ Any Right-of-Ways? Yes ___ No ___

What is the Pole No. that the Electric is Coming From? _____

Deed Reference _____ (for utilities or right-of-ways)

Total square feet of proposed impervious surface: _____ sq ft Existing: _____ sq ft

Type of Storm Water Facility Proposed: _____

Maintenance Agreement/Proposed Deed for Facility (circle one)

Parking Spaces Proposed: _____ Handicapped: _____ Traffic Study: Yes ___ No ___

Side Walks or Curbs Required: Yes ___ No ___ Loading Docks: _____

Buildings Proposed _____ PENNDOT/Municipal Access Permit No.: _____

Any Curb Cuts: Yes ___ No ___ How Many Feet?: _____ ft

Solid Waste Removal Plan: Yes ___ No ___ If no, why not?: _____

Waste Hauler: _____

Surveyor Checklist

PLEASE CHECK THE FOLLOWING LIST TO MAKE SURE YOU HAVE INCLUDED THE REQUIRED INFORMATION ON THE SURVEY PLAT. THESE ITEMS ARE REQUIRED UNDER ARTICLES 305 AND 307 OF THE BRADFORD COUNTY SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (2002). MAJOR SUBDIVISIONS ARE INCLUDED UNDER THESE CRITERIA.

- 1) Existing contours at intervals of two (2) feet or less shown on the site map of the plat.
- 2) The layout, names, and widths of right-of-way, cart way, and paving of existing streets and alleys.
- 3) The location, purpose and width of easement for the entire lot, tract, or parcel.
- 4) The layout of lots showing approximate dimensions, lot numbers, and approximate area of each lot.
- 5) Building setback lines showing numerical dimensions. Use zoning building setback line dimensions when applicable.
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- 8) Location map (either USGS 7.5' Quarter Quad or Bradford County Assessment Office tax parcel map).
- 9) Remaining acreage of the Parent Tract.
- 10) All adjacent property owners.
- 11) Locations and footprints of all existing buildings, solid waste facilities, storm water management facilities, lighting facilities, walls, utilities, aesthetic and landscaped amenities and curbing.
- 12) North Arrow.
- 13) Flood plains and wetlands delineated.
- 14) Zoning District (if applicable).
- 15) Surveyor's/Engineer's seal.
- 16) Date of the Plat.
- 17) Scale of the site plan.
- 18) Locations of existing sewer systems.
- 19) Locations of existing wells/springs.
- 20) Profile and Cross-section of all proposed streets (public or private) and parking areas.
- 21) Storm water facilities (along with profiles and cross-section) and a drainage plan.
- 22) Wysox Creek Stormwater Management Plan details.
- 23) Parcels of land intended to be dedicated or reserved for schools, parks, playgrounds, parking areas, common open space, or other public, semi-public, or other community purposes.
- 24) PENNDOT HOP or Municipal HOP Number.
- 25) Part and Parcel Notes.
- 26) Pre-Existing Structures Acknowledgement Language.
- 27) Right-Of-Way Maintenance Agreement Language.

Mobile Home Park and Campground Application



Mobile Home Parks and Campgrounds

A parcel of land or contiguous parcels of land which has been so designated and improved that it contains 2 or more mobile home or recreational vehicle lots for the placement thereon mobile homes or recreational vehicles.

Grantor Information:

Name: _____

Address: _____

Recipient of Correspondence for Approval and Outstanding Items:

Name: _____

Address: _____ Phone Number: () _____

AGREEMENT BETWEEN THE BRADFORD COUNTY PLANNING COMMISSION AND SUBDIVISION / LAND DEVELOPMENT APPLICANT

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I / We , _____, property owner (s) of record, have read and understand the aforementioned list of steps for completing a [*please circle one of the following*]: (MINOR SUBDIVISION / MAJOR SUBDIVISION / MINOR LAND DEVELOPMENT / MAJOR LAND DEVELOPMENT / MOBILE HOME PARK / CAMPGROUND) and acknowledge that excavation, earth moving, placement of structures or construction relative to this proposal shall not commence until all necessary permitting and approval from the Bradford County Planning Commission has been granted upon a complete and satisfactory application. Failure to do so will subject me / us , the applicant, to a fine of \$500.00 per day as per **Section 118— Enforcement Remedies** of the Bradford County Subdivision and Land Development Ordinance.

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Signed:

Dated:

Parent Tract Information

Tax Parcel No.: _____ Acres: _____ Road Number(s): _____

Municipality: _____ (Township/Borough) Date Acquired: _____

Deed Book _____ Page Number _____ Instrument No. _____ Zoning District: _____

Current Land Use: _____ Sewage System: _____ Year: _____

Structural Improvements: _____ Water Supply: _____

Is your parcel enrolled in *Clean and Green*? Yes ___ No ___ If yes, contact the assessment office before subdivision.

Is your parcel an enrolled Agricultural Security Area? Yes ___ No ___ If yes, contact the B.C. Conservation District

Is your parcel within a Flood Hazard Area? Yes ___ No ___ What is the name of the waterway: _____

Has the property been subdivided since 1981? Yes ___ No ___ File Number: _____

Any utility easements? Yes ___ No ___ Any Right-of-Ways? Yes ___ No ___ Deed Reference _____

Mobile Home Park or Campground Information

Number of Lots: _____ Include the Remaining Parent Tract as 1 Lot

Lot No. _____ Mobile Homes/Camping Spaces per Lot: _____ Parking Spaces: _____

Acres of Open Space: _____ Recreation Areas: _____

Lights Proposed: _____ Sidewalks: Yes ___ No ___

Acre(s) of each Lot: _____ Any Proposed Utility Easements? Yes ___ No ___

Sewage System: _____ Water Supply: _____

Any Proposed Right-of-Ways? Yes ___ No ___ *Maintenance Agreement must accompany application.*

How Many Feet? _____ Municipal/PENNDOT Highway Occupancy Permit No. _____

Any Proposed Easements? Yes ___ No ___ *Maintenance Agreement must accompany application.*

What is the Pole No. that the Electric is Coming From? _____

Surveyor Checklist

PLEASE CHECK THE FOLLOWING LIST TO MAKE SURE YOU HAVE INCLUDED THE REQUIRED INFORMATION ON THE SURVEY PLAT. THESE ITEMS ARE REQUIRED UNDER ARTICLES 305 AND 307 OF THE BRADFORD COUNTY SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (2002). MAJOR SUBDIVISIONS ARE INCLUDED UNDER THESE CRITERIA.

- 1) Existing contours at intervals of two (2) feet or less shown on the site map of the plat.
- 2) The layout, names, and widths of right-of-way, cart way, and paving of existing streets and alleys.
- 3) The location, purpose and width of easement for the entire lot, tract, or parcel.
- 4) The layout of lots showing approximate dimensions, lot numbers, and approximate area of each lot.
- 5) Building setback lines showing numerical dimensions. Use zoning building setback line dimensions when applicable.
- 6) Locations and descriptions of permanent monuments.
- 7) Parent Tract Map with subdivision located within boundaries.
- 8) Location map (either USGS 7.5' Quarter Quad or Bradford County Assessment Office tax parcel map).
- 9) Remaining acreage of the Parent Tract.
- 10) All adjacent property owners.
- 11) Locations and footprints of all existing buildings.
- 12) North Arrow.
- 13) Flood plains and wetlands delineated.
- 14) Zoning District (if applicable).
- 15) Surveyor's/Engineer's seal.
- 16) Date of the Plat.
- 17) Scale of the site plan.
- 18) Locations of existing sewer systems.
- 19) Locations of existing wells/springs.
- 20) Profile and Cross-section of all proposed streets (public or private).
- 21) Storm water facilities (along with profiles and cross-section).
- 22) Mobile Home Pads or RV Connections
- 23) Wysox Creek Storm Water Management Plan details.
- 24) Right-Of-Way Maintenance Agreement Language.
- 25) Parcels of land intended to be dedicated or reserved for schools, parks, playgrounds, parking areas, common open space, or other public, semi-public, or other community purposes.
- 26) PENNDOT HOP or Municipal HOP Number.
- 27) Part and Parcel Notes.
- 28) Pre-Existing Structures Acknowledgement Language.
- 29) Provisional Secondary Use Affidavit Language.
- 30) Agricultural Use Affidavit Language.

Two Homes on One Lot Application



2 Homes On One Lot (Land Development)

A Land Development in which the applicant wishes to place a second primary residence on a lot consisting an existing primary residence.

Grantor Information:

Name: _____

Address: _____

Recipient of Correspondence for Approval and Outstanding Items:

Name: _____

Address: _____ Phone Number: () _____

AGREEMENT BETWEEN THE BRADFORD COUNTY PLANNING COMMISSION AND SUBDIVISION / LAND DEVELOPMENT APPLICANT

Steps to Completing a Minor Subdivision, Major Subdivision or Land Development Application

I / We , _____, property owner (s) of record, have read and understand the aforementioned list of steps for completing a [please circle one of the following]: (MINOR SUBDIVISION / MAJOR SUBDIVISION / MINOR LAND DEVELOPMENT / MAJOR LAND DEVELOPMENT / MOBILE HOME PARK / CAMPGROUND) and acknowledge that excavation, earth moving, placement of structures or construction relative to this proposal shall not commence until all necessary permitting and approval from the Bradford County Planning Commission has been granted upon a complete and satisfactory application. Failure to do so will subject me / us , the applicant, to a fine of \$500.00 per day as per **Section 118— Enforcement Remedies** of the Bradford County Subdivision and Land Development Ordinance.

***THIS SIGNED AGREEMENT MUST ACCOMPANY ALL APPLICATIONS SUBMITTED TO THE OFFICE OF COMMUNITY PLANNING AND GRANTS. FAILURE TO DO SO WILL RESULT IN AN UNACCEPTABLE APPLICATION AND ITS PROMPT RETURN TO THE APPLICANT**

Signed:

Dated:

Tract Information

Tax Parcel No.: _____ Acres: _____ Road Number(s): _____

Municipality: _____ (Township/Borough) Date Acquired: _____

Deed Book _____ Page Number _____ Instrument No. _____ Zoning District: _____

Current Land Use: _____ Sewage System: _____ Year: _____

Structural Improvements: _____ Water Supply: _____

Is your parcel enrolled in *Clean and Green*? Yes ___ No ___ If yes, contact the assessment office before subdivision.

Is your parcel an enrolled Agricultural Security Area? Yes ___ No ___ If yes, contact the B.C. Conservation District

Is your parcel within a Flood Hazard Area? Yes ___ No ___ What is the name of the waterway: _____

Has the property been subdivided since 1981? Yes ___ No ___ File Number: _____

Any utility easements? Yes ___ No ___ Any Right-of-Ways? Yes ___ No ___ Deed Reference: _____

What is the Pole No. that the Electric is Coming From? _____

Surveyor Checklist

PLEASE CHECK THE FOLLOWING LIST TO MAKE SURE YOU HAVE INCLUDED THE REQUIRED INFORMATION ON THE SURVEY PLAT. THESE ITEMS ARE REQUIRED UNDER ARTICLES 305 AND 307 OF THE BRADFORD COUNTY SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (2002). 2 HOMES ON A SINGLE LOT ARE INCLUDED UNDER THESE CRITERIA.

- 1) Existing contours at intervals of twenty (20) feet or less shown on the site map of the plat.
- 2) The layout, names, and widths of right-of-way, cart way, and paving of existing streets and alleys.
- 3) The location, purpose and width of easement for the entire lot, tract, or parcel.
- 4) The layout of lots showing approximate dimensions, lot numbers, and approximate area of each lot.
- 5) Building setback lines showing numerical dimensions. Use zoning building setback line dimensions when applicable.
- 6) Locations and descriptions of permanent monuments.
- 7) Parent Tract Map with subdivision located within boundaries.
- 8) Location map (either USGS 7.5' Quarter Quad or Bradford County Assessment Office tax parcel map).
- 9) Remaining acreage of the Parent Tract.
- 10) All adjacent property owners.
- 11) Locations and footprints of all existing buildings.
- 12) North Arrow.
- 13) Flood plains and wetlands delineated.
- 14) Zoning District (if applicable).
- 15) Surveyor's seal.
- 16) Date of the Plat.
- 17) Scale of the site plan.
- 18) Locations of existing sewer systems.
- 19) Locations of existing wells/springs.
- 20) PENNDOT HOP or Municipal HOP Number.
- 21) Agricultural Use Affidavit Language.
- 22) Part and Parcel Notes.
- 23) Pre-Existing Structures Acknowledgement Language.
- 24) Provisional Secondary Use Affidavit Language.
- 25) Right-Of-Way Maintenance Agreement Language.

Appendix F

Financial Security Statement

APPENDIX F

FINANCIAL SECURITY STATEMENT

KNOW ALL MEN BY THESE PRESENT, That We, _____, as Principals, _____ and the _____ Lending Institution/Surety-Bond Company, a corporation authorized to do business in the Commonwealth of Pennsylvania, having an office and place of business at _____ as Surety, are held and firmly bound unto the municipality, as Obligee, in the sum of DOLLARS (\$ _____) lawful money of the United States, for the payment whereof to the Obligee, the Principal and the Surety bind themselves, their heirs, executors, administrators, successors, and assigns, jointly and severally, firmly to these presents:

SIGNED, SEALED AND DATED, this _____ day of _____, 20

WHEREAS, application was made to the Obligee for approval of a subdivision shown on plat entitled and numbered # " _____ "

filed with the staff of the Office of Community Planning and Grants, the Bradford County Planning Commission on _____, 20 _____, said final plat was approved upon certain conditions, once of which is that a Financial Security in the amount of (\$ _____).

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION in such that the above named Principal shall complete the said improvements, outlined in the construction schedule, and will truly make and perform the required improvements and construction of public improvements in said subdivision in accordance with the local government specifications and the Resolution of _____, 20 _____, then this obligation to be void; otherwise to remain in full force and effect

It is hereby understood and agreed that in the event that any required improvements have not been installed as provided by said Resolution, within the term of Statement of Financial Security, Bradford County Planning Commission may thereupon declare this bond to be in default and collect the sum remaining payable thereunder and upon receipt of the proceeds thereof, Bradford County shall install such improvements as are covered by this bond and commensurate with the extent of building development that has taken place in the subdivision but not exceeding the amount of such proceeds.

Principal

Principal

_____ Lending Institution/Surety-Bond Company

By _____
Attorney-In-Fact

BOND NUMBER. _____

Appendix G

Preliminary Plat Contingency Resolution

APPENDIX G

RESOLUTION #
BRADFORD COUNTY PLANNING COMMISSION
APPROVING FINAL SUBDIVISION/LAND DEVELOPMENT PLAT

Name of Plat _____

Owner(s) of Plat _____

The following is an extract from the minutes of the meeting of the Bradford County Planning Commission held on ____-____-____.

1. That roads, sidewalks, curbs, drainage systems, storm drains, catch basins, right-of-way, easements, open spaces, landscaping, park and recreation sites, and other improvements and installations, etc., shall be constructed as set forth on such approved final plat, including the construction of all off-site improvements and drainage systems.

2. That all aforesaid improvements and installations shall be constructed in accordance with the specifications set forth under the Bradford County Subdivision and Land Development Ordinance. That, in addition to the improvements and installations set forth on the approved final plat, all stipulations and undertakings appearing in the minutes of the Planning Commission, together with the Agreement offering Irrevocable Dedication of such improvements which the owner or developer has agreed to, are incorporated in this Resolution by reference, as well as all agreements, regulations, rules, resolutions and orders of the Bradford County Planning Commission.

3. That said, _____
as the owner of the above plat, shall execute and file with the staff of the Bradford County Office of Community Planning and Grants a Financial Security Bond in the amount of \$_____ sufficient to cover the full cost of said improvements as estimated by the Planning Commission and its consulting engineer, which Financial Security shall be issued by a Bonding or Surety Company to be approved by the Planning Commission and the **Planning Commission Solicitor** as to form sufficiency and manner of execution. Said Financial Security shall run in accordance with the specifications identified in Article III Section 304.12.A, B, and C of the Bradford County Subdivision and Land Development Ordinance. The bond shall also provide, among other things, that in the event that any required improvements have not been installed and deeded to the municipality free and clear of all encumbrances as provided by this Resolution, with the terms of such performance bond, the Planning Commission may thereupon declare said Financial Security to be in default and collect the sum remaining payable thereunder and apply said sum towards obtaining free and clear title to said improvements, including payment

of all liens and encumbrances on the property and all costs and expenses, including legal fees, incurred by the Planning Commission in acquiring free and clear title, and install such improvements that are covered by such Financial Security commensurate with the extent of building development that has taken place in the subdivision but not exceeding in cost, the amount of such proceeds.

- 4. That the final plat will not be signed by the Chairman of the Planning Commission until the submission and approval of the required Security by the developer.
- 5. That said Security will not be released or reduced until the public improvements are approved by the County Consulting Engineer and all improvements, roads, right-of-way, easements, open spaces, landscaping, recreation sites, including off-site improvements, and land have been deeded to and accepted by the respective municipality, in accordance with the procedure for dedication of improvements adopted by the Planning Commission, after public hearing as provided by law, subject to approval by the Governing body.
- 6. This Resolution expires on _____.

STATE OF _____)
COUNTY OF _____)

I, _____, the Chairman of the Planning Commission of Bradford County, hereby certify that I have compared the foregoing copy of an extract from the minutes of the Planning Commission held _____, and find the same to be true and correct transcript therefrom.

IN TESTIMONY WHEREOF, I have hereunder subscribed my name and affixed the seal of said municipality this _____ day of _____, 20_____.

CHAIRMAN OF THE PLANNING COMMISSION

I, _____, the Owner/Developer hereby understand the above Agreement and consent to the obligations listed above.

IN TESTIMONY WHEREOF, I have hereunder subscribed my name this _____ day of _____, 20_____.

OWNER/DEVELOPER

OWNER/DEVELOPER

OWNER/DEVELOPER

Appendix H

Performance Bond

Bond No.

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS: That We _____ as the Principal and _____, a _____ corporation authorized to do business in Pennsylvania, as Surety, are held and firmly bound unto **COUNTY OF BRADFORD (Planning Commission), Pennsylvania, 301 Main Street, Towanda, Pennsylvania 18848** as Obligee, in the penal sum of _____ (\$ _____) for the payment which we bind ourselves, our legal representatives, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the above bounden Principal has been granted Preliminary/Final Approval by the above mentioned Obligee for the completion of Required Improvements at Land Development File No. _____ as set forth at a meeting of the Planning Commission of the County of Bradford Pennsylvania on _____.

NOW, THEREFORE, the condition of the above obligation is such, that if the said Principal shall complete the above improvements in accordance with the said Preliminary/Final Plans and Specifications prepared by _____ on or before _____ and shall fully indemnify and save harmless the **COUNTY OF BRADFORD** from all costs and damages which it may suffer by reason of failure to do so, and fully reimburse and repay the Obligee any outlay and expense which it may incur in making good any such default, then this obligation shall be null and void, otherwise to remain in full force and effect.

THE FOREGOING OBLIGATION, however, is limited by the following express conditions, the performance of which shall be a condition precedent to any rights of claims or recovery hereunder:

1. Upon discovery of the Obligee, or by the Obligee's agent or representative, of any act or omission that shall or might involve a loss hereunder, the Obligee shall endeavor to give written notice thereof with the fullest information obtainable at the time to the Surety at its office in _____.
2. Legal proceedings for recovery hereunder may not be brought unless begun within **Twenty-Four (24) Months** from the date of the discovery of the act or omission of the Principal on account of which claim is made.
3. The Principal shall be made a party of any suit or action for recovery hereunder, and no judgement shall be rendered against the Surety in excess of the penalty of this instrument.
4. No right of action shall accrue hereunder to or for the use or benefit of anyone other than the Obligee, and the Obligee's right hereunder may not be assigned without the written consent of the Surety.

IN WITNESS WHEREOF, this instrument has been executed by the duly authorized representative of the Principal and Surety.

SIGNED, SEALED AND DATED:

By:

By:

Appendix I

Offer of Irrevocable Dedication

APPENDIX I

OFFER OF IRREVOCABLE DEDICATION

AGREEMENT made this _____ day of _____, 20____, by and between _____ and _____, having its office and place of business at _____, herein designated as Developer, and _____ Township/Borough having its principle office at _____, hereinafter designated as _____ Township/Borough,

WHEREAS, the Bradford County Planning Commission is in the process of approving a subdivision/land development plat entitled _____, dated _____, made by _____, and

WHEREAS, said map designates certain public improvements consisting of _____ to be dedicated to the local government free and clear of all encumbrances and liens, pursuant to the regulations and requirements of _____ Township/Borough, and

WHEREAS, the developer, simultaneously herewith shall post a Performance Bond with the municipality for the construction, maintenance, and dedication of said improvements in the amount of 15% of the construction costs to the developer for a term of 18 months, and

WHEREAS, the developer is desirous of offering for dedication the said improvements and/or land to the Township/Borough more particularly described in Schedule _____ attached hereto, and

WHEREAS, the developer has delivered deeds of conveyance to _____ Township/Borough for the said land and improvements as described herein,

NOW, THEREFORE, in consideration of the sum of \$1.00 lawful currency of the United States of America paid by the local government to the developer and other good and valuable consideration, it is mutually AGREED as follows:

1. The developer herewith delivers to _____ Township/Borough deeds of conveyance for the premises described in Schedule _____ attached hereto, said delivery being a formal offer of dedication to _____ Township/Borough to be held by _____ Township/Borough until the acceptance or rejection of such offer of dedication by the Governing Body.

2. The developer agrees that said formal offer of dedication is irrevocable and cannot be accepted by _____ Township/Borough at any time.
3. The developer agrees to complete the construction and maintenance of the land an improvement pursuant to the Performance Bond and the requirements of the County Planning Commission, of the _____ Township/Borough Planning Commission (if applicable) and any ordinances, regulations, requirements, covenants, and agreements that may be imposed by _____ Township/Borough with respect thereto and upon acceptance by _____ Township/Borough. With the offer of dedication, the developer/owner shall furnish to the local government a title insurance policy issued by a licensed title insurance company authorized to do business in the Commonwealth of Pennsylvania in a minimum amount of \$ _____, certifying that the premises are free and clear of al liens and encumbrances and shall furnish to the local government a check for all necessary fees and taxes to record the deeds hereto delivered.
4. That this irrevocable offer of dedication shall run with the land and shall be binding on all assigns, grantees, successors, or heirs of the developer.

(SEAL)

Attest:

Township/Borough

By: _____

(Recorder of Deeds)

Developer/Owner

Developer/Owner

Date

Commonwealth of Pennsylvania)
County of Bradford) SS:

On the _____ day of _____, 20____, before me personally came _____
_____, to me known, who being by me duly sworn, did depose and say that he is the individual described in and who executed the foregoing instrument, and he duly acknowledged to be that he executed the same.

Notary Public

Commonwealth of Pennsylvania)
County of Bradford) SS:

On the _____ day of _____, 20____, before me personally came _____
_____, to me known, who being by me duly sworn, did depose and say that he is the individual described in and who executed the foregoing instrument, and he duly acknowledged to be that he executed the same.

Notary Public

Appendix J

Covenants and Agreements

Appendix J

Covenants and Agreements

A. General

1. Covenants may be provided in situations where the subdivision or land development needs explanation of a special case.
2. The language of the Covenant must also be placed on the map so as not to create any confusion and avoid misinterpretation of the intent of the subdivision or land development.

B. Types and Purpose

1. **Acknowledgement of Part and Parcel**
 - i. Used to show which parcel the newly created lot is being attached to along with the new combined acreage. Also used to show the consent of the buyer to attach this new lot to their existing one.
2. **Acknowledge of Pre-Existing Structures**
 - i. Used when an existing building is within the Building Setback Lines.
 - ii. The location of the building within the setback lines must have been done prior to the adoption of the 1981 Bradford County Subdivision and Land Development Ordinance.
3. **Right-Of-Way Maintenance Agreement**
 - i. Lists the legal description of the Right-Of-Way in question.
 - ii. Is an agreement for the construction and maintenance and repair of the Right-Of-Way and drainage facilities.
 - iii. Used in all private road and private drive situations where a Home Owner's Association or Proposed Deed is not in place (can supplement either)
4. **Easement Maintenance Agreement**
 - i. Lists the legal description of the Easement in question.
 - ii. Is an agreement for the construction and maintenance and repair of the Easement.
5. **Storm Water Facility Maintenance Agreement**
 - i. Lists the legal description of the Storm Water Facility in question.
 - ii. Is an agreement for the construction and maintenance and repair of the Storm Water Facility.
6. **Affidavit For Provisional Secondary Residences**
 - i. Used in situations where there is an existing primary residence and the owner wishes to add a seasonal or guest home.
 - ii. The secondary residence shall not be used as a rental unit(s) or leasehold(s).

ACKNOWLEDGMENT OF PART AND PARCEL DEED COVENANT

ON THIS, the _____ day of _____, 20 _____, before me, the undersigned officer(s), appeared _____, being duly
Name(s) of Individual(s)
sworn accordingly to law, ~~deposes and says (he is/she is/they are)~~*(circle one of the*
aforementioned] the grantee(s) of said lot/parcel as legally described and shown upon Survey Map No. _____ as drawn by _____, dated _____.
(Name of Surveyor)

The said grantee(s) acknowledge the following to be their act and plan, and hereby desire the following statement to be entered as a covenant within the deed to be recorded as such according to law.

***"The above legally described lot/parcel is to become part and parcel to the adjacent lot/parcel of _____
Described as tax parcel number _____ - _____ - _____ - _____ - _____
in Bradford County Deed Book _____ at page _____
Recorded in the Bradford County Register and Recorder's Office to form a single lot of _____ acres."***

Signature(s) of Individual(s)

COMMONWEALTH OF PENNSYLVANIA):

SS

COUNTY OF BRADFORD):

On this, the _____ Day of _____, 20 _____, before me, A Notary Public, the undersigned officer, personally appeared _____ known to be (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she/they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

ACKNOWLEDGEMENT OF PRE-EXISTING STRUCTURES

ON THIS, the _____ day of _____, 20 _____, before me, the undersigned officer(s) personally appeared _____
(Grantor(s))
who being duly sworn according to law, deposes and says they are the grantor(s) of said lot/parcel as legally described and shown upon Survey Map No. _____ drawn by _____, dated _____.

The said grantor(s) acknowledge the following to be their act and plan, and hereby desire the following statement to be placed as a note to the official survey plan to be recorded as such according to law.

“To the best of our knowledge, the structure(s) as shown on lot number(s) _____ and _____ were constructed prior to the enactment of the Bradford County Subdivision and Land Development Regulations as enacted April, 1981.”

(Grantor(s))

(Grantor(s))

COMMONWEALTH OF PENNSYLVANIA):

SS

COUNTY OF BRADFORD):

On this, the _____ Day of _____, 20 _____, before me, A Notary Public, the undersigned officer, personally appeared _____ Known to be (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she/they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

Right-Of-Way Maintenance Agreement

THIS INDENTURE, made this _____ day of _____, 20____, between _____ and _____ and _____, and _____ and _____,

WHEREAS, the parties hereto are owners of parcels of land in _____ Township/Borough, Bradford County, Pennsylvania, described by survey Map No. _____, made by _____, dated _____;

WHEREAS, the parties desire to enter into an agreement regarding the construction, repair and maintenance of the _____ foot wide right-of-way.

NOW THEREFORE, the parties hereto agree as follows:

1. The _____ foot wide right-of-way is described as follows (legal description):

2. *It is agreed the construction, repair and maintenance of the right-of-way will be the responsibility of _____ and _____, their heirs and/or assigns. Each party shall be responsible for their respective share(s) described of snow plowing, construction, repair and maintenance. The parties AGREE that the right-of-way shall be maintained in its present condition as of the date of this Agreement.*
3. The parties agree that **no party** will commit any of the other parties to an expense for maintenance or repairs without the consent of all of the parties concerned, however, if a repair or maintenance is necessary, and on party will not agree, the other parties shall be entitled to proceed to maintain or repair the right-of-way and shall be entitled to take whatever appropriate legal action is necessary to collect the other party's share for the expense of the maintenance or repair.
4. This agreement shall terminate upon the acceptance of this roadway by a municipality for the purposes of maintaining the roadway.
5. This agreement shall be binding upon the heirs, successors and assigns of the Parties hereto.

IN WITNESS WHEREOF, the said parties have hereunto set their hands and seals the day and year above written.

SIGNATURES:

COMMONWEALTH OF PENNSYLVANIA):
SS
COUNTY OF BRADFORD):

On this day, the _____ day of _____, 20____, before me, A Notary Public, undersigned officer, personally appeared _____ known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the he/she/they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA):
SS
COUNTY OF BRADFORD):

On this day, the _____ day of _____, 20____, before me, A Notary Public, undersigned officer, personally appeared _____ known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the he/she/they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

NOTARY PUBLIC

Easement Maintenance Agreement

THIS INDENTURE, made this _____ day of _____, 20____, between _____ and _____ and _____, and _____ and _____,

WHEREAS, the parties hereto are owners of parcels of land in _____ Township/Borough, Bradford County, Pennsylvania, described by survey Map No. _____, made by _____, dated _____;

WHEREAS, the parties desire to enter into an agreement regarding the construction, repair and maintenance of the _____ foot wide easement.

NOW THEREFORE, the parties hereto agree as follows:

1. The _____ foot wide easement is described as follows (legal description):

2. *It is agreed the construction, repair and maintenance of the easement will be the responsibility of _____ and _____, their heirs and/or assigns. Each party shall be responsible for their respective share(s) described of construction, repair and maintenance. The parties AGREE that the easement shall be maintained in its present condition as of the date of this Agreement.*
3. The parties agree that **no party** will commit any of the other parties to an expense for maintenance or repairs without the consent of all of the parties concerned, however, if a repair or maintenance is necessary, and on party will not agree, the other parties shall be entitled to proceed to maintain or repair the utility/line and shall be entitled to take whatever appropriate legal action is necessary to collect the other party's share for the expense of the maintenance or repair.
4. This agreement shall be binding upon the heirs, successors and assigns of the Parties hereto.

IN WITNESS WHEREOF, the said parties have hereunto set their hands and seals the day and year above written.

SIGNATURES:

COMMONWEALTH OF PENNSYLVANIA):
SS
COUNTY OF BRADFORD):

On this day, the _____ day of _____, 20____, before me, A Notary Public, undersigned officer, personally appeared _____ known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the he/she/they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA):
SS
COUNTY OF BRADFORD):

On this day, the _____ day of _____, 20____, before me, A Notary Public, undersigned officer, personally appeared _____ known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the he/she/they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

NOTARY PUBLIC

Stormwater Facilities Maintenance Agreement

THIS INDENTURE made this ____ day of _____ 20__

between _____ and _____,

_____ and _____

WHEREAS, the parties hereto are owners of parcels of land located in

_____, Bradford County, Pennsylvania, described by

survey made by _____, dated _____;

WHEREAS, the parties desire to enter into an agreement regarding the repair,

construction, and maintenance of the Storm Water Facility shown on _____

survey by _____ licensed surveyor/engineer.

NOW THEREFORE, the parties hereto agree as follows:

1 The _____ square foot storm water facility is described as follows (legal description)

2 It is agreed that the construction, drainage facilities, and maintenance of the _____ foot storm water

facility will be the responsibility of _____ and _____.

their heirs and/or assigns. Each party shall be responsible for their respective shares for the above

described, of construction and maintenance.

The parties agree that the _____ square foot storm water facility shall be maintained in its present condition

as of the date of this Agreement.

3. The parties agree that no party will commit any of the other parties to an expense for

maintenance or repairs without the consent of all of the parties concerned, however, if a repair

or maintenance is necessary, and one party will not agree, the other parties shall be entitled

to take whatever appropriate legal action is necessary to collect the other party's share. The other parties shall be entitled to take whatever

appropriate legal action is necessary to collect the other parties share for the expense of the maintenance or

repair.

AFFIDAVIT FOR SECONDARY RESIDENCES

ON THIS, the _____ day of _____, 20____, before me,
a Notary Public in and for said County, personally appeared _____
_____, who being duly sworn according to law, depose and
say that:

“The property owners, _____, propose to build/retain a building or structure(s) with the following Dimension: _____ x _____ for seasonal or guest use only on a parcel of land in Bradford County Deed Book _____ Page _____ or Instrument No. _____ as recorded in the office of the Register and Recorder of Deeds, Bradford County Courthouse, Towanda, Pennsylvania, and that the said structure(s) shall not be used as a primary residence or dwelling. Should any revisions and/or any future subdivision, land development, expansion or change to primary residence occur, a plan must be filed with and approved by the Bradford County Planning Commission.”

Signature(s) of Individual(s): _____

COMMONWEALTH OF PENNSYLVANIA:

County of Bradford:

On this, the _____ day of _____, 20____, before me, A Notary Public, the undersigned officer, personally appeared _____ known to be (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she/they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public: _____

Appendix K

Fee Schedule

Appendix K

Fee Schedule

- I. **Minor Subdivision**
 - a. Planning Commission
 - i. \$50.00 General Filing Fee & \$5.00 Per Lot
 - ii. \$100.00 Modification Request Fee
 - b. Register and Recorder Office
 - i. \$21.50 + \$2.00 for each additional page of the plat

- II. **Major Subdivision**
 - a. Planning Commission
 - i. \$100.00 General Filing Fee & \$20.00 Per Lot
 - ii. \$100.00 Modification Request Fee
 - iii. The applicant shall reimburse Bradford County for all associated County Consulting Engineer review and inspection costs.
 - b. Register and Recorder Office
 - i. \$21.50 + \$2.00 for each additional page of the plat

- III. **Minor Land Development**
 - a. Planning Commission
 - i. \$150.00 General Filing Fee and \$10.00 Per 1,000 sq.ft. of Impervious Surface
 - ii. \$100.00 Modification Request Fee
 - iii. The applicant shall reimburse Bradford County for all associated County Consulting Engineer review and inspection costs.
 - b. Register and Recorder
 - i. \$21.50 + \$2.00 for each additional page of the plat

- IV. **Major Land Development**
 - a. Planning Commission
 - i. \$200.00 General Filing Fee and \$10.00 Per 1,000 sq.ft. of Impervious Surface
 - ii. \$100.00 Modification Request Fee
 - iii. The applicant shall reimburse Bradford County for all associated County Consulting Engineer review and inspection costs.
 - b. Register and Recorder
 - i. \$21.50 + \$2.00 for each additional page of the plat

- V. **Two Homes on One Lot**
 - a. Planning Commission
 - i. \$50.00 General Filing Fee
 - b. Register and Recorder
 - i. \$21.50 Recording Fee

VI. Municipal Review Fee (Municipalities Planning Code Section 502.b)

- a. Planning Commission
 - i. \$25.00 Per Municipal Review File

VII. Provisional Secondary Use Plats

- a. Register and Recorder
 - i. \$21.50 Recording Fee

APPENDIX L

BRADFORD COUNTY PLANNING COMMISSION

MODIFICATION REQUEST FORM

Number of Modifications Requested _____ Total Fees for Request(s) \$ _____

Modification requests can only be made in cases where there is a true geographic hardship not created by the landowner/developer. This request also cannot create a danger or nuisance to the rest of the community or public.

Please list the section of the Ordinance that you would like to receive relief from the Bradford County Subdivision and Land Development Ordinance:

Please list the justification of each request by stating the hardship the Bradford County Subdivision and Land Development Ordinance has put on the developer/owner:

*If necessary, please continue with your hardship specification on another page.

Raymond J. Stolinos, Jr., AICP, Director

Aaron Lankford, County Planner

Jason R. Finnerty, GIS Coordinator

Robyn D'Anna, Grants Coordinator

Stephen J. Polzella, Comprehensive Planner

Scott Molnar, Housing Rehabilitation Assistant

B. Sue Strickland, Secretary

Jonathan P. Foster, Esq., Solicitor



OFFICE OF COMMUNITY PLANNING AND GRANTS

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Towanda, PA 18848

Voice • 570.268.4103
Fax • 570.268.4171
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Email: bcplanning@mail.bradfordco.org

**ADMINISTRATIVE AGENCY
FOR THE
BRADFORD COUNTY PLANNING COMMISSION**

**BRADFORD COUNTY SUBDIVISION AND
LAND DEVELOPMENT ORDINANCE
AMENDMENT NO. 2004-01**

Article 2 Section 201-Definitions Adds:

IMPERVIOUS MATERIAL (SURFACE) - Any substance placed on a lot which covers the surface in such fashion as to prevent natural absorption of surface water by the earth so covered. The following items shall be deemed to be impervious material: buildings, concrete sidewalks, paved and/or grave driveways and parking areas, swimming pools and other nonporous structures or materials.

ANTENNA – A device used to collect or transmit telecommunications or radio signals.

TELECOMMUNICATIONS FACILITY – Consists of the equipment and structures involved in the receiving or transmitting telecommunication or radio signals, but not limited to those facilities with respect to which State and Federal governments have not, under public utility laws, strictly pre-empted the County from regulating.

TELECOMMUNICATIONS EQUIPMENT BUILDING – The building in which the electronic receiving and relay equipment for a telecommunications facility is housed.

TOWER – A structure that is intended to support equipment used to transmit and/or receive telecommunications signals.

WIND ENERGY POWER GENERATION FACILITY – An area where a wind powered turbine and supporting infrastructure are spaced over an area that produces energy and is connected to a power grid via transmission lines or connected to an individual's establishment for the self-generation of energy.

WIND PARK – An area where a number of wind powered turbines and supporting infrastructure are spaced over a large area that produces energy and is connected to a power grid via transmission lines.

Article 3 Section 303-Sketch Plan Review Adds:

12. If the proposed subdivision reserves a tract for agricultural use, the applicant shall provide the above mentioned items from Section 303 of this Ordinance, along with the appropriate Form B Non-Building Waiver from the Bradford County Sanitation Committee. Staff shall review both the Form B Application and the property for the agricultural use via site inspection prior to the cut off date for that month's meeting. If the property is deemed agricultural in use (via site, paperwork, contracts, etc.), then a modification from Section 504.02 of this Ordinance will not be necessary. Should the applicant fail to go through the sketch plan process, then the modification from this section of the Ordinance will need to be requested.

PLANNING COMMISSION MEMBERS

• Emerson Abell • Glenn Aikens • Kerry Dibble • Robert Kendall • Warren Knapp • Don Murray • Lincoln Welles, Jr. • Steve Westbrook • Charles Woodard •

Article 3 Section 308-Land Development Plans Adds:

Two Residential Structures on One Lot, Tract, or Parcel

3. Two Homes on One Lot

- A. All items required under Sections 303, 304, 305, 306, and 307 of this Ordinance.
- B. Location of all existing and proposed principal and accessory structures, existing and proposed drive access locations, existing and proposed sewer and well locations.
- C. A line indicating a future subdivision line following the lot design criteria set forth in Article IV of this ordinance.
- D. A Maintenance Agreement or Proposed Deed for any multi-user features of the property (well, drive access, etc...)
- E. PENNDOT or Municipal Driveway Permit for the drive access.
- F. Appropriate approval from the Bradford County Sanitation Committee, DEP, or Municipal Sewer or Water Authority for the proposed development.

Tower and Wind Energy Power Generation Facility Site Development Criteria

All Tower Proposals shall conform to the requirements set forth under Pre-Application (Sketch) Plan, Preliminary Plan and Final Plan submissions in addition to the criteria outlined below.

4. Tower Plan Requirements

In addition to meeting the requirements under the above-referenced Plan submissions, all preliminary and final Tower Development Plans shall also contain the following information where applicable.

- A. FAA and Pennsylvania Bureau of Aviation Notification- A person who plans to erect a new structure, to add to an existing structure, or to erect or maintain any object (natural or manmade), in the vicinity of the airport, as defined in 14 Code of the Federal Regulations Part 77.13(a) (as amended or replaced), shall first notify the Federal Aviation Administration and Pennsylvania Bureau of Aviation to obtain an obstruction review of the proposal.

An application for development shall not be considered until written responses are provided from the FAA and PA Bureau of Aviation. An application may be denied if either the FAA or PA Bureau of Aviation objects to the proposed development.

- B. Location and size of all existing and/or proposed concrete pads for generators, signs, lighting facilities, fences, walls, utilities, and any other similar features deemed appropriate by the County Planning Commission, its staff or the County Consulting Engineer(s).
- C. Location of access ways (both existing and proposed).
- D. Location and width of all buffer yards, screen plantings, berms or riparian areas.
- E. Lots shall be configured to include the tower and its guy wires in a square geometric shape (unless the subdivision is for sale and not lease).

5. Tower Development Plan Data and Related Items:

- A. Plans that address the layout and site design of the proposed development. Plans will include cross-sections of access ways, driveways and parking area; proposed lighting, landscape and signage plan; all utility easements.
- B. Letter from the municipality regarding compliance with adopted zoning regulations, where applicable.
- C. Erosion and Sedimentation Control Plans and approval from the Bradford County Conservation District. Other requirements pertaining to NPDES, Wetland Delineation/Mitigation and Stream Encroachment or Crossing Permits shall also be required prior to final land development approval.
- D. A description of the proposed development in sufficient detail for the Planning Commission to evaluate the submission.
- E. Where applicable, PENNDOT approved Highway Occupancy Permit or Municipal Driveway Permit.
- F. Storm Water management plan that conforms to Section 505-Storm Water Management of this Ordinance.
- G. An evergreen screen consisting of a row of evergreen trees planted ten (10) feet on a center maximum, shall be located around the perimeter of the security fence and existing vegetation (trees and shrubs) shall be preserved to the maximum extent possible. All screening requirements may be waived, however, if the site is entirely wooded.

6. Wind Energy Power Generation Facility

In addition to meeting the requirements under the above-referenced Plan submissions, all preliminary and final Wind Energy Power Generation Facility Development Plans shall also contain the following information where applicable.

- A. FAA and Pennsylvania Bureau of Aviation Notification- A person who plans to erect a new structure, to add to an existing structure, or to erect or maintain any object (Natural or manmade), in the vicinity of the airport, as defined in 14 Code of the Federal Regulations Part 77.13(a) (as amended or replaced), shall first notify the Federal Aviation Administration and Pennsylvania Bureau of Aviation to obtain an obstruction review of the proposal.

An application for development shall not be considered until written responses are provided from the FAA and PA Bureau of Aviation. An application may be denied if either the FAA or PA Bureau of Aviation objects to the proposed development.

- B. A copy of the PA DEP, PUC, US EPA and United States Department of Energy license applicable to the intended use of the facility.
- C. Location and size of all existing and/or proposed structures, concrete pads for generators, signs, lighting facilities, fences, walls, utilities, and any other similar features deemed appropriate by the County Planning Commission, its staff or the County Consulting Engineer(s).
- D. Location of access ways (both existing and proposed).
- E. Location and width of all buffer yards, screen plantings, berms or riparian areas.

- F. Lots shall be configured in a geometric square and to have building setback lines from other lot lines and structures a distance equal to 1.25 times the height of the tallest structure on said lot.

7. Wind Energy Power Generation Facility Development Plan Data and Related Items:

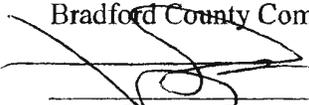
- A. Plans that address the layout and site design of the proposed development. Plans will include cross-sections of access ways, driveways and parking area; proposed lighting, landscape and signage plan; all utility easements.
- B. Letter from the municipality regarding compliance with adopted zoning regulations, where applicable.
- C. Erosion and Sedimentation Control Plans and approval from the Bradford County Conservation District. Other requirements pertaining to NPDES, Wetland Delineation/Mitigation and Stream Encroachment or Crossing Permits shall also be required prior to final land development approval. In addition, certification that the site is adequate to assure the stability of the proposed facility after considering such matters as are appropriate, including but not limited to topographic and geomorphologic studies and analysis, subsurface and substrate conditions, and biological resource surveys including presenting and obstacle to birds in flight.
 - a. A description of the proposed development in sufficient detail for the Planning Commission to evaluate the submission.
 - b. Where applicable, PENNDOT approved Highway Occupancy Permit or Municipal Driveway Permit.
 - c. Storm Water management plan that conforms to Section 505-Storm Water Management of this Ordinance.
 - d. An environmental assessment analysis and visual addendum, satisfactory to the Commission, if the Commission determines this to be necessary.
- D. Criteria Exemptions
 - a. No sewer (public or private) needs to be connected into these sites (Unless the site is going to be manned, in which case a Form B Non-Building Waiver will need to be received from the Bradford County Sanitation Committee).
 - b. No water (public or private) needs to be connected into these sites (Unless the site is going to be manned).
 - c. No cul-de-sac needs to be provided for the access road.
 - d. Access roads need not be constructed to the criteria of Section 503 but be in a condition that the vehicles necessary to access these sites can pass (unless the site is being developed on an existing or proposed residential drive access or street).
 - e. The lots for the lease of the tower sites need not abut a street as in Section 404.1.

ADOPTION DATE AND SIGNATURES:

This Ordinance and Regulations contained herein have been enacted in accordance with the provisions of the "Pennsylvania Municipalities Planning Code" of 1968, Act No. 247, Article V, Section 501 through Section 515, as amended by Act 170 of 1988 and by Acts 67 and 68 of June 2000. The new Ordinance will become effective from and after the date of passage below. The Subdivision and Land Development applications submitted prior to this date of passage will adhere to the 1981 Subdivision and Land Development Ordinance Regulations.

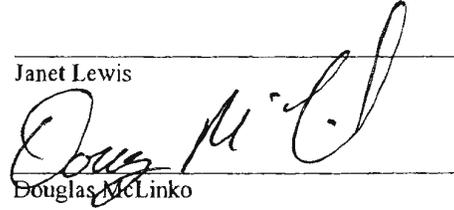
Adopted this 24 day of JUNE, 2004.

Bradford County Commissioners



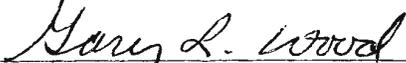
Nancy Schrader, Chairman

Janet Lewis



Douglas McLinko

ATTEST:



Gary Wood, Chief Clerk

(Seal)

Daryl L Miller, Chairman
Doug McLinko, Vice Chairman
John M Sullivan, Commissioner



Michelle L Shedden, Chief Clerk
Jonathan Foster, Solicitor

Bradford County Commissioners Office

BRADFORD COUNTY SUBDIVISION AND LAND DEVELOPMENT ORDINANCE AMENDMENT NO. 2023-01 SOLAR ENERGY FACILITIES

Purpose: The purpose of this amendment is to provide for the development, construction, operation and decommissioning of Utility Scale & Community Solar Energy Facilities in the County, subject to reasonable conditions that will protect the public health, safety and welfare.

Applicability: This Amendment applies to all land development plans which provide for Solar Energy Facilities which are filed after the effective date of the Ordinance Amendment, except that the requirements herein are not intended to apply to Solar Energy Facilities constructed to use the majority of power generated on-site for residential, business or agricultural purposes. Solar Energy Facilities constructed prior to the effective date of this Ordinance Amendment shall not be required to meet the requirements of this Amendment; provided that any physical modification to an existing Solar Energy Facility that materially alters the size, type and number of Solar Collection Systems or other equipment shall comply with the provisions of this Ordinance Amendment.

Article 2 Section 201 – Definitions Adds:

COLLECTOR HEIGHT - the distance measured from the surface of the foundation to the highest point of the Collector face.

FACILITY OWNER - the entity or entities having an equity interest in the Solar Energy facility, including their respective successors and assign

LANDOWNER – The individual taxpayer that the deeded property belongs to.

NON-PARTICIPATING LANDOWNER - any landowner except those on whose property all or a portion of a Solar Energy Facility is located pursuant to an agreement with the Facility Owner or Operator.

OCCUPIED BUILDING – a primary residence, school, hospital, church, public library, business or other building used for public gathering that is regularly in use when the land development application is submitted.

OPERATOR - the entity responsible for the day-to-day operation and maintenance of the Solar Energy Facility.

PRIVACY FENCING – a fence designed and meant to inhibit the public view and provide seclusion.

SOLAR COLLECTION SYSTEM - a panel or other solar energy device, the primary purpose of which is to provide for the collection, inversion, storage, and distribution of solar energy for electricity generation, space heating, space cooling or water heating.

SOLAR ENERGY FACILITY - an electric generating facility, whose main purpose is to supply electricity, consisting of one or more Solar Collection Systems and other accessory structures and buildings, including substations, meteorological towers, electrical infrastructure, transmission lines and other appurtenant structures and facilities.

Article 3 Section 308 – Land Development Plans Adds:

Solar Energy Facility Site Development Criteria

All Solar Energy Facility Proposals shall conform to the requirements set forth under Pre-Application, Preliminary Plan and Final Plan submissions in addition to the criteria outlined below and all other applicable sections contained within the Bradford County Subdivision and Land Development Ordinance.

8. Solar Energy Facility Development Plan Data and Related Items:

- A. Plan Requirements – Land Development Plans shall contain the following, in addition to other applicable provisions of these regulations.
 - a. A narrative describing the proposed Solar Energy Facility, including an overview of the project; the project location; the approximate generating capacity of the Solar Energy Facility; the approximate number, representative types and height of Solar Panels to be constructed, including their generating capacity, dimensions and respective manufacturers, and a description of ancillary facilities.
 - b. A copy of the lease document, less financial compensation terms, that shows the developer has entered into an agreement for site control and that defines the assignment of the proposed assets to be placed on the property.
 - c. An affidavit, lease or power of attorney (POA) between the property owner and the Facility Owner or Operator demonstrating that the Facility Owner or Operator has the permission of the property owner to apply for necessary permits for construction and operation of the Solar Energy Facility.
 - d. A copy of any permits, licenses or approvals from any governing body or regulatory agency having jurisdiction applicable to the intended use of the facility.
 - e. Identification of the properties on which the proposed Solar Energy Facility will be located, and the properties adjacent to where the Solar Energy Facility will be located.

- f. A site plan showing the planned location of each Solar Panel, property lines, setback lines, access road and turnout locations, electric utility company substation(s), electrical cabling from the Solar Energy Facility to the substation(s), ancillary equipment, buildings, and structures, including, associated transmission lines, and layout of all structures within the geographical boundaries of any applicable setback.
- g. Copy of a system impact study or similar document showing proof of interconnect queue position with PJM or other public utility provider to allow connection to the electrical grid.
- h. Proof of written municipal notification of the Proposed Project to the municipalities in which the Proposed Project is located.
- i. A decommissioning plan, including a schedule for decommissioning work and proof of financial security as a condition for Preliminary Approval.
- j. Other relevant studies, reports, certification and approvals as may be reasonably requested by the Planning Commission to ensure compliance with this Chapter.

B. Design and Installation

- a. Uniform Construction Code – To the extent applicable, the Solar Energy Facility shall comply with the Pennsylvania Uniform Construction Code, Act 45 of 1999 as amended, and the regulations adopted by the Department of Labor and Industry.
- b. Design Safety Certification – The design of the Solar Energy Facility shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI). The Applicant shall submit certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratories, or other similar certifying organizations.
- c. Electrical Components – All electrical components of the Solar Energy Facility shall conform to relevant and applicable local, state and national codes, and relevant and applicable international standards.
- d. Visual Appearance & Power Lines
 - i. Solar Energy Facilities shall not be artificially lighted, except to the extent required for over-all safety.
 - ii. Solar Panels shall not display advertising, except for reasonable identification of the Panel manufacturer, Facility Owner and Operator.
 - iii. On-site transmission and power lines between Solar Panels shall, to the maximum extent practicable, be placed underground. This shall exclude lines run within panel racking.

- iv. The developer will to every extent possible seek to limit harmful glare to surrounding properties and roadways.
- v. Where existing screening in the form of natural vegetation or topography does not exist, screening shall be provided along the perimeter of the development that abuts any Occupied Buildings of Non-Participating Landowners or public roads in the form of privacy fencing or a mix plants species, including native or otherwise approved species and evergreens, or some combination thereof.
- vi. Additional vegetative screening may be required at the discretion of the Planning Commission.

e. Prevention of Unauthorized Entry

- i. Fencing of not less than 8 feet in height will be provided around the perimeter of the Solar Energy Facility Development in compliance with the National Electrical Code (NEC). A locking gate will be provided at each access road to prevent entry by non-authorized persons and shall make provisions for knock box type of entry if requested by emergency services. All access to substation or high voltage electrical equipment shall be locked or fenced, as required by any applicable safety standard.

f. Warnings

- i. A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.
- ii. Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires for any gantries or transmission line poles and along the guy wires up to a height of ten (10) feet from the ground.

C. Setbacks

a. Occupied Buildings

- i. Solar Panels shall be set back from the nearest Occupied Building that is a non-residential use at a distance not less than the greater of the maximum setback requirements of any applicable locally enacted zoning classification where the Panel is located or 300' (feet) from the nearest occupied structure, whichever is greater. The setback distance shall be measured from the outer edge of the Solar Panel nearest to the Occupied Building to the nearest point on the foundation of the Occupied Building.
- ii. Solar Panels shall be set back from the nearest Occupied Building that is

a residential use located on a Non-participating Landowner's property a distance of not less than 300' (feet), measured from the outer edge of the Solar Panel nearest to the Occupied Building to the nearest point on the foundation of the Occupied Building.

b. Property Lines and Roadways

- i. All Solar Collection Panels and support buildings shall be set back from the nearest property line a distance of not less than the greater of the maximum setback requirements of any applicable locally enacted zoning classification where the equipment is located or 40' (feet), whichever is greater. The setback distance shall be measured from the outer edge of the Solar Panel nearest to the property line. The foregoing setbacks shall not apply to property lines internal to the Solar Energy Facility.
- ii. All Solar Collection Systems shall be set back from the nearest public road a distance of not less than 40' (feet), as measured from the right-of-way line of the nearest public road to the outer edge of the Solar Panel nearest to the right-of-way line. Access to the Solar Energy Facility shall be provided from a public street and shall be adequately designed to allow access to the Solar Energy Facility by emergency services. All Access points shall be secured by a self-locking gate.
- iii. All roadways and drive aisles interior to the development should be interconnected when practical and designed to include adequate space for the turning movements of emergency service vehicles. Where roads are not interconnected they shall be terminated with a cul-de-sac, hammerhead or other design that allows for the ingress and egress of emergency service vehicles.

c. Modification of Setback Requirements

- i. Upon request, the Planning Commission may grant waivers or modifications of setback requirements hereunder where the developer has shown that literal enforcement will exact undue hardship because of unique physical conditions of the land in question and provided that such modification will not be contrary to the public interest.
 - ii. The Planning Commission may take into consideration the impact of the Solar Energy Facility on the surrounding neighborhood and also any measures proposed by developer to mitigate those impacts in granting modification of setback requirements hereunder.
- d. Fences and landscaping may be constructed or installed within the setback area provided they do not create an unsafe sight distance along public roadways or interfere with clear sight triangles at intersecting roadways and/or driveways.

D. Use of Public Roads

- a. The Applicant shall identify all state and local public roads to be used within the

County to transport equipment and parts for construction, operation or maintenance of the Solar Energy Facility.

- b. The developer may be required to bond public roadways with PennDOT or the local jurisdiction(s) in accordance with state and local regulations. In that case, copies of executed bond agreements will be provided to the Planning Commission prior to the commencement of construction. Further, if roadways are bonded with local or state agencies the rest of section (D.) *Use of Public Roads* does not apply.
- c. The Planning Commission's engineer or a qualified third-party engineer hired by the Planning Commission and paid for by the Applicant shall document road conditions prior to construction. The engineer shall document road conditions again thirty (30) days after construction is complete or as weather permits.
- d. Any road damage caused by the applicant or its contractors shall be promptly repaired or as soon as practical at the Applicant's expense to a minimum quality of travel at the initial road condition using materials that meet or exceed the specification of the publicly owned roadway.
- e. The Applicant shall demonstrate that it has an executed Maintenance Agreement with the roadway owner to ensure the prompt repair of damaged roads.

E. Local Emergency Services Emergency Planning

- a. The Applicant shall provide a copy of the project summary and site emergency response plan to the local emergency services, including paid or volunteer Fire Departments, Emergency Medical Services, County Emergency Management Agency and 911 Communications for the associated Public Service Answering Point (PSAP) within 30 days of the start of operations.
- b. The applicant shall procure a valid 911 Physical Address for the site from the Bradford County 911 Communications Center – GIS Division and said address shall be posted clearly at the entrance to the facility along with an emergency contact number and site name.

F. Nuisance Issues

- a. Factors such as noise, odor, and surrounding land uses shall be regulated by local zoning controls or other applicable ordinances, if regulations exist within the respective municipality. If no local regulations exists, nuisance issues shall be addressed in accordance with the appropriate state or federal regulatory agency.

G. Signal Interference

- a. The Applicant shall make reasonable efforts to avoid any disruption or loss of radio, telephone, television or similar signals, and shall mitigate any harm caused by the Solar Energy Facility.

H. Liability Insurance

- a. There shall be maintained a current general liability policy covering bodily injury and property damage with limits of at least \$5 million per occurrence and \$10 million in the aggregate. Coverage may be shown by primary and umbrella policies or a corporate group policy, as applicable. Certificates shall be made available to the County as a condition for Preliminary Approval.

I. Decommissioning

- a. The Facility Owner and Operator shall, at its expense, complete decommissioning of the Solar Energy Facility, or individual Solar Collection Systems, within twelve (12) months after the end of the useful life of the Facility or individual solar Collection Systems. The Solar Energy Facility or individual Solar Collection Systems will presume to be at the end of its useful life if no electricity is generated for commercial production and distribution for a continuous period of twelve (12) months.
- b. Decommissioning shall include removal of Solar Collection Systems, buildings, cabling, electrical components, roads, foundations to a depth of thirty-six (36) inches, and any other associated facilities.
 - i. To the extent possible the materials shall be re-sold or salvaged. Materials that cannot be re-sold or salvaged shall be disposed of at a facility authorized to dispose of such materials as required by federal or state law.
- c. Disturbed earth shall be graded and re-seeded, unless the landowner requests in writing that the access roads, storm water facilities or other land surface areas not be restored.
 - i. If the landowner(s) waives the reclamation clause, they must also agree to assume responsibility for all permitted facilities with the appropriate regulatory agency. Copies of approved permit transfers must be provided to the Planning Commission.
- d. An independent and certified Professional Engineer shall be retained by the Facility Owner or Operator, at their cost, to estimate the total cost of decommissioning (“Decommissioning Costs”) without regard to salvage value of the equipment (“Gross Decommissioning Costs”), and the cost of decommissioning net salvage value of the equipment (“Net Decommissioning Costs”). The solar project Owner shall provide financial security of 110% of the Decommissioning Cost Estimate. The estimate may include an estimated salvage and re-sale value, discounted by a factor of 10%.

The decommissioning cost estimate formula shall be:

Gross Cost of Decommissioning Activities
- 90% credit of salvage and re-sale value

= the Decommissioning Cost Estimate.

Said estimates shall be submitted to the Planning Commission after first year of operation and every fifth year thereafter. Upon concurrence from the County Engineer, the decommissioning bond shall be updated to reflect the approved amount.

- e. Decommissioning Funds may be in the form of a performance bond, surety bond, or other form of financial assurance that are in an acceptable form to the Planning Commission. These funds must be posted to the County as a condition for Preliminary Approval.
- f. If the Facility Owner or Operator fails to complete decommissioning within the period prescribed by Subsection I. – Decommissioning (a), the landowner shall have six (6) months to complete decommissioning. The County may draw on the financial security to reimburse the landowner for decommissioning costs upon the request of the landowner and submission of proof of costs in a form satisfactory to the County and Planning Commission.
- g. If neither the Facility Owner or Operator, nor the landowner complete decommissioning within the periods prescribed by Subsection I. – Decommissioning, (a), the County may take such measures as necessary to complete decommissioning. The entry into and submission of evidence of a Participating Landowner agreement to the County shall constitute agreement and consent of the parties to the agreement, their respective heirs, successors and assigns that the County may take such action as necessary to implement the decommissioning plan.
- h. The County shall release the Decommissioning Funds when the Facility Owner or Operator has demonstrated and the Planning Commission concurs that decommissioning has been satisfactorily completed, or upon written approval of the County in order to implement the decommissioning plan.
- i. In the event of sale or transfer of the Solar Facility, the acquiring agency shall adhere to the original monetary and operational decommissioning requirements set forth for the original developer.

J. Public Inquiries and Complaints

- a. The Facility Owner and Operator shall maintain a phone number and identify a responsible person for the public to contact with inquiries and complaints throughout the life of the project.
- b. The Facility Owner and Operator shall make reasonable efforts to respond to the public's inquiries and complaints.

K. Repeal

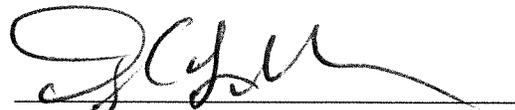
- a. All ordinances, or parts of ordinances, which are inconsistent with this Ordinance are repealed to the extent necessary to give effect to the provisions of this Ordinance.
- b. If any sentence, clause, part, or section of this Ordinance is found to be unconstitutional, illegal, invalid, or contrary to any provisions of Federal or State law, that sentence, clause, part, or section shall not affect the validity of the remaining provisions of this Ordinance. It is hereby declared the intent of the governing body to have enacted this Ordinance as if such unconstitutional, illegal, or invalid sentence, clause, part, or section had not been included therein.

ADOPTION DATE AND SIGNATURES

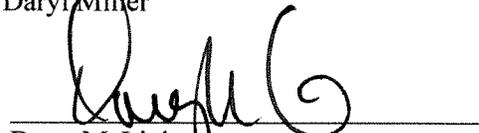
This Ordinance and Regulations contained herein have been enacted in accordance with the provisions of the "Pennsylvania Municipalities Planning Code" of 1968, Act No. 247, Article V, Section 501 through Section 515, as amended by Act 170 of 1988 and by Acts 67 and 68 of June 2000. The new Ordinance will become effective from and after the date of passage below. The Subdivision and Land Development applications submitted before this date of passage will adhere to the 1981 Subdivision and Land Development Ordinance Regulations.

Adopted this 28th day of December 2023.

Bradford County Commissioners



Daryl Miller



Doug McLinko



John M Sullivan

Attest:



Michelle L Shedden, Chief Clerk