

# **Venango County Subdivision and Land Development Ordinance**

**Approved by the  
Venango County Regional Planning Commission – June 17, 2005**

**Adopted by the  
Venango County Board of Commissioners October 5, 2005  
Amendments and Corrections Adopted March 1, 2006**

## INTRODUCTION

Converting open land to a new use is something that should be the subject of careful study by the landowner, by the municipality in which the subdivision or land development is to be located, and by the County. Once 'brick and mortar' replaces open fields and woodlands, it becomes a permanent part of the community and County landscape. It cannot easily be reshaped except through the costly process of community renewal. Based upon the policies adopted by Venango County, as part of its 2005 Comprehensive Plan, these Ordinance Revisions are presented as a first step in implementing that Plan.

The primary purpose of this Ordinance is to encourage the best possible development of the total County community. This purpose can only be achieved if a spirit of inter-governmental cooperation is fostered; therefore, the County must enlist the cooperation and assistance of its cities, boroughs and townships. Of course, the Commission also expects to work closely with owners, developers, and subdividers. One of the basic purposes of this Ordinance is to insure that equitable treatment is extended to all in the review of future subdivisions and land developments. Few, if any, developers would purposely leave an indelible liability on a community. It is strongly felt that this Ordinance will help the developers to avoid the problems that have been inherent in subdivisions and land developments designed with little, if any, planning as a base.

All those who are involved in subdividing or land development in the County should become familiar with this Ordinance. The County Planning Staff will be glad to advise and cooperate with the subdivider, but should not be expected to prepare the subdivision or land development plans. A trained and qualified planner, landscape architect, engineer, or surveyor should be engaged by the developer to obtain the best results. It should be noticed that a registered surveyor is required to prepare parts of the Preliminary and Final Plans.

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**Ordinance No. 01 of 2006**  
**VENANGO COUNTY SUBDIVISION**  
**&**  
**LAND DEVELOPMENT ORDINANCE**

**An Ordinance amending Ordinance Number 2 of 2005, as previously amended, and enacting rules, regulations and standards for regulating subdivisions and land developments within Venango County; setting forth the powers, duties and procedures to be followed by the Venango County Regional Planning Commission in applying and administering this Ordinance and setting forth the penalties for violation thereof.**

**This Ordinance is adopted pursuant to the Pennsylvania Municipalities Planning Code, Act 170 of 1988, as amended.**

**The County of Venango does hereby ordain, enact and adopt:**

## **ARTICLE 1 –GENERAL PROVISIONS**

### **101 SHORT TITLE**

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

### **102 PURPOSE**

This Ordinance is adopted for the following purposes:

- A. To assure sites suitable for building purposes and human habitation.
- B. To assist orderly, efficient, integrated, and harmonious development of the County.
- C. To coordinate proposed streets with existing streets or other proposed streets, parks, or other features of the County.
- D. To provide adequate open spaces for traffic, recreation, light and air for the proper distribution of population.
- E. To ensure coordination of subdivision and land development plans with municipal, inter-municipal, county, and Commonwealth improvements plans.
- F. To prevent or eliminate damage to the environment and biosphere, and to encourage productive and enjoyable harmony between man and his environment, consistent with the mandates of the National Environmental Policy Act of 1969 and Article I, Section 27 (the Environmental Amendment) of the Pennsylvania Constitution.
- G. To secure equitable handling of all subdivision and land development plans by providing uniform procedures and standards.
- H. To protect the social and economic stability of the County, and conserve the value of land and buildings in the County.
- I. To create conditions favorable to the health, safety, and general welfare of the citizens of Venango County.

### **103 JURISDICTION**

The board of the Venango County Commissioners hereby determines that, with respect to subdivisions and land developments, the Venango County Regional Planning Commission and the Planning Commission staff are designated and empowered to review and approve or disapprove subdivisions and land developments pursuant to the procedures and standards established herein.

**103.1** The Venango County Regional Planning Commission and Planning Commission Staff shall have jurisdiction and control of subdivisions within the municipalities that have not officially adopted subdivision and land development ordinance. All plans shall be submitted to the Commission in accordance with this Ordinance.

**103.2** Plans for subdivision and land development within municipalities which have adopted a subdivision and land development ordinance shall be forwarded, upon receipt by the municipality, to the Planning Commission for review and report, together with a fee which may be established annually by the Planning Commission sufficient to cover the costs of the review and report, which fee shall be paid by the applicant. Such municipalities shall not approve such applications until the County report is received or until the expiration of thirty (30) days from the date the application was forwarded to the County;

**103.3** Where a subdivision or land development has been laid out and recorded prior to March 1, 1974, such subdivision or land development shall be exempt from the requirements of this Ordinance. Further, where any subdivision or land development has been referenced in a deed or other recorded document, including wills probated prior to March 1, 1974, such subdivision or land development shall also be exempt.

**103.4** Subdivisions and land developments submitted but not yet approved prior to the effective date of this Ordinance, or can be plausibly shown to have been in existence prior to March 1, 1974, will be reviewed according to Ordinance Number 1 of 1974, Ordinance Number 1 of 1976 and Ordinance Number 2 of 1991.

**103.5** Lots divided by an existing public roadway shall be considered separate lots for purposes of this ordinance and shall not require subdivision approval. When selling a lot divided by an existing public roadway no subdivision plan need be filed, however documentation of the recording of new deeds for the subject parcel shall be provided to the Planning Commission.

#### **104 COMPLIANCE**

No subdivision or land development of any lot, tract, or parcel shall be made, no street, sanitary sewer, storm sewer, water main or other improvement in connection therewith shall be laid out, constructed, opened or dedicated for public use and travel, or the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Ordinance. No lot in a subdivision or unit in land development may be sold, transferred, by any means or leased, no permit to erect any building in a subdivision or land development may be issued, unless and until a plan for such subdivision or land development shall have been approved and properly recorded, and until the improvements required by this Ordinance in connection therewith shall have been constructed or guaranteed as herein provided. It shall not be lawful to record any plan required to be approved pursuant to this Ordinance in any public office unless the same shall bear thereon the approval of the Planning Commission or Staff. The disapproval of any such plan by the Commission or Staff shall constitute a refusal of the privilege to record such plan.

**105 WAIVERS**

Where, owing to special conditions, a literal enforcement of this Ordinance would be inappropriate, the Commission may make such reasonable exceptions thereto as will not be contrary to the public interest and may authorize the sale of a lot, issuance of a permit, or erection of a building subject to conditions necessary to assure adequate streets and other public improvements. The financial inability to install the required improvements alone is not considered adequate justification for a waiver. The Commission may alter site requirements to encourage and promote flexibility, economy, energy efficiency, and ingenuity in the layout and design of subdivisions and land developments; and to encourage other practices which are consistent with modern and evolving principles of site planning and development. In granting modifications, the Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so modified. All waiver requests shall be in writing and must refer to the specific justification for the waiver request.

**106 AMENDMENT**

This Ordinance as set forth herein may be amended by the Board of County Commissioners from time to time after a public hearing is held pursuant to public notice. In the case of an amendment other than that prepared by the County Planning Commission, the Board of County Commissioners shall submit such amendment to the County Planning Commission for review and recommendations at least thirty (30) days prior to the date of the public hearing.

**107 CONFLICT**

Whenever there is a difference between the minimum standards or dimensions specified herein and that contained in other duly adopted regulations, resolutions, or other ordinances of the local municipality, the local standard or dimensions shall govern. It shall be the sole responsibility of the local municipality to inform the County Planning Commission of any such local regulations, resolutions, or ordinances and to provide an official copy of such act.

**108 SEVERABILITY**

Should any provisions of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any other provision thereof.

**109 APPEALS**

Any person aggrieved by a decision or interpretation made the Planning Commission Staff may appeal that action to the Planning Commission. Any person aggrieved by the decision may appeal to the Court of Common Pleas of Venango County, Pennsylvania, in accordance with the time limits and procedures set forth in the Pennsylvania Municipalities Planning Code, as amended.

**110 PENALTIES**

Any person, partnership, or corporation, who or which being the owner or agent of any lot, tract or parcel of land shall construct, open, or dedicate any street, sanitary sewer, storm sewer, water main, or other improvement for public use, travel, or other purpose or for the common use of occupants of buildings abutting thereon, or who sells, transfers, or agrees or enters into an agreement to sell any land in a subdivision or land development whether by reference to or by any other use of a plat of such subdivision or land development, or erect any building thereon, unless and until a final plat has been prepared in full compliance with the provisions of this Ordinance and has been recorded as provided herein, shall, upon being found liable therefore in a civil enforcement proceeding commenced by Venango County, pay a judgment of not more than \$500, plus all court costs, including reasonable attorney fees incurred by Venango 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 not 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. 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. All judgments collected from such proceedings shall be paid to the County of Venango. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the seller or transferor from the remedies herein provided. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the County of Venango the right to commence any action for enforcement pursuant to this section.

**111 EFFECTIVE DATE**

This Ordinance shall become effective on the earliest date permitted by law, and shall remain in effect until amended or rescinded by the Board of Venango County Commissioners.

**112 FILING FEE**

The fee for the filing of subdivision and land development plans may be recommended annually by the Venango County Regional Planning Commission for approval by resolution by the Board of Venango County Commissioners.

**113 GENERAL EXCLUSION**

The definitions, sections, or articles of this Ordinance shall apply to neither the lease, severance, conveyance, assignment, ownership, subdivision or development of oil, gas, minerals or other subsurface ownership rights, nor surface operations, including but not limited to, drilling, hauling, grading, and digging, conducted therewith.

## ARTICLE 2 – DEFINITION OF TERMS

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

**Agriculture:** Any agricultural use including farming, dairying, pasturage. Horticulture, floriculture, viticulture, animal and poultry husbandry, and forestry (including the harvesting of timber).

**Accelerated Erosion:** The removal of the surface of the land through the combined action of man's activities and natural processes at a rate greater than would occur from natural processes alone.

**Act 247:** The Pennsylvania Municipalities Planning Code of July 31, 1968, 53 P.S. 10101. Et seq., as amended from time to time.

**Alley:** See "Service Street."

**Applicant:** A landowner, subdivider, or developer, including their heirs, successors, and assigns, which has filed an application for a subdivision or land development.

**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 approval of a subdivision plan, for the approval of a land development plan, and for the approval of a planned residential development.

**Block:** An area bounded by streets.

**Building:** Any structure for which a building permit is required by the applicable Building Code, i.e., any combination of materials forming any structure which is erected on the ground and permanently affixed thereto, designed, intended, or arranged for the housing, sheltering, enclosure, or structural support of persons, animals, or property of any kind.

**Building Setback Line:** An established line within a property defining the minimum required distance between any building to be erected and the adjacent right-of-way line of the street on which it fronts, to provide the front yard specified by this ordinance or the applicable Zoning Ordinance.

**Buffer Strip or Screen:** A strip of required yard space adjacent to a use of facility within a property, or to the boundary of a property or district, on which is located a visual barrier of sufficient height and density to appropriately buffer or screen the property or use. Such barrier shall be comprised of vegetative material unless specific authorization is given by the Board for alternatives (e.g., berming, fences, walls, etc.).

**Campground:** A plot of ground upon which two or more campsites are located, established, or maintained for occupancy by camping units of the general public as temporary living quarters for recreation, education, or vacation purposes.

**Camping Unit:** Any tent, trailer, cabin, lean-to, or similar structure established or maintained and operated in a campground as temporary living quarters for recreation, education, or vacation purposes.

**Campsite:** Any plot of ground within a campground intended for the exclusive occupancy by a camping unit or units.

**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.

**Clear Sight Triangle:** An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the street centerlines.

**Commission:** The word Commission or the words Planning Commission or County Planning Commission shall mean the Venango County Regional Planning Commission.

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

**Comprehensive Plan:** The comprehensive general plan, or any of its parts, for future growth, protection, and development of Venango County and the townships, boroughs, or cities located within the County.

**Condominium:** A form of ownership of real property, as defined in the PA Uniform Condominium Act of 1980, which includes an undivided interest in a portion of a parcel, together with a separate interest in a space within a structure.

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

**Detention Basin:** A structure designed to retard surface water runoff for a period of time sufficient to cause the deposition of sediment and to reduce the velocity and volume of surface flows leaving a site, thus preventing further erosion.

**Easement:** A permanent right granted for limited use of private land, normally for a public purpose. The owner of the property shall have the right to make any other use of the land, which is not inconsistent with the rights of the grantee. (e.g. utility, drainage, and public access easements)

**Easement, Conservation:** A legal agreement between a property owner and an appropriate conservation organization or governmental entity, through which the property owner establishes certain use restrictions over all or portion(s) of the property for the conservation purposes.

**Energy Dissipater:** A device used to slow the velocity of stormwater particularly at points of concentrated discharge such as pipe outlets.

**Engineer:** A professional engineer licensed as such in the Commonwealth of Pennsylvania.

**Erosion and Sedimentation Control Plan:** A plan, which is designed to minimize accelerated erosion and sedimentation according to Chapter 102 of the Clean Streams Law, Act 222 as amended.

**Flood Hazard Boundary:** The boundary line along a natural watercourse that delineates the area subject to periodic inundation by floodwaters. The boundary line may encompass a relatively flat or low land area adjoining a watercourse, which is subject to partial or complete inundation, or any area subject to the unusual and rapid accumulation or runoff of surface waters from any source and/or any land deemed subject to flooding by the Venango County Conservation District, Venango County Soil Conservation Service, Federal Insurance Administrator, U.S. Army Corps of Engineers, local municipality, Venango County Regional Planning Commission, or other official authority.

**Freeboard:** The difference between the design flow elevation in the emergency spillway and the top of the settled embankment.

**Grading Plan:** A plan showing all present and proposed grades for stormwater drainage, erosions and sediment control measures; streets and improvements.

**Grassed Waterway:** A natural or man-made drainage way of parabolic or trapezoidal cross-section shaped to required dimensions and vegetated for safe disposal of runoff. (Also known as a swale.)

**Guarantee, Maintenance:** Any security that may be required of a developer by the County after final acceptance by the County and/or Municipality of improvements installed by the developer. Such security may include, but is not limited to, Federal or Commonwealth lending institution irrevocable letter of credit or restrictive or escrow account.

**Guarantee, Performance:** Any security that may be required of a developer by the County or any Municipality in lieu of a requirement that certain improvements be made before the County approves the developer's subdivision plan or land development plan. Such security may include, but is not limited to, those instruments cited above as acceptable for maintenance guarantees.

**Historic Place:** Any site identified in the National Register of Historic Places, the State Inventory of Historic Sites, or other such place as may be identified by the Commission as having historic significance.

**Holding Pond:** A retention or detention pond.

**Impervious Surface:** Material which is impenetrable and unable to absorb water, including but not limited to buildings, structures, and paved areas (driveways, parking lots, etc.).

**Improvements:** Buildings, for public or 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, stormwater 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 a complete subdivision or land development in the fullest sense of the term.

**Improvements, Public:** Improvements, including but not limited to those contained in the definition of "Improvements," that are intended for dedication to the County or any Municipality, either in fee or by easement.

**Land Development:** (I) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving (a) a group of two or more residential or nonresidential buildings (such as, but not limited to, condominiums, town homes, etc.) whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or (b) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants, by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features; (ii) a subdivision of land.

**Excluded from the definition of land development are:**

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

**Land Disturbance:** Any activity which causes land to be exposed to the danger of erosion, including clearing, grading, filling, plowing, or any other earthmoving, as defined.

**Landowner:** The legal or beneficial owner or owners of land including the holder of any option or contract to purchase, whether or not such option or contract is subject to any condition, a lessee if authorized under the lease to exercise the rights of the landowner, or other persons having a proprietary interest in land, shall be deemed to be a landowner for the purpose of this Ordinance.

**Local Planning Commission:** The duly appointed planning commission of a municipality in Venango County as authorized by the Pennsylvania Municipalities Planning Code, Act 247 as amended.

**Lot:** A parcel of land. When a tract is bisected by a publicly owned and maintained road, each of the resulting parcels shall be considered a separate lot

**Lot Area:** The area contained within the property lines, excluding space within any street right-of-way, but including the area of any easement.

**Lot, Double Frontage:** A lot having at least two (2) sides fronting on separate streets, which do not intersect while adjoining the lot.

**Lot, Interior (Flag):** A lot which does not adjoin a street but is connected thereto by an access strip of required minimum width. Minimum lot area and other dimensional requirements shall be those of the applicable zoning district, and shall be met on that portion of the lot exclusive of the access strip.

**Mobile Home:** A transportable, single-family dwelling intended for permanent occupancy contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation, including any addition or accessory structure, such as porches, sheds, decks, or additional rooms. All mobile homes shall meet construction standards set by the U.S. Department of Housing and Urban Development.

**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, which lot is leased by the park owner to the occupants of the mobile home erected on the lot.

**Mobile Home Park:** A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for no transient use, consisting of two or more mobile home lots whether or not the occupants of the mobile home are related.

**Monument:** A tapered, permanent survey reference point of stone or concrete having around top 4 inches on each side with a length of 24 inches.

**Municipality:** Any city, borough or township located within Venango County.

**On-Site Stormwater Management:** The control of runoff to allow water falling on a given site to the extent that after development the peak rate of discharge leaving the site does not exceed the rate prior to development.

**Open Space, Common:** A parcel or parcels of land or an area of water, or a combination of land and water, within a development and designed and intended for the use or enjoyment of residents of the development, excluding streets, off-street parking areas, areas set aside for public facilities, and private yards.

**Pennsylvania Planning Code:** The Pennsylvania Municipalities Planning Code, Act 170 of 1988, as amended.

**Plan:**

**As Built:** A corrected final plan, showing dimensions and location of all streets and other improvements as actually constructed.

**Conservation:** As required by and specified in the Township Natural features Conservation Ordinance, a plan to accompany preliminary and final plan submissions, including natural resources inventory, impact assessment, and mitigation and maintenance proposals.

**Final:** An exact and complete site design and layout plan and improvements construction plan prepared by a registered engineer, to be recorded upon approval.

**Improvements Construction:** A component of the preliminary and final plan, prepared by a registered engineer, showing the construction details of streets, drains, sewers, water supply systems, bridges, culverts, and other improvements as required, including a horizontal plan, profiles, and cross-sections.

**Preliminary:** A site design and layout plan and improvements construction plan prepared by a registered engineer, in less detail than a final plan and prepared for consideration prior to submission of a final plan.

**Recorded:** A final plan, with accompanying documents as required by this Ordinance, which has been recorded by the applicant in the office of the Recorder of Deeds of Venango County.

**Site Design and Layout:** A component of the preliminary and final plan, prepared by a registered engineer, showing: property lines, existing and proposed streets, lots, buildings, public areas, drainage facilities, easements, and other details pertinent to the proposal.

**Sketch:** A plan submitted, at the applicant's option, for review and discussion prior to application for preliminary plan approval, including whatever information the applicant deems useful; for example, a graphic plan, not necessarily to scale, showing approximate tract boundaries and a General layout of lots, buildings, and streets.

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

**Recreational Vehicle:** A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which is either self-powered or is

mounted on drawn by another vehicle including, but not limited to: travel trailer, camping trailer, truck camper, and motor home.

**Recreational Vehicle Park:** A plot of land upon which two (2) or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles as temporary living quarters for recreation or vacation purposes and does not involve transfer of property or permanent occupancy.

**Retention Basin:** A reservoir, formed from soil or other material, which is designed to detain temporarily a certain amount of stormwater from a catchment area and which also may be designed to permanently retain additional stormwater runoff from the catchment area. Retention basins also may 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.

**Sediment:** Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by water.

**Sediment Basin:** A temporary dam or barrier constructed across a waterway or at other suitable location to intercept the runoff and to trap and retain the sediment.

**Sewage Enforcement Officer:** The official of the local municipality who issues and reviews sewage permit applications and conducts such investigations and inspections, as necessary to implement the Pennsylvania Sewage Facilities Act, Act 537 of 1966, and the rules and regulations thereunder.

**Sewage Facilities:**

**Individual system:** The disposal of sewage by use of cesspools, septic tanks, or other safe and healthful means, approved by the Municipal Sewage Enforcement Officer, and generally within the confines of the lot on which the use is located.

**Community system:** A sanitary sewage system, privately built and operated, in which sewage is carried from individual dischargers by a system of pipes to one or more common treatment and disposal facilities. Treatment and disposal may occur either on-site or off-site, and shall be approved by the Pennsylvania Department of Environmental Resources.

**Public system:** A system for the treatment and disposal of sewage in which sewage is conveyed by a system of pipes to an off-site, publicly-operated treatment facility and disposed of through means approved by the Pennsylvania Department of Environmental Resources.

**Sight Distance:** The required length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is obstructed by traffic.

**Object Sight Distance:** Shall be measured from a point 4.5' above the center line of the road surface to a point 0.5' above the center line of the road surface.

**Vehicle Sight Distance:** Shall be measured from one point 4.5' above the centerline of a road surface to another point 4.5' above the centerline of a road surface.

**Storage Structure:** A retention or detention structure.

**Stormwater:** Water that surfaces, flows, or collects during and subsequent to rain or snowfall.

**Stormwater Management:** The control of runoff to allow water falling on a given site to be absorbed or retained on site to the extent that after development the peak rate of discharge leaving the site does not exceed the rate prior to development.

**Street:** A right-of-way intended for general public use to provide means of approach for vehicles and pedestrians. The word "street" includes the words "road," "highway," "thoroughfare," and "way." Streets are functionally classified as follows:

**Arterial:** A street serving a large volume of comparatively high speed and long distance traffic, including all facilities classified as main and secondary highways by the Pennsylvania Department of Transportation.

**Principal Artery:** An arterial serving the heaviest volumes of traffic in the County, providing the highest degree of vehicular mobility, and involving controls on access. (Routes I-80, US/PA 8, 62 and 322)

**Minor Artery:** An arterial serving high volumes of traffic, providing a high degree of mobility, and involving some controls on access. (Routes 38, 208, 308, 965, 427, 417, 428, 27, 227, 36, 157, 257.

**Collector:** A street designed and located to provide means to drain traffic off local streets and to provide access for through traffic between residential neighborhoods and districts within the County to major streets and/or a streets used for access to non-residential properties, i.e., commercial, industrial, professional, etc.

**Major Collector:** A collector serving moderate levels of traffic (1000 or more vehicles per day) within the County, providing a mix of access and mobility, and linking neighborhoods.

**Minor Collector:** A collector serving lower amounts of traffic (500 or more vehicles per day), providing relatively more access than mobility, and serving as a major road through identifiable neighborhoods.

**Cul-de-sac Street:** A local street intersecting another street at one end, and terminating at the other end by a permanent vehicular turnaround.

**Local Streets:** A street intended to serve and provide access to the properties abutting thereon and not connecting with other streets in such a manner as to encourage through traffic.

**Private Street:** A local street, serving only abutting lots, that is not offered or required to be offered for dedication.

**Service Street (Alley):** A minor right-of-way providing secondary vehicular access to the side or rear of two or more properties.

**Structure:** Any constructed object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

**Subdivider:** A person who is the landowner or authorized agent of the owner of the land to be subdivided or developed.

**Subdivision Administrator:** A person, or persons, designated by the Venango County Regional Planning Commission Executive Director to administer this Ordinance.

**Subdivision:** The division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for purpose, whether immediate or future, of lease, transfer of ownership or building or land development, provided, however, that the division of land for agricultural purposes or lease of land into parcels of more than ten (10) acres, not involving any new street or easement of access, shall be exempted. The term "Subdivision" includes any development of a parcel of land, (for example, as a shopping center, an industrial park, or a multiple dwelling project), which may involve installation of streets and alleys which may not be dedicated immediately for purposes of conveyance, transfer or sale.

**Subdivision, Major:** A subdivision containing more than ten (10) lots or dwelling unit or a land development involving a group of two (2) or more buildings, or the division or allocation of land or space between or among two (2) or more existing or prospective occupants by means of, or for the purposes of streets, common open spaces, leaseholds, condominiums, building groups, or other features, or subdivision or land development involving the creation of a new street, or a single-lot land development where the combined building and paved parking area exceeds 20,000 square feet.

**Subdivision, Minor:** A subdivision containing ten (10) or fewer lots or dwelling units, or a land development on a single lot involving fewer than two (2) buildings that is served by an existing public street and has a combined building and paved parking area of 20,000 square feet or less. If, after subdividing nine (9) lots, residue of the land remains of the original tract, that residue shall be considered the tenth lot. Whenever an eleventh or subsequent building lot or dwelling unit is proposed, the subdivision shall cease to be a Minor Subdivision and must then conform to the requirements of a Major Subdivision.

**Surveyor:** A registered professional land surveyor, certified in accordance with the Professional Engineers Registration Law, Act 120 of 1979, as amended.

**Swale:** See Grassed Waterway.

**Water Supply:**

**Individual system:** A safe, healthful, and adequate supply of water to a single user from a private well located on the land of the user.

**Central water supply system:** A system for supplying water from a common source or sources to all dwellings and other buildings within a development. The water supply source may be located on-site and/or off-site. A central system can be further described **as either of the following**

**Public water supply system:** A system which is owned by a municipality, a public company, or a private company which serves more than a single community or subdivision and may be interconnected with other water supply systems.

**Community water supply system:** A system which is owned by a municipality, a public company, or a private company and which serves a single community or subdivision and is not interconnected with any other water supply system.

**Watercourse:** A natural or constructed channel, over which water travels.

**ARTICLE 3 – REVIEW PROCEDURES, PERFORMANCE  
GUARANTEES AND INSPECTION**

**301 MINOR SUBDIVISION PROCEDURE AND TIMETABLE.**

The proposed minor subdivision shall be presented to the Planning Commission Staff in the following consecutive steps.

**301.1 Sketch Plan**

The applicant is encouraged to meet with the Commission Staff to discuss a sketch plan. **The applicant is not required to submit a sketch plan.** The sketch plan should generally include items listed in Section 601. Submission of a sketch plan shall not constitute a formal filing of the plan with the Commission, but is intended to provide advisory assistance to the subdivider and information to the Commission.

**301.2 Preliminary Plan**

The applicant is not required to submit a preliminary plan for a minor subdivision.

**301.3 Final Plan**

The applicant shall submit six (6) black & white or blue & white line prints of the final subdivision plan, containing all of the information required in this section.

1. The Commission staff shall take action and communicate its decision to the applicant not later than ninety (90) days following the date of the submission of a complete application.
2. When the plan is not approved as filed, the decision shall specify the requirements that must be met and shall cite specific provisions of the Ordinance that apply. The grounds for modification or for disapproval may include that refusal or the failure of the applicant to furnish such documents or information as the Commission may require pursuant to this Ordinance.
3. It is not the intention of this Ordinance to require any survey or Septic Approval for a remainder lot larger than ten (10) acres.
4. The subdivider shall submit six (6) black and white or blue and white prints of the Final Plan drawing and one (1) copy of all other required information for the proposed new lot. Sheet size must be eight and one-half by fourteen (8.5 x 14) inches to seventeen by twenty-four (17 x 24) inches or a size between those dimensions. The drawing scale must be between twenty (20) feet and one hundred (100) feet to the inch. A key map must be provided if more than one (1)

sheet is used. The Final Plan drawing for a Minor Subdivision shall show the following information:

- A. Name of subdivision or land development, the municipality in which it is located, name and address of tract owner or authorized agent, north point, graphic scale and date.
- B. Minimum lot area, total number of lots, acreage of the area of development as well as the entire tract, proposed land use.
- C. Zoning requirements, including district, lot area, width and yard requirements, and necessary municipal approval of any variances.
- D. For any new lots or for a remainder lot of less than ten (10) acres, lot lines with accurate bearings and distances stated to the nearest hundredth of an inch. A maximum closure error of 1 in 10,000 is permitted. A designated starting point must be shown with bearings and distances from an established starting point.
- E. Complete curve data for all curves including radius, delta angle, tangent, arc and chord.
- F. Flood hazard areas and historic places.
- G. Location and material of all monuments and lot markers in accordance with Section 505.5 of this Ordinance.
- H. Accurate locations of all streets adjacent to the subdivision or land development.
- I. Building setback lines as required by the local zoning ordinance or Section 406 of this Ordinance.
- J. Utility and stream easements.
- K. A vicinity map showing the relationship of the subdivision or land development to adjoining properties and all streets and municipal boundaries within one thousand (1,000) feet of the subdivision or land development.
- L. Certification with seal by a Pennsylvania registered land surveyor to the effect that the survey and plan are correct.
- M. A statement duly acknowledged before a notary and signed by the owner of the property to the effect that the subdivision or land development shown on the final plan is the act and deed of the owner and that the subdivider is the owner of the property shown on the survey plan and desires the same to be recorded as such.
- N. A 3"x 5" signature block for the Commission containing lines for the signatures of the Subdivision Administrator, Planning Director, date, and approval number.
- O. Clear sight triangle as required by Section 403.2 (d) at any street intersections.
- P. The Venango County assessment number for the parent lot or lots of the subdivision or land development.
- Q. For every new lot, or for a remainder lot less than ten (10) acres in size, certification that public water and sewage facilities are available for the subdivision and where they are not, certification that these facilities can be provided on-site. A Sewage Planning Module shall be submitted with all subdivision plans. Documentation of acceptable sewage disposal from the

Municipal Sewage Enforcement Officer or the Public Sewage Disposal provider shall be submitted for all new lots.

**Q.1. EXCEPTIONS: “Non-building Waiver”**

Where the Department of Environmental Protection (DEP) permits, and a lot will not have any facilities, temporary or permanent, placed on it that will generate sewage a “non-building” waiver (formerly known as “Form B”) may be submitted to the SEO and DEP. The subdivision plans must include the following statement printed on the plans:

*No permit for on-site disposal system as required by the Pennsylvania Sewage Facilities Act of 1966 has been acquired for land identified on this plan. Said premises shall not be used for any purpose whatsoever which would generate sewage waste on this property. No temporary septic facilities, included but not limited to chemical toilets, privies or holding tanks shall be permitted. Any structures placed on this land shall not be used for any purpose that would generate sewage waste. The owner of said premises, if selling the property shall include the aforesaid conditions in the deed of sale in their entirety.*

*The aforesaid conditions may be modified and/or removed upon re-submission of the subdivision plans for approval as a building lot and delivery of a valid sewage planning module for said premises to the Venango County Regional Planning Commission or its successor agency.*

**DEP Acceptable Uses:** Examples of acceptable large parcel uses for this form include subdivision of property for agriculture, silviculture, mineral lease, division of farmland to settle estates where no building or development is proposed and airport runway extensions. Examples of small parcel uses include, location of water towers, sewerage pump stations, cell phone towers, separating an existing dwelling from its farmland for agricultural use and where “legally merged” is not a municipal requirement for “side lot additions”.

**DEP Unacceptable Uses:** Use of this form is NOT acceptable where parcels are being created for new structures that will generate sewage. It may NOT be used for subdivision proposals concerning hunting cabins, recreational vehicle sites, camps, or other uses involving construction or placement of temporary or seasonal dwellings on the lots. This form may NOT be used for further subdivision where lot sizes were originally established in response to local environmental conditions nor may it be used as a means to simply defer sewage facilities testing or planning for any purpose. This form may NOT be used in conjunction with or as an “add-on” to a planning module for new land development.

Q. 1. a. If and when any facility that will produce sewage is planned for a lot for which a waiver has been granted, the subdivision plans must be re-submitted to the Venango County Regional Planning Commission or its successor for processing as a buildable lot following all procedures and regulations contained in this ordinance.

**Q.2. EXCEPTIONS: “10-acre Exemption”**

Where the Department of Environmental Protection (DEP) permits, except where a local agency or municipality requires a permit by ordinance, an exemption from sewage planning for an on-lot system may be claimed for a contiguous ten-acre or larger parcel or lot that is subdivided from a parent tract which has been owned by the current owner of record since January 10, 1987. The residential structure on the exempted lot must be occupied or intended to be occupied by the property owner or a member of his immediate family. The “10-acre exemption” must be noted on the plan.

Q.2.a. When one permit exemption has been granted for a lot, tract or parcel under this section, any lot, tract or parcel remaining after subdivision of the lot or parcel which received the permit exemption or any lots or parcels subdivided therefrom in the future shall not be eligible for a ten-acre permit exemption and must meet all conditions, procedures and regulations of this ordinance.

**301.4 Recording of the Final Plan**

After completion of these procedures and upon approval of the final plan by the Planning Commission Staff, as evidenced by the signatures of the Subdivision Administrator and Executive Director, the applicant and appropriate municipal officials shall be notified in writing of such action. At least one (1) copy of the approved plan shall be returned to the applicant.

1. One (1) copy of the approved plan should be recorded with the County Recorder of Deeds immediately, but in any case should be recorded within ninety (90) days from the date of final approval by the Planning Commission.
2. Should the applicant fail to record the final plan within such period, the approval of the Commission Staff shall become null and void unless an extension of time is requested by the applicant and approved by the Commission staff. The applicant’s request shall be in the form of an affidavit verifying that the subdivision has not changed since the original approval.
3. The approved final plan shall be filed with the County Recorder of Deeds before proceeding with the sale of lots or construction of buildings.
4. The Venango County Recorder of Deeds shall not accept any plan for recording unless such plan officially notes the approval of the Venango County Regional Planning Commission staff.

5. The recording of the plan shall not constitute grounds for Assessment increases until such time as lots are sold or improvements are installed on the land.

## **302 MAJOR SUBDIVISION PROCEDURE AND TIMETABLE**

The proposed major subdivision or land development plan shall be presented to the Planning Commission in the following consecutive steps.

### **302.1 Sketch Plan**

The applicant is encouraged to meet with the Commission staff as well as municipal representatives to discuss a sketch plan. The applicant is not required to submit a sketch plan. The sketch plan should generally include those items listed in Section 601. Submission of a sketch plan shall not constitute the formal filing of the plan with the Commission, but is intended to provide advisory assistance to the subdivider and information to the Commission.

### **302.2 Preliminary Plan**

Four (4) black and white or blue and white line prints of the Preliminary Plan containing all of the information required in section 602 shall be submitted:

1. Copies of the preliminary plans shall be submitted by the applicant to the appropriate municipal governing body, municipal planning commission, zoning officer, Pennsylvania Department of Transportation and the County Conservation District prior to or concurrent with the submission of the Preliminary Plan to the Planning Commission for consideration. Review by these agencies is required in Section 602 as a part of the preliminary plan review process.
2. The Commission shall take action and communicate it to the applicant not later than thirty (30) days following the date of the regular meeting following the date filed. Should the said next meeting occur more than thirty (30) days following the filing of the plan, the said ninety day period should be measured from the thirtieth (30) following the day that the plan was filed.
3. The Planning Commission may table until its next meeting action on any plan (preliminary or final) which was not filed with the Venango County Regional Planning Commission Staff at least ten (10) working days in advance of the scheduled monthly meeting.
4. The decision of the Planning Commission shall be in writing and shall be communicated to the applicant personally or by mail not later than fifteen (15) days following the decision.
- 4a. The Planning Commission is hereby authorized to make such conditional approvals as it may, in its reasonable discretion, find necessary to advance the requirements and purposes of this Ordinance.
5. When the plan is not approved as filed, the decision shall specify the requirements that must be met and shall cite the specific provisions of the Ordinance that apply. The grounds for modification or for disapproval of any plan may include the refusal or failure of the applicant to furnish such documents or information as the Commission may require pursuant to this Ordinance.
6. Any modification of the preliminary plan required by the Commission shall be noted on four (4) copies of the preliminary plan and signed by the subdivider to

note acceptance of those conditions or modifications. One (1) approved copy will be returned to the subdivider, one (1) retained by the Commission, one (1) transmitted to the municipal governing body, and one (1) transmitted to the municipal planning commission.

7. Approval of the preliminary plan shall constitute approval of the subdivision or land development as to the character and intensity of development, the arrangement and dimensions of streets, lots, and other planned features, but shall not authorize construction other than that construction of improvement required for final plan completion and approval.

### **302.3 Final Plan**

Six (6) black and white or blue and white line prints of the final subdivision or land development plan containing all the information required in Section 603 shall be submitted by the subdivider.

1. After receiving preliminary plan approval, the applicant has a one (1) year time period in which to submit a final plan covering all or portions of the area approved in a preliminary plan. If a final plan is not submitted within that time period the preliminary plan approval for the entire subdivision or land development shall become null and void and all related construction activity shall cease and disturbed areas shall be stabilized. Extension of the one (1) year time period may be granted by the Commission upon written request of the applicant prior to the expiration of the one (1) year time period.
2. If a final plan covering a portion of the subdivision or land development is submitted within one year of the preliminary plan approval as noted in Section 302.3 (1), the preliminary plan approval for the remainder of the subdivision is valid for a period of five (5) years. If no additional final plans are submitted within the five (5) year period, the preliminary plan becomes null and void unless a time extension is requested in writing within the five (5) year approval period and granted by the Commission.
3. Each final plan portion in any residential subdivision or land development, except for the last portion, shall contain a minimum of twenty-five (25) percent of the total number dwelling units as depicted on the preliminary plan, unless the Commission approves a lesser percentage.
4. The Commission shall take action and communicate it to the applicant not later than ninety (90) days following the date of the regular meeting of the Planning Commission next following the date the plan is filed. Should the said next regular meeting occur more than thirty (30) days following the filing of the plan, the said ninety (90) day period shall be measured from the thirtieth (30) day following the day the plan was filed.
- 4a. The Planning Commission is hereby authorized to make such conditional approvals as it may, in its reasonable discretion, find necessary to advance the requirements and purposes of this Ordinance.

5. The Planning Commission may table, until its next meeting, action on any plan (preliminary or final) which was not filed with the Staff at least ten (10) working days in advance of the scheduled monthly meetings.
6. The decision of the Planning Commission shall be in writing and shall be communicated to the applicant personally or by mail not later than fifteen (15) days following the decision.
7. When the plan is not approved as filed, the decision shall specify the requirements that must be met and shall cite the specific provisions of the Ordinance that apply. The grounds for modification or for disapproval of any plan may include the refusal or failure of the applicant to furnish such documents or information as the Commission may require pursuant to this Ordinance.
8. No plan shall receive final plan approval unless the applicant has completed all required improvements (including but not limited to streets, stormwater facilities, erosion and sedimentation control measures and water and sewage facilities) or shall have filed with the Commission a performance guarantee as provided in Section 304 of this Ordinance.

#### **302.4 Recording of the Final Plan.**

Upon approval of the final plan by the Planning Commission, as evidenced by the signatures of the Commission Chairman or Vice-Chairman and the Subdivision Administrator and the date of the Commission meeting at which approval was given or authorized, the applicant and appropriate municipal officials shall be notified in writing of such action. At least two (2) copies of the approved plan shall be returned to the applicant.

1. One (1) copy of the approved plan should be recorded with County Recorder of Deeds immediately, but in any case the Planning Commission shall record the plan within ninety (90) days from the date of final approval.
2. Should the applicant fail to record the final plan during such period, the approval of the Commission shall become null and void unless an extension of time is requested by the applicant and approved by the Commission. The request shall be in the form of an affidavit verifying that the subdivision has not changed since the original approval.
3. The approved final plan shall be filed with the County Recorder of Deeds before proceeding with the sale of lots or construction of buildings.
4. The Venango County Recorder of Deeds shall not accept any plan for recording unless such plan officially notes the approval of the Venango County Regional Planning Commission.
5. The recording of the plan shall not constitute ground for assessment increases until such time as lots are sold or improvements are installed.

#### **303 PART AND PARCEL CONVEYANCE PROCEDURE**

For minor subdivisions involving a conveyance that will become part and parcel of the grantee's existing lands, the Staff may approve the following alternate submission procedure.

- 303.1** A Final Plan meeting the requirements of Section 603 and 603.1 #1, #6, #7, #9, #10, #11, #12 and #16 must be submitted.
- 303.2** The plan must include a notarized statement from the grantor to the effect that this conveyance will not reduce the grantor's remaining land area below applicable requirements and a notarized statement from the grantee affirming that the parcel to be acquired abuts and is contiguous to the grantee's present property and will merge with the grantee's present lot. The notarized statement may not be submitted as a separate sheet, but must be included with the survey.
- 303.3** When the subdivision is located in a municipality with a local zoning ordinance or building code with lot size requirements, the zoning officer or building permit officer's signature must appear with a statement that the proposed subdivision is in accordance with the municipal zoning ordinance or building permit ordinance.
- 303.4** Section 301.3 (1) & (2) and Section 301.4 apply to the part and parcel conveyance procedure. A sewage planning module is not required for a part and parcel conveyance.

#### **304 GUARANTEES**

- 304.1** The Planning Commission may require, in its reasonable discretion, performance and maintenance guarantees. Any performance guarantee required and/or approved by the Planning Commission in lieu of the installation of the required improvements shall be in the amount fixed by the Commission and shall be secured by such cash deposit of the subdivider or issued by such bonding or financial company as shall be approved by the Commission. Said guarantee shall be in an amount no less than 110% of the Commission's estimate of the cost of required improvements.
- 304.2** Prior to the acceptance of any performance guarantee, the Commission may consult with the municipal governing body concerning the amount of the guarantee, the extent of the improvements covered, the time for completion of the improvements, the inclusion of funds to cover maintenance of any improvements and inspections.
- 304.3** The Commission may require a maintenance bond to guarantee maintenance of any street or other public area for a specified period of time prior to its acceptance or dedication by the municipality. Said maintenance guarantee shall be in an

amount no less than 110% of the estimated cost of maintaining said streets or public areas for the agreed upon time period.

**304.4** Strict compliance with the appropriate sections of the Pennsylvania Municipalities Planning Code relating to the completion of required improvements, release from the improvement bond and remedies available to effect completion of improvements shall be followed.

### **305 INSPECTION**

The installation of improvements and development of any subdivision or land development shall be subject to inspection at all stages by representatives of the Commission and the municipality and for such purpose, unrestricted access shall be accorded and requested information shall be promptly submitted.

### **306. Subdivision and Land Development Agreements**

The applicant shall execute an *agreement to guarantee the construction of all public improvements*, to be approved by the County, before the final plan is released by the Planning Commission and filed on record. Said agreement shall specify the following, where applicable:

- A. The applicant agrees that he will lay out and construct all streets and other improvements, including grading, paving, curbs, gutters, sidewalks, street lights, fire hydrants, water mains, street signs, shade trees, storm and sanitary sewers, landscaping, traffic control devices, open space areas, and erosion and sediment control measures in accordance with the final plan as approved, where any or all of these improvements are required as conditions of approval.
- B. The applicant guarantees completion and maintenance of all *public* improvements by means of a type of financial security acceptable to the County, as specified in Section 307-B of this Ordinance.
- C. The applicant agrees to tender a deed or deeds of dedication to the County or one of its municipalities for such streets and for such easements for sanitary and storm sewers, sidewalks, manholes, inlets, pumping stations, and other appurtenances as shall be constructed as public improvements, provided that the County or municipality shall not accept dedication of such improvements until their completion is certified as satisfactory to the applicable Engineer.
- D. Whenever an applicant proposes to establish or continue a street which is not offered for dedication to public use, the Planning Commission shall require the applicant to submit, and also to record with the plan, a copy of an agreement made with the Commission on behalf of himself and his heirs and assigns, and signed by him, and which shall establish the conditions under which the street may later be offered for dedication, and shall stipulate, among other things:
  - 1. That an offer to dedicate the street shall be made only for the street as a whole.
  - 2. That the County and its municipalities shall not be responsible for repairing or maintaining any undedicated streets.

3. That the method of assessing repair and maintenance costs of undedicated streets be stipulated, and be set forth in recorded deed restrictions so as to be binding on all successors or assigns.
4. That, if dedication be sought, the street shall conform to County or Municipal specifications or that the owners of the abutting lots shall, at their own expense, restore the street to conformance with County or Municipal specifications.

### **307. Performance Guarantees**

A. The applicant shall deposit with the Commission financial security in an amount sufficient to cover the cost of all improvements (including private improvements *at the discretion of the commission*) and common amenities, including but not limited to street, walkways, curbs, gutters, street lights, shade trees, Storm water detention and/or retention facilities, pipes and other related drainage facilities, recreational facilities, open space improvements, buffer or screen plantings and, except as provided for in Section 307-F hereof, water mains and other water supply facilities, fire hydrants, and sanitary sewage disposal facilities.

B. Financial security required herein shall be in the form of a Federal or Commonwealth chartered lending institution irrevocable letter of credit, a restrictive or escrow account in such institution or with a financially responsible bonding company, or such other type of financial security which the Commission may, in its reasonable discretion, approve. The bonding company may be chosen by the party posting the financial security, provided that the said bonding company or lending institution is authorized to conduct business within the Commonwealth and stipulates that it will submit to Pennsylvania jurisdiction and Venango County venue in the event of legal action.

C. The said financial security shall provide for, and secure to the public, the completion of all subdivision improvements for which such security is being posted within one year of the date fixed in the subdivision plan and subdivision agreement for completion of such improvements.

D. The amount of financial security shall be equal to 110 percent of the cost of the required improvements for which financial security is to be posted. The cost of the improvements shall be established by submission to the Planning Commission of bona fide bids from the contractor or contractors chosen by the party posting the financial security to complete the improvements or, in the absence of such bona fide bids, the costs shall be established by estimate prepared by the Commission Engineer. If the party posting the financial security requires more than one year from the date of posting of the financial security to complete the required improvements, the amount of financial security shall be increased by an additional 10 percent for each one year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 110 percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one year period by using the above bidding procedure.

E. In the case where development is projected over a period of years, the Planning Commission may authorize submission of final plans by section or stage of development, subject to such requirements or guarantees as to improvements in the future sections or stages of development as it finds essential for the protection of any finally approved section of the development, and consistent with the terms of Section 508(4) of Act 247.

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

G. As the work of installing the required improvements proceeds, the party posting the financial security may request the Planning Commission to release or authorize to be released, 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 Planning Commission, and the Commission shall have 45 days from receipt of such request within which to allow the Commission engineer to certify, in writing, that such portion of the work upon the improvements has been completed in accordance with the approved plans. Upon such certification, the Commission shall authorize release by the bonding company or lending institution of an amount as estimated by the Commission Engineer fairly representing the value of the improvements completed. The County or Municipal Engineer, in certifying the completion of work for a partial release, shall not be bound to the amount requested by the applicant, but shall certify to the Board his independent evaluation of the proper amount of partial releases. The Board may, prior to final release at the time of completion and certification by the Commission Engineer, require retention of 10 percent of the estimated cost of the aforesaid improvements as per Section 702-D of this Ordinance.

### **308. Recording of Final Plan**

Within 90 days of the applicant's execution of the subdivision and land development agreement and performance guarantee, the final plan shall be recorded by the applicant in the office of the Recorder of Deeds of Venango County.

### **309. Commencement of Development**

A. No construction or land disturbance activities (not including soils or percolation testing, well drilling or similar engineering or surveying activities) shall be commenced until the applicant submits to the appropriate Municipal Secretary a copy of the Recorder of Deeds' receipt for recording of the final plan.

B. No application for a building permit under any Municipal Zoning Ordinance shall be submitted and no building permit under any Municipal Zoning Ordinance shall be issued for any building in any subdivision or land development and no work shall be done on any building in any subdivision or land development until the final plans for the said subdivision or land development have been approved and recorded as provided for and until the terms of Section 309-A hereof have been satisfied. Further, where final subdivision or land development approval has been conditioned upon the submission and approval of individual lot grading plans for some or all of the lots, no building permit shall be issued for construction on any such lot until this condition has been complied with.

C. No water system or sewer system, including extensions to existing or proposed public or community systems or new systems employing sewage treatment plants, shall be

constructed prior to the issuance of appropriate permits from the Pennsylvania Department of Environmental Resources or from federal or local agencies, as required.

**310 Time Limitation of Plans**

The continuing validity of any approval of plans in accordance with this Article shall be subject to those limitations established by Section 508(4) of Act 247.

**311 Plan Amendments**

Major modifications of the approved plan, as determined by the Commission, shall be resubmitted and reprocessed in the same manner as the original plan. All site disturbance activities shall cease pending approval of modified plans.

**ARTICLE 4 – DEVELOPMENT DESIGN STANDARDS**

**401 GENERAL REQUIREMENTS**

**401 GENERAL REQUIREMENTS**

In the layout, development, and improvement of a subdivision or land development, the subdivider or developer shall comply with all standards, specifications, codes, and ordinances of the state, municipality and of Venango County, and, in addition, shall meet, as a minimum, the standards of design and principles set forth in this article. It is the responsibility of the subdivider or developer to know and understand all applicable standards, specifications, codes and ordinances.

The standards and details of design herein contained are intended only as minimum requirements so that the general arrangements and layout of a subdivision or land development may be adjusted to a wide variety of circumstances. However, in the design and development plan, the subdivider should use standards consistent with the site conditions so as to insure an economical, pleasant, and durable subdivision or land development.

**402 NATURAL FEATURES, FLOOD PLAINS, AND HISTORIC PLACES**

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

Land subject to slides, subsidence, or other hazards shall not be developed in such a way as to create a dangerous situation.

Land deemed subject to flooding by the Planning Commission, Venango County Conservation District or other official authority shall not be utilized for residential occupancy, or for such other uses as may involve danger to health, life, or property or aggravate the flood hazard. Such land within the flood hazard boundary of the plan shall be set aside for such uses as shall not be endangered by periodic occasional flooding.

Development in flood prone areas shall be permitted only within the rules and regulations of the National and State Flood Insurance Program or other flood regulations as they may be adopted and/or amended.

It shall be the responsibility of the municipality to submit to the Venango County Regional Planning Commission a copy of any local ordinance relating to development in the flood hazard area.

**403 STREETS AND ROADS**

**403.1 General.**

The development plan shall conform to such plan or plans of the municipality within the County as shall have been prepared and adopted by the County Planning Commission or municipalities within the County.

1. Local residential streets in a new development shall be so laid out as to discourage through traffic, but provisions for the extension and continuation of streets into and from adjoining areas is required.
2. At all times, the street layout should be logically related to the topography of the land. Maximum slopes of banks measured perpendicular to the centerline of the street shall be three (3) to one (1) for fills: two (2) to one (1) on rock, three (3) to one (1) on stable soils, and four (4) to one (1) on flatter in unstable soils.
3. Where the centerlines of local streets opening into opposite sides of a major thoroughfare are within two hundred (200) feet of each other, they shall be made to coincide by curving or angling the local streets.
4. If the lots resulting from the original development are large enough for re-subdivision, or if a portion of the tract is not subdivided or developed, suitable access and street openings for such eventuality shall be provided.
5. Intersecting local and collector streets shall not empty into the same side of a major thoroughfare at intervals of less than eight hundred (800) feet measured from the centerline.
6. Reverse frontage lots or marginal access streets shall be required, wherever practical, along traffic routes. Where reverse frontage lots are so employed, they shall provide a rear yard with a minimum depth of eighty (80) feet, measured in the shortest distance from the proposed dwelling unit to the centerline of the traffic route. Buffering may be requested when separation from the street is desired because of topographic, aesthetic, congestion, and safety or high noise considerations.

**403.2 Street Dimensions, Grades, and Alignment:**

The following standards shall apply to new street construction, provided no local or state standards apply:

	Min. ROW	Min. Cartway Width	Max. Grade	Min. Grade	Min. Radius of Centerline	Min. Sight Distance	Max. Length
Roads	50'	20'	7.5%	.5%	200'	200'	--
Alley	33'	20'	10.0%	.5%	50'	50'	--

Cul-de-sac	40'	20'	10.0%	.5%	100'	100'	1200'
Pedestrian Walkway	30'	6'	10.0%	.5%	--	--	--

1. Additional widths may be required by the Commission upon findings that the same are required for: (i) Public safety and convenience; (ii) Parking in commercial or public use areas; (iii) Old roads which do not provide the proper widths and where, as a consequence, additional dedication is necessary.
2. In addition to the cartway widths, the subdivider shall provide a stabilized shoulder, the width to be established by the Commission, to be used for the temporary parking of disabled vehicles or for the occasional overflow of off-street parking areas.
3. Vertical curves shall be used in changes of grade exceeding one (1) percent, and should be designed for maximum visibility. Intersections shall be approached on all sides by leveling areas that shall extend a distance of one hundred (100) feet from the point of intersection of the centerline of the intersecting streets and within which no grade shall exceed a maximum of three (3) percent. The grade of actual intersections shall not exceed one (1) percent in any direction.
4. Sight distance shall be measured along the centerline at eye level. Proper sight lines should be maintained at all intersections or streets. Measured along the centerline, there should be a clear sight triangle of seventy-five (75) feet from the point of the intersection. No future building or obstruction shall be permitted in this area. For major thoroughfares, and collector streets there shall be a tangent of at least one hundred (100) feet measured at the centerline between reverse curves.
5. Cul-de-sacs shall be designed with a turn-around having an outside **radius** of at least eighty (80) feet and a property line radius of at least one hundred (**100**) feet measured at the centerline between reverse curves.
6. Alleys are prohibited in residential developments, unless such alleys meet all of the design standards of this ordinance, but may be included in industrial or commercial developments, which do not have an expressly designed loading area. Where alleys dead-end, a sufficient turn-around must be provided.

### 403.3 Street Intersections

1. Multiple intersections involving the junction of more than two (2) streets shall be avoided. Where such avoidance is impossible, such intersection shall be designed with extreme care for other vehicular and pedestrian safety.
2. Right angle intersections shall be used whenever practicable, especially when local residential streets and rural streets and roads empty into major or collector thoroughfares. There shall be no intersection angle, measured at the centerline, of less than seventy (70) degrees.
3. Street cartway intersections shall be rounded by a tangential arc with a minimum radius of fifteen (15) feet for local streets, cul-de-sacs, and alleys and thirty (30) feet for intersections, including collector streets and primary roads, or major thoroughfares.

### 403.4 Other Requirements

1. The dedication of half streets at the edge of new subdivisions or land developments is prohibited. If circumstances render this impractical, adequate provision for the concurrent dedication of the remaining half of the street must be furnished by the subdivider. The existence of half street in an adjoining subdivision or land development will require the provision of the remaining half in the proposed subdivision or land development.
2. Reserve strips controlling access or egress are prohibited. New streets shall be provided through to the boundary lines of the development, especially if it adjoins developable land.
3. Streets that are extensions of or obviously in alignment with existing named streets shall bear the name of the existing street. No street names shall be used which will duplicate or be confused with the name of existing streets.
4. When a subdivision or land development proposes to use a non-public road or access way, the subdivider shall request a determination of existing roadway status by the Commission prior to any changes or improvements. This evaluation will determine if the proposed access is to be considered an existing street or requires new road construction.
5. An adequate turn-around must be provided at the end of all new streets during all phases of the development.

#### **404 BLOCKS**

1. All blocks in a subdivision or land development shall have a maximum length of fourteen hundred (1,400) feet. Such blocks containing individual lots shall be at least two (2) lot depths in width, except lots along a major thoroughfare which front on an interior street. Reasonable modification of the above requirements may be permitted by the Commission where appropriate, including commercial and industrial developments.
2. In large blocks with interior parks, in exceptionally large blocks or where access to a school or shopping center is necessary, a pedestrian walkway shall be provided.

#### **405 LOTS**

##### **405.1 Area and Width Requirements:**

When a subdivision or land development is located in a municipality having a zoning ordinance, subdivision regulation, or building ordinance, the minimum lot frontage and area shall be controlled by the provisions expressed therein. If there are no provisions in local regulations or ordinances regarding lot size or frontage, or if the subdivision or land development is located in an area not controlled by other municipal or County regulations, the following minimums shall apply:

1. For single-family residential lots the following minimums shall apply:
  - A. Residential lots where private wells and septic tanks are provided shall have a minimum width of one hundred twenty-five (125) feet at the building line and a minimum area of 40,000 square feet per single-family dwelling unit.

- B. Residential lots served by a public water system shall have a minimum width of one hundred (100) feet at the building line and a minimum area of twenty thousand (20,000) square feet per single-family dwelling unit.
  - C. Residential lots where both public water and sanitary sewers are provided shall have a minimum width at the building line of seventy-five (75) feet and a minimum area of ten thousand square feet per single family dwelling unit.
- 2. For multiple family residential lots the following minimums shall apply:
    - A. Multiple family residential lots, where private wells and septic tanks are to be utilized shall have a minimum width of two hundred (200) at the building line and a minimum area of forty thousand (40,000) square feet for the first dwelling unit and three thousand (3,000) square feet for each additional unit.
    - B. Multiple family residential lots where both public water and sanitary sewers are provided shall have a minimum width of one hundred twenty-five feet at the building line and a minimum area of ten thousand (10,000) square feet for the first dwelling and three thousand (3,000) square feet for each additional unit.
  - 3. For all other uses (commercial, industrial, institutional, etc.) the minimum lot area and width shall be one (1) acre.

**405.2**

The size of lots may be increased according to the results of soil tests in all areas of the County where on-lot sewage disposal is planned. The subdivider shall consult the Pennsylvania Department Environmental Protection and/or the local sewage enforcement officer before establishing a lot size and designing a subdivision or land development. The lot shall be large enough to provide the absorption field as prescribed by the Department of Environmental Protection and in no case less than the above stated minimum lot size requirements. The approval of the Commission will not be given to a subdivision or land development where on-lot sewage is to be provided, unless the Department of Environmental Protection or the local sewage enforcement officer has approved the land proposed for development for on-site sewage disposal.

**405.3**

All lots shall abut on a street with a minimum thirty-three (33) feet of frontage on that street.

**405.4**

Land-locked lots shall have a right-of-way of at least thirty-three (33) feet in width.

**405.5**

All lot lines should be at right angles to the street, or to a tangent of the arc of a curved street.

**405.6**

On single-family residential lots, only one principal structure is permitted except as may be provided for in the applicable municipal zoning ordinance.

#### **406 BUILDING LINES**

1. Building Lines: When a subdivision or land development is located in a municipality having a zoning ordinance, subdivision regulations or building setback ordinance, the minimum building shall be controlled by the provisions expressed therein. If, in the local ordinances or regulations, there are no provisions regarding building setback, or if the subdivision or land development is located in an area not controlled by such local or county ordinances, the following minimums shall apply. Front Yard setbacks shall be measured from the street cartway centerline and shall apply to any street in or bordering the parcel, as follows:
  - (A) Arterial and Collector Streets: A setback of eighty (80) feet will be required.
  - (B) All Other Streets: A setback of fifty (50) feet will be required.
  - (C) A setback of eighty feet shall be required from a railroad right-of-way.
2. Side yard setbacks shall be a minimum of ten (10) feet from the property line unless written permission from the adjoining land owner expressly permits the setback to be reduced.
3. Rear yard setbacks shall be a minimum of 25 feet.

#### **407 EASEMENTS**

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

To the fullest extent possible, easements should be centered on or be adjacent to rear or side lot lines. Such easements shall have a minimum width of at least fifteen (15) feet, and shall remain unobstructed by buildings, structures, or fences.

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

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

#### **408 LAND DEVELOPMENTS**

408.1 The application for a Land Development shall include, but not necessarily be limited to, the following documents:

- A. A key map, drawn at a scale of 1" = 1000', showing the location and size of the property and showing the relation of the property to adjoining areas and streets, and showing the nature of the landowner's interest in the land proposed to be developed;
- B. Plans, at a scale of 1" = 100', of existing natural and man-made features of the land, including topography, vegetation, drainage, and soils. the following information shall be included on such plan:
1. Contour lines at vertical intervals of not more than 2 feet and showing location and elevation of the closest established benchmark(s) from which the contour elevations are derived;
  2. Total tract boundaries of the property being developed, showing bearings and distances and a statement of the total acreage of the property;
  3. Locations of all existing tree masses, trees over 8 inch caliper not part of a tree mass, other specimen trees, rock outcroppings, watercourses, floodplain areas, wetlands, and other significant natural features (where flood plain areas, as defined in this Ordinance, are located on the tract, such areas shall be delineated in accordance with the Flood Plain District Map that is part of the Ordinance);
  4. Slope differentials delineating all slopes 8% or less, from 9 to 15%, from 16 to 25%, and in excess of 25%;
  5. Delineation of existing drainage patterns on the property;
  6. Existing soil classifications;
  7. Any existing sewer lines, water lines, electric and telephone utility lines, pipelines, culverts, bridges, railroads, roads, and other significant man-made features;
  8. Locations on the tract, or within 50 feet of the property boundary, of all structures and areas of known or potential historical significance, as listed in the Venango County Historical Site Survey of 1980 and as may be amended or updated.
  9. A site plan, at a scale of 1" = 50', showing proposed use areas, public space, and location of buildings and improvements to be installed. The following shall be shown on the site plan:
    - a. The total number of residential units proposed, with subtotals for each housing type;
    - b. The total acreage of the tract;
    - c. The average gross residential density;
    - d. The approximate location of all buildings, roads, parking areas, sidewalks or pathways, descriptions of the use of all structures, dimensions (including height) of all buildings and other structure, road rights-of-way and cartway widths, and proposed structure and facilities for control of stormwater runoff and for sanitary sewage disposal;
    - e. The location, function, size, ownership, and manner of maintenance of public space areas, indicating the nature of the facilities or structures therein and proposed uses thereof;
    - f. Connections to public utilities and streets, accompanied by documentation as to the impact of the proposed development on such utilities and streets;
    - g. Lot lines with approximate dimensions for all residential units for which individual ownership is proposed;
    - h. Proposed utility easement location.

**408.2** A plan, at a scale of 1" = 100', showing proposed surface drainage of the tract and proposed sanitary sewage treatment systems as required by this Ordinance. This plan shall be accompanied by a narrative documenting the feasibility of the proposals for control of stormwater, and for the sanitary sewage treatment system. The applicant is required to provide documentation of approval of an erosion and sedimentation plan as required by the Pennsylvania Department of Environmental Resources.

**408.3** Profile sheets for all proposed streets, whether to be dedicated or to be privately owned, within the tract, showing at least the following information:

1. Existing natural profiles along the centerline of each proposed street and, if slope within cartway area exceeds 5%, along both cartway edges;
2. Proposed finish grade of the centerline and, in any case where the road shall not conform to typical cross-section, proposed finish grade at the top of both curbs or pavement edges;
3. The length and function of all vertical curves;
4. Location and profile of all existing and proposed sanitary sewer mains and manholes, storm sewer mains, inlets, manholes, and other improvements.
5. Typical cross-sections of all roads, culverts, manholes, and other improvements.
6. Approvals by the Pennsylvania Department of Environmental Resources for water supply and sanitary sewage disposal systems.

**408.4** Architectural drawings illustrating exterior and interior designs of typical buildings of each type to be constructed, including statements and illustrations of materials to be used in construction.

**408.5** Final drafts of all offers of dedication, covenants, easements, deed restrictions, and maintenance agreements to be imposed upon the use of land, buildings, and structures, and pertaining to the ownership, use, and maintenance of all public space areas and any other common facilities, and including proposed grants and/or easements for public utilities.

**408.6** Landscaping plan and schedule, prepared by a landscape professional.

## **ARTICLE 5 - IMPROVEMENTS**

### **501 Required Improvements**

501.1 Streets

501.2 Stormwater Facilities

501.3 Sewers

501.4 Water Supply

501.5 Monuments

501.6 Off-Street Parking

501.7 Utilities

**502 Recommended Improvements**

502.1 Recreation Area

502.2 Street Lights

502.3 Street Trees

502.4 Curbs

**503 Other Improvements**

**ARTICLE 5 – IMPROVEMENTS**

**501 REQUIRED IMPROVEMENTS**

Except where specifically noted the subdivider is responsible for the design, construction and maintenance of the following improvements for major subdivisions and land developments.

**501.1 Streets**

All streets shall be designed and constructed in accordance with the construction standards of the municipality in which the proposed development is located.

1. In municipalities that do not have minimum construction standards, the streets will be designed and constructed in accordance with Section 403 and the standards of the Pennsylvania Department of Transportation.
2. It is the responsibility of the subdivider to maintain the streets in the development unless and until the municipality assumes the responsibility, the individual property owners agrees to maintain the street, or other binding arrangements are made. The Commission may require a bond in accordance with Section 304 to assure compliance with this requirement.
3. It shall be the responsibility of the municipality to submit a current copy of any local ordinance relating to road construction standards and design.

**501.2 Stormwater Management Facilities**

Venango County is empowered to regulate drainage and stormwater management activities by the authority of the Act of October 4, 1978, P.L. 84, the Stormwater Management Act (Act 167), and by the Pennsylvania MPC. The goal of watershed wide stormwater management planning is to foster the development of a consistent set of local rules and regulations to protect and improve the capacity of natural stream channels and the quality of surface and ground water throughout the

State. As required through Act 167, following adoption of a watershed plan by the County Commissioners, each Municipality in that watershed must adopt the provisions of the model ordinance developed as part of the watershed plan. Subdivisions and land developments in those Municipalities that fall under the purview of the Venango County Subdivision and Land Development Ordinance and are outside of an adopted Act 167 Plan shall be subject to the following stormwater management provisions:

#### **A. General Requirements**

Prior to the approval of any subdivision or land development plan, or the commencement of any development within the jurisdiction of this Ordinance, the Developer shall submit a Stormwater Management Plan to the County for approval. To the maximum extent feasible all Stormwater Management Facilities shall be designed and constructed utilizing the Pennsylvania DEP Manual of Best Management Practices.

1. When plan applications, whether Preliminary or Final, are submitted in sections, a generalized Stormwater Management Plan for the entire project site shall be submitted in addition to the detailed Stormwater Management Plan for the proposed section. This generalized plan shall demonstrate how the stormwater of the proposed section will relate to the entire development. The amount and velocity at the discharge point of the section shall be included in the data submitted. If temporary facilities are required for construction of a section, such facilities shall be included in the submitted plans.
2. A written report shall be submitted that includes the following information:
  - a. Stormwater runoff calculations for both pre-development and postdevelopment conditions.
  - b. An ownership and maintenance program, in recordable form, that clearly sets forth the ownership and maintenance responsibility of all temporary and permanent stormwater management facilities and erosion and sedimentation control facilities, including:
    - 1) Description of temporary and permanent maintenance requirements;
    - 2) Identification of a responsible individual, corporation, association or other entity for ownership and maintenance of both temporary and permanent stormwater management and erosion and sediment control facilities;
    - 3) Establishment of suitable easements for access to all facilities;
    - 4) The intent of these regulations is to provide private ownership and maintenance of stormwater management. Where the Municipality or County accepts dedication of stormwater management facilities, the Commission may require the developer to establish, at the time of dedication, a maintenance fund, in accordance with Section 501.2 F.3.e.
  - c. For all proposed detention basins and retention basins, except temporary sedimentation basins, the documentation shall include a plotting or tabulations of storage volumes with corresponding water surface elevations and the outflow rates for those water surfaces.
  - d. For all proposed detention basins and retention basins, except temporary sediment basins, documentation shall set forth the design hydrograph, the shortcut routing method or a method of equal caliber acceptable to the Commission Engineer, utilized to determine the function of the basin.
3. Developments within any watershed covered by an Act 167 Stormwater Management Plan shall comply with the provisions of that plan.

## **B. Design Standards**

1. Where applicable, stormwater management facilities shall comply with the requirements of Chapters 92, 102, and 105 (Water Obstructions and Encroachments) of Title 25, Rules and Regulations, as amended, of DEP.
2. Stormwater management facilities that involve a State highway shall also be subject to the approval of the Pennsylvania Department of Transportation.
3. Stormwater management facilities located within or affecting the floodplain of any watercourse shall comply with the requirements of the flood plain regulations provided in the Municipal Zoning Ordinance, single-purpose ordinance, or any future ordinances regulating construction or development within areas of the Municipality subject to flooding.
4. Stormwater discharge points onto an adjacent property shall comply with the following:
  - a. Storm water runoff from a project site shall flow directly into a natural drainage (including wetlands) or into an existing storm sewer system, or to a point where surface flows will not cause any negative impacts to adjacent properties, stream, or wetlands.
  - b. If neither of these is available to allow the site's runoff discharge to reach a natural surface water conveyance (watercourse or wetland) or an existing storm sewer system, or a similar area not causing damage or harm to down slope property or possessions, the applicant shall obtain an easement from the downstream landowner(s) to allow the site's runoff discharge to reach a natural watercourse or an existing storm sewer system through the easement.
  - c. If an easement is obtained, the peak flow rate and velocity must be equal to or less than pre-development conditions, and the flow cannot be concentrated any more than existing conditions.
  - e. The easement from the down slope property Owner(s) shall be to allow for a piped storm sewer system, an overland flow system, or a combination of the two. The down slope system design shall conform to the design requirements of this Ordinance.
  - f. This Ordinance is aimed at controlling the discharge of stormwater from development primarily for quantity purposes. Be advised that other local, state, and/or federal regulations may require additional considerations/measures for stormwater management and handling, concerning both quantity and quality issues. In particular, state and federal regulations may require specific stormwater quality (and quantity) control measures be implemented when permits or approvals are required from these or similar entities, such as, but not limited to, grease/oil separators, wet basins, infiltration basins, etc. Examples of other potential permits/authorizations that may be required include, but are not limited to, Federal National Pollution Discharge Elimination System construction permits (Phase I and II).
    - (1). When the Applicant provides verification that the downstream landowner(s) refuses to grant an easement, the site shall be designed such that the discharge from the Applicant's site shall be in a non-erosive, sheet flow condition. For all design year storms, including the 100-year storm, runoff from the Applicant's site shall flow onto the adjacent property in a manner in which the peak flow rate and velocity must be equal to or less than pre-development conditions, and the flow cannot be concentrated any more than existing conditions. The use of level spreaders is discouraged.

- (2). Stormwater runoff shall not be transferred from one watershed to another unless the watersheds are sub-watersheds of a common watershed that join together within the perimeter of the property, or if the effect of the transfer does not alter the peak discharge onto adjacent lands and drainage easements from the affected landowners are provided.
5. Unless an alternate design is submitted for review, and said design is prepared by a licensed (in the Commonwealth of Pennsylvania) engineer:
  - a. No stormwater facilities shall be placed in, over or immediately adjacent to the following features:
    - 1) Sinkholes
    - 2) Closed depressions
    - 3) Lineaments in carbonate areas
    - 4) Fracture traces
    - 5) Caverns
    - 6) Intermittent Streams
    - 7) Ephemeral streams
    - 8) Bedrock pinnacles (surface or subsurface)
  - b. The minimum isolation distance from stormwater management basins to the listed geologic features shall be as follows:
    - 1) One hundred (100) feet from the rim of sinkholes or closed depressions;
    - 2) One hundred (100) feet from disappearing streams;
    - 3) Fifty (50) feet from lineaments or fracture traces;
    - 4) Twenty-five (25) feet from surface or identified subsurface pinnacles.
  - c. Stormwater runoff from any subdivision or land development activities shall not be discharged into sinkholes unless approved by the Municipal Engineer.
6. All stormwater runoff flowing over the project site shall be considered in the design of the stormwater management facilities.
  
7. The calculated peak rates of runoff for stormwater originating on the project site must meet the following conditions, for all watersheds flowing from the project site:
  - a. Post-development runoff from any regulated activity shall not exceed the peak rates of runoff prior to development for all design storms (2, 10, 25, and 100 year storm events).
8. Innovative methods for the detention and control of stormwater runoff are encouraged and may be used when approved by the Commission. Various combinations of methods should be tailored to suit the particular requirements of the type of development and the topographic features of the project site. The following is a partial listing of detention and control methods that can be utilized in stormwater management systems where appropriate:
  - a. Detention basins and retention basins;
  - b. Roof-top storage;
  - c. Parking lot ponding;
  - d. Seepage pits, seepage trenches or other infiltration structures;
  - e. Concrete lattice block surfaces;
  - f. Grassed channels and vegetated strips;
  - g. Cisterns and underground reservoirs;
  - h. Routed flow over grass; and
  - i. Decreased impervious surface coverage.

C. Methods of Calculation of Runoff

1. The methods of computation used to determine peak discharge and runoff shall be:
  - a. The Soil-Cover-Complex Method (as set forth in the latest edition of Urban Hydrology for Small Watersheds, Technical Release No. 55 as published by SCC) shall be used for all detention facilities with a drainage area greater than or equal to sixty (60) acres.

If the Soil-Cover-Complex (SCC) Method is used, stormwater runoff shall be based on the following 24-hour storm events:

Storm Event (years)	Inches of Rainfall
2	2.6
10	3.5
25	4.3
100	5.2

Source: Field Manual of Pennsylvania Department of Transportation  
Storm Intensity-Duration-Frequency Charts, Penn DOT, May 1986 for Region 2

If the SCC Method is used, an antecedent moisture content of 1 shall be used

for the pre-development condition.

- b. The Rational Method shall be used for all:
  - 1) Collection Facilities;
  - 2) Conveyance Facilities;
  - 3) Detention Facilities with drainage areas less than sixty (60) acres.

If the Rational Method is used, the Rainfall Intensity–Duration–Frequency Chart shown in Appendix C shall be used to compute the rainfall intensity in

inches per hour.

Runoff Coefficients “C” and Curve Numbers “CN” shall be based on the charts contained in Appendix D.

For the purpose of calculating peak discharges, all agricultural lands that contribute storm drainage to or from the project site shall be considered cultivated lands with conservation measures in good hydrologic condition.

Design of on-site conveyance systems calculations shall use the Rational Method of  $Q=CIA$  where Q is the peak discharge of the watershed in cubic feet per second, C is the coefficient of runoff, I is the intensity of rainfall in inches per hour, and A is the area of the watershed in acres; or any other method approved by the Commission.

- c. Any other method approved by the Municipal or Commission Engineer.

2. Runoff calculations shall include a hydrologic and hydraulic analysis indicating volume and velocities of flow and the grades, sizes, and capacities of water carrying structures, sediment basins, retention and detention structures and sufficient design information to construct such facilities. Runoff calculations shall also indicate both pre-development and post-development rates for peak discharge of stormwater runoff from the project site.

3. Flow calculations for water carrying structures shall be presented in tabular form using the Flow Tabulation Form provided in Appendix E (or equal).

4. Permanent detention basins shall be designed with a primary outlet discharge that is equal to or less than the requirements for post-development peak rate of runoff established by Section 501.2 C. of this Ordinance.
5. Runoff calculations will also be made to insure that the runoff from the upstream watershed area can be accommodated by the pipes, drainage easements, watercourses, etc. on the site.

D. Design Standards – Water Carrying Facilities

1. All storm sewer pipes, grass waterways, open channels, swales and other water carrying facilities that service drainage areas within the site shall be designed to convey the ten (10) year storm event unless in the opinion of the Commission Engineer or Municipal Engineer the character of development and potential for damage warrant design for the 25 or 100 year storm.
2. Stormwater management facilities that convey off-site water through the site shall be designed to convey the twenty- five (25) year storm event.
3. All developments shall include provisions that allow for the overland conveyance and flow of the post-developed one hundred (100) year storm event without damage to public or private property.
4. All storm sewer pipes, culverts, manholes, inlets, endwalls and endsections shall be constructed in accordance with Pennsylvania Department of Transportation, Publication 408, as amended.
5. Storm sewer pipes, culverts, manholes, inlets, endwalls, and endsections proposed for dedication or located along streets shall conform to the requirements of the Pennsylvania Department of Transportation, Bureau of Design, Standards for Roadway Construction, Publication No. 72, in effect at the time the design is submitted, as modified by the Commission.
6. Storm sewer pipes and culverts shall be reinforced concrete pipe (RCP) or smooth lined corrugate polyethylene (SLCPP), shall have a minimum diameter of eighteen (18) inches, and shall be installed on a sufficient slope to provide a minimum velocity of three (3) feet per second when flowing full.
7. All storm sewer pipes shall be laid to a minimum depth of one (1) foot from subgrade to the crown of pipe.
8. Endwalls and endsections shall be used where stormwater runoff enters or leaves the storm sewer horizontally from a natural or manmade channel.
9. Inlets shall be placed on both sides of the street at low spots, at a maximum of six hundred (600) feet apart along a storm sewer pipe, at points of abrupt changes in the horizontal or vertical directions of storm sewers, and at points where the flow in gutters exceeds three (3) inches. Inlets shall normally be along the curb line at or beyond the curb radius points. For the purpose of inlet location at corners, the depth of flow shall be considered for each gutter. At intersections, the depth of flow across the through streets shall not exceed one (1) inch. Inlets shall be depressed two (2) inches below the grade of the roadside swale, curb line, or ground surface. Manholes may be substituted for inlets at locations where inlets are not required to collect surface runoff.
10. Stormwater roof drains and pipes, wherever possible, shall discharge water into stormwater runoff dispersion or infiltration control devices and not into storm sewers or street gutters.
11. All existing and natural watercourses, channels, drainage systems and areas of surface water concentration shall be maintained in their existing condition unless an alteration is approved.
12. Flow velocities from any storm sewer shall not result in a degradation of the receiving channel.

13. Energy dissipaters shall be placed at the outlets of all storm sewer pipes where flow velocities exceed maximum permitted channel velocities.

14. The capacities of grassed waterways shall be computed from the Manning Equation. Permissible open channel velocities and design standards shall be in accordance with good engineering practice as documented in the Engineering Field Manual for Conservation Practices, U.S.D.A., S.C.S., or in Design Charts for Open-Channel Flow, Hydraulic Design Series No. 3, U.S. Department of Transportation.

15. Grassed waterways may be utilized in place of conduit piping in those areas where soil conditions allow recharge of groundwater. All newly installed grassed waterways must be well-established sod of good quality or matted with an approved stabilizing material. The usage of grassed waterways is not recommended in areas of year round or seasonally high ground water table unless provisions are made to handle long duration flows, for example by means of subsurface drainage of stone centered waterways.

a. The shape of the waterway shall permit hydraulic efficiency and ease of maintenance. Allowable velocities within the waterway shall be limited to those values that would not cause erosion of the soil or cover material. Vegetation or durable materials shall be established on all channels where design velocities exceed the maximum values for base earth channels. Permanent channels should be designed using grass or other suitable material.

b. The following information should be utilized in selecting adequately sized channels that do not exceed maximum velocities. The maximum permissible velocity shall be selected as the lowest value from Sections 501.2.D.15.b.1) and 501.2D.15.b.2) that follow:

1) Guidelines for maximum permissible velocities relevant to individual site conditions:

- 3.0 feet per second where only sparse vegetation can be established and maintained because of shade or soil conditions.
- 3.0 - 4.0 feet per second should be used under normal conditions where the vegetation is to be established by seeding.
- 4.0 - 5.0 feet per second should be used only in areas where a dense vigorous sod can be obtained quickly or where water can be diverted out of the waterway during establishment of vegetation. (Use where netting and mulch or other special methods of establishing vegetation are used).
- 5.0 - 6.0 feet per second may be used on well-established sod of good quality (use where establishment of vegetation will be by sodding or water will be introduced to a previously sodded channel).

2) Velocities for other channels are as follows:

<u>Channel Lining</u>	<u>Maximum Permissible Velocity (feet/second)</u>
6" rip-rap	4
9" rip-rap	8
Durable Bedrock	8
Asphalt	7
12" rip-rap	9
Concrete or steel	12

c. Soil characteristics, design velocities and the level of desired maintenance should be considered in determining seed mixtures and methods of establishment of vegetation. Soils information for various soil types is contained in the "Venango County Soil Survey." Maximum permissible velocities in feet per second based on vegetation, slope of waterway and soil erodibility are based upon the Penn State Agronomy Guide, Erosion Control and Conservation Plantings.

E. Design Standards – Detention and Retention Basins

1. All basins shall be structurally sound and shall be constructed of sound and durable materials. The completed structure and the foundation of all basins shall be stable under all probable conditions of operation and shall be capable of discharging the peak discharge of a post-development 100-year storm event through the emergency spillway facilities, in a condition that assumes the primary outlet(s) are blocked, which will not damage the integrity of the facility or the downstream drainage areas.
2. The effect on downstream areas if the basin embankment fails shall be considered in the design of all basins. Where possible, the basin shall be designed to minimize the potential damage caused by such failure of the embankment.
3. All detention basins shall include an outlet structure to permit draining the basin to a completely dry position within twenty-four (24) hours.
4. All outlet structures and emergency spillways shall include a satisfactory means of dissipating the energy of flow at its outlet to assure conveyance of flow without endangering the safety and integrity of the basin and the downstream drainage area.
5. A cutoff trench of relatively impervious clay material shall be provided within all basin embankments, except for those embankments with side slope ratios of three (3) horizontal to one (1) vertical or flatter. Embankments with flatter side slopes shall have a key trench.
6. All culverts through basin embankments shall have properly spaced concrete cutoff collars or welded anti-seep collars.
7. A minimum one (1) foot freeboard above the design elevation of the 100-year storm event water surface at the emergency spillway shall be provided.
8. No outlet structure from a detention basin or swale shall discharge directly onto any publicly used Municipal, State, or private street, but shall discharge into a culvert under or along the road.
9. The minimum top width of dams up to ten (10) feet in height shall be equal to two-thirds (2/3) of the dam height, but in no case shall the top width be less than five (5) feet.
10. All detention and retention ponds shall be completely surrounded by a fence not less than four feet nor greater than eight feet in height and be constructed as not to have openings, holes or gaps that a sphere with a diameter of four inches can

pass through, except for gates. All gates shall be self-closing and self-latching. A waiver may be granted depending on the specifics of the location and alternative methods presented.

F. Maintenance of Stormwater Management Facilities

1. Maintenance is an essential part of the successful functioning of a stormwater management system.
2. Maintenance during development of a project shall be the responsibility of the Developer and/or Landowner and shall usually include but not be limited to:
  - a. Removal of silt from all debris basins, traps or other structures or measures when 50% of capacity is filled with silt;
  - b. Periodic maintenance of temporary control facilities such as replacement of straw bale dikes, straw filters or similar measures;
  - c. Establishment or reestablishment of vegetation by seeding and mulching or sodding of scoured areas or areas where vegetation has not successfully been established;
  - d. Installation of necessary controls to correct unforeseen problems caused by storm events within design frequencies; and
  - e. The Contractor or Developer shall be responsible for removal of all temporary measures and installation of permanent measures upon completion of the project.
3. Maintenance of the project after physical completion:
  - a. The Applicant or his/her agent shall demonstrate that any facilities intended to be installed and located on an individual or group of individual lots can be adequately maintained by the homeowner(s) and/or lot Owner(s).
  - b. It is the purpose of this Ordinance that Venango County or the Municipality in which the facility is located shall not become responsible for maintenance and supervision of developed areas. Such responsibility falls upon the party responsible for land development who shall remain personally responsible for those areas of the development that are subject to the requirements of this Ordinance.

This responsibility may be retained or assigned to third persons as is deemed most acceptable to the party responsible for land development. In the event that any portion of land development would, but for the existence of areas requiring maintenance subject to this Ordinance, be dedicated to the Municipality, the Contractor or Developer may make application to the Municipality for acceptance by the Municipality of such portions of the land development. In the event that the Municipality, by formal action, accepts such portions of land development, maintenance and responsibility for such portions shall fall upon the Municipality.

c. It is the intent of this Ordinance that the purposes of the Ordinance shall be carried out through the exercise of responsibility by private parties, and therefore it is anticipated that control plans shall be developed with the view towards projects that can effectively be contained within the tracts to be owned and maintained by private parties.

To foster this purpose, with respect to portions or parts of a project as shown on a plan of a developer or contractor, which portions will not otherwise become part of municipal property, such portions shall become the responsibility of the individual property owners on whose property such portions of a project lie including but not limited to retention ponds, detention ponds, sediment basins,

energy dissipaters or grassed water-ways. Persons including contractors and developers conveying property of a development to another party, which property contains any portions of a Stormwater Management Plan, after that plan has been established, shall include a specific deed reference to such grantee's responsibility for the maintenance and care of the portions of such project as are included within said grantee's conveyed property. The deed reference to such portions shall be in the form of a deed restriction imposing responsibilities upon said property Owner for the maintenance of the portions of the project within the boundary lines of said property as may be necessary for proper maintenance of the project in accordance with the terms of this Ordinance. Such maintenance shall include the following:

- 1) Liming and fertilizing vegetated channels and other areas according to specifications in the DEP "Erosion and Sediment Pollution Control Program Manual."
- 2) Reestablishment of vegetation by seeding and mulching or sodding of scoured areas or areas where vegetation has not been successfully established.
- 3) Mowing as necessary to maintain adequate strands of grass and to control weeds. Chemical weed control may be used if State and local regulations are met. Selection of seed mixtures shall be acceptable to the Commission.
- 4) Removal of silt from all permanent structures that trap silt or sediment in order to keep the material from building up in grass waterways and thus reducing their capacity.
- 5) Repair of structural damage or deterioration of any kind, including the repair and maintenance of sinkholes and/or similar failures whether naturally occurring or created by human action.
- 6) Regular inspection of the areas in questions to assure proper maintenance and care.

d. The deed restrictions hereinabove mentioned shall also include notice that in the event the individual property owners should fail to comply with the terms of this Ordinance for the maintenance and care of the land in question, the Municipality shall have the authority to carry out those duties hereby imposed upon individual property owners. The Municipality may, after giving notice to an individual property Owner that is not properly maintaining the areas subject to this Ordinance, and by making demand that such compliance shall be made within thirty (30) days, enter upon said private property and take such actions as may be required to bring the area into compliance with this Ordinance. The property Owner shall be responsible for reimbursing the Municipality for any and all costs incurred in its actions required to bring the area into compliance with this Ordinance. Should the property Owner fail to reimburse the Municipality, the Municipality shall further have the right to file a municipal lien against such property for the cost of maintenance work carried out under this section.

e. Where the Municipality accepts dedication of all or some of the required stormwater management facilities following completion, the Municipality may require the posting of financial security to secure structural integrity of said facilities as well as the functioning of said facilities in accordance with the design and specifications as depicted on the approved stormwater

management plan for a term not to exceed eighteen (18) months from the date of acceptance of dedication. Said financial security shall be the same type as required with regard to installation of such facilities, and the amount of the financial security shall not exceed fifteen (15%) percent of the actual cost of installation of said facilities.

#### G. Ownership and Maintenance

1. Prior to granting of final approval by the Commission of a plan the Applicant shall either (1) satisfactorily establish that the permanent facilities are part of a portion of ground to be dedicated to the Municipality for reasons other than the maintenance of land subject to this Ordinance, or (2) present to the Commission a copy of restrictions with an affidavit stating that such restrictions shall be added to the deed of conveyance to each grantee to whom property of the development is to be conveyed.
2. When permanent stormwater management facilities and ownership to these facilities are dedicated to and accepted by the Municipality or County, it shall be the Municipality or County's responsibility to maintain these facilities.
3. The Municipality or County shall have the right in addition to those provisions above set forth, to require the Applicant, Owner or Developer to post a bond with the Municipality prior to the time of approval of the Plan in order to assure the faithful performance of the requirements of this Ordinance in the course of completing the land development.

#### H. Modification of Facilities

A modification that involves a change in stormwater management control methods or techniques, or that involves the relocation or redesign of control measures, or that is necessary because soil or other conditions are not as stated on the approved plan, shall require the submission of a revised plan by the Developer in accordance with the plan requirements as set forth in this Ordinance.

#### I. Exemptions

The stormwater management provisions of this Section shall not apply to projects proposing 5,000 square feet or less of new impervious coverage, and where the impervious area does not exceed 10% of the total lot area. Development that is planned to occur in stages or phases will be considered in its entirety, and proposed semi-pervious areas such as stone driveways shall be considered as impervious for the purpose of determining exemption. The Applicant must show that there will be no adverse impact on downstream property owners or stormwater facilities. When in the opinion of the Commission or Municipal Engineer an adverse condition will be created or an existing condition aggravated, individual on-lot systems may be required for development requesting an exemption. The size and design of the individual system shall be determined by the amount of projected stormwater runoff from the property.

#### J. Best Management Practices (BMP)

When not required by DEP, the Venango County Regional Planning Commission encourages the use of Best Management Practices in control of stormwater runoff. The Pennsylvania Handbook of Best Management Practices should be consulted for compliance and implementation of Best Management Practices.

#### 501.21 Stormwater Management Easements

A. Easements with a minimum width of 15 feet plus the width of any physical improvement, or with the minimum width of any natural swale shall be provided as necessary for all utilities and drainage facilities, including installation of "private"

utility services.

B. Above ground utilities shall be placed along the rear or side lot lines unless they exist along the street prior to the submission of the Preliminary Plan to the County.

C. Easements for installation of underground conduits for electric power, telephone and television cable lines shall be provided so that each lot or leased unit can be practically served.

D. To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.

E. Where a major subdivision is traversed by a water course, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such water course and of such width as will be adequate to preserve natural drainage.

### **501.3 Sewers**

Where a public sewer system is reasonably accessible to the subdivision or land development, the subdivider shall provide the subdivision or land development with a complete sanitary sewer system to be connected to the public sanitary system. All necessary mains and laterals for connection from the lots to the public sewage system as shown on the preliminary plan shall be installed by the subdivider, in accordance with requirements of the Pennsylvania Department of Environmental Protection.

Where public sewage is not reasonably accessible and proposed sewage treatment is on-site, the subdivider shall submit evidence to the Commission that each lot of the proposed subdivision or land development will be suitable for on-site sewage disposal. The evidence must bear the signature of the municipal sewage enforcement officer or a representative the Department of Environmental Protection in accordance with the administration of the Pennsylvania Sewage Facilities Act, as amended. The Plan shall show the location of any and all test pits and percolation tests.

If any newly created lot contains an existing on lot sewage system, the location of such system shall be shown on the plan. The Commission may require documentation that such system is functional.

### **501.4 Water Supply**

Where public water supply is reasonably available to the subdivision of land development, the subdivider shall connect to such public water supply and construct water mains to service each lot in accordance with the requirements of the Pennsylvania Department of Environmental Protection. Fire hydrants shall be provided as an integral part of the public water supply system.

Where no public water supply is available, all wells shall be drilled, cased, installed, and located under the supervision of a Pennsylvania Department of Environmental Protection representative.

### **501.5 Monuments**

For all major subdivisions, permanent monuments of precast concrete, durable stone, plastic survey markers, aluminum or other durable metal or other permanent material at least thirty (30) inches in length with a minimum width of three (3) inches its entire length shall be set. At a minimum two (2) monuments shall be set for every ten (10) lots.

These monuments need not be closer than two hundred (200) feet to each other. In addition, at least two (2) tract corners must be set with a monument. In no case shall there be less than four (4) monuments for a major subdivision.

For all subdivisions, major and minor, corner markers shall be at least five eighth (5/8) inch metal pin with a minimum length of thirty (30) inches to be permanently located.

Other monuments or comparable size and material will be considered adequate, provided they comply with the standards of the Pennsylvania Society of Land Surveyors.

**All such markers shall be stamped by the manufacturer with the name of the survey company or surveyor in order to document in the future that said markers are boundary survey markers.**

### **501.6 Off-Street Parking**

Each proposed dwelling unit in a subdivision shall be provided with two (2) off-street parking spaces. These spaces may be provided as an individual garage, carport, or driveway, preferably located behind the building line, or in a parking compound adjacent to or near the dwelling units it serves. The overall average parking space shall have an area of not less than one hundred sixty-two (162) square feet or a minimum of nine (9) feet by eighteen (18) feet.

Land development within the scope of this Ordinance shall provide not less than one (1) parking space for each two hundred (200) square feet of the gross area, exclusive of storage area. Access to off-street parking shall be limited to well-defined locations, and in no case shall there be unrestricted access along the length of a street.

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

Parking lots constructed for 20 or more vehicles shall be landscaped to the satisfaction of the Commission. Parking lots for 20 or more vehicles shall be lighted to the satisfaction of the Commission. In no case shall the spill over of light at grade at the property line exceed .2 lumens.

### **501.7 Utilities**

The subdivider shall provide evidence that the proposed subdivision or land development can be served by electric and/or natural gas. A letter from the service company stating the availability of the gas/electric service for that particular development will be adequate for that particular development will be adequate to meet this requirement.

## **502 RECOMMENDED IMPROVEMENTS**

Although the following improvements are not required, they are recommended as being very valuable to the safety, convenience, and attractiveness of a development.

### **502.1 Recreation Areas**

Areas for parks or playgrounds may be reserved. Those developments making reservation for recreation areas may be granted by the Commission up to a five (5) percent reduction in required lot width and/or area to offset the number of lots that could otherwise have been in the reserve area. For developments in municipalities that have adopted a local zoning ordinance or other land use control that established lot area with width requirements, this provision shall not be allow a reduction below those minimum requirements. Provision for proper maintenance of the recreation area must be provided. The Commission shall require construction and maintenance guarantees for all recreation areas intended to be owned by any governmental entity. The Commission may, at its discretion, require construction and maintenance guarantees for any recreation areas that are intended to be owned by any property owners association, condominium association or similar body.

### **502.2 Street Lights**

When streetlights are to be provided, the developer shall be responsible for making the necessary arrangements with the municipality and the appropriate public utility company.

### **502.3 Street Trees**

Street trees of a deciduous-hardwood type with a minimum caliper of one and one-half inches shall, when provided, be planted between the curb and sidewalk, or between the curb and sidewalk, provided the planting strip is a minimum of six (6) feet wide.

### **502.4 Curbs**

Curbs should be provided in subdivisions, which have a typical lot width at the building line of eighty-five (85) feet or less.

### **502.5 Access to Public Transportation Facilities**

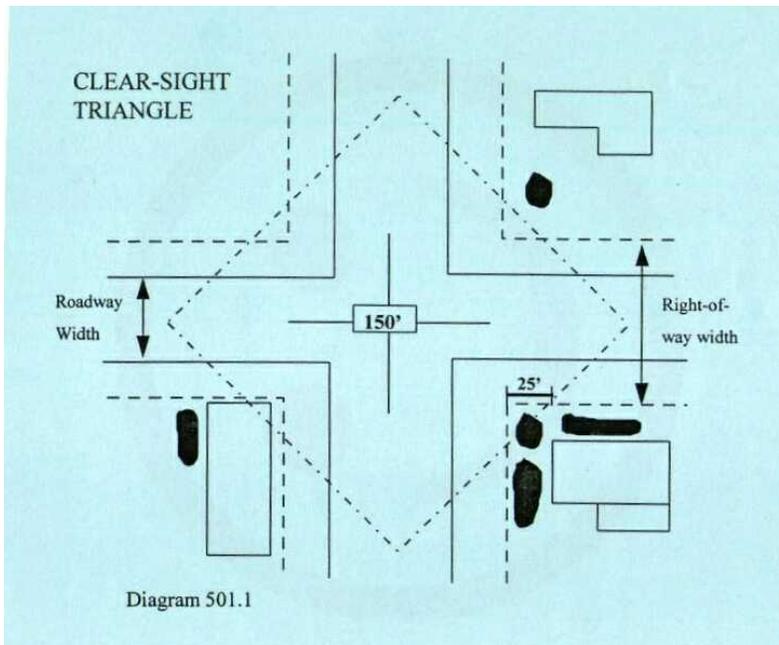
All major subdivisions and land developments as defined in this ordinance shall show on the plan a designated and dedicated pick-up/drop-off location for public bus transportation.

## **505 OTHER IMPROVEMENTS**

The Commission may require the provision of the improvements included in Section 502 or any other improvements as the Commission determines is necessary for the subdivision or land development to meet the intent of this Ordinance.

### **Additional Requirements:**

**505.1 - Visibility at Intersections** - No obstruction to vision (except street signs, utility poles or traffic signs, approved by the State, County or any Municipality; existing buildings, posts, columns or trees) shall be erected, place, planted or allowed to grow in a manner which would impede vision between a height of two and one-half feet (2 1/2') and ten feet (10') above the grades of the intersecting streets. The clear sight triangle shall be formed by the street intersection, created by the right-of-way line of each street extended to a point, and a line between the two (2) points on the right of way line of each street, each located twenty-five feet (25') from the street intersection. (See Diagram 501.1).



**505.2 - Fences, Walls, Hedges and Trees** – All fences, walls, hedges and trees shall be permitted in any yard provided that no fence, wall, or hedge abutting any public right of way shall exceed thirty-six inches (36”) in height at intersections. Ornamental fences exceeding thirty-six inches (36”) in height shall be permitted at intersections, provided that said fence contains no more than twenty-five percent (25%) coverage of the total area of the face of said fence.



**505.3 – Parking**

**A.** All uses containing drive-in/drive through uses shall contain a stacking or waiting lane.

Activity Type	Minimum Stacking Spaces	Measured From
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Bank teller lane	4	Teller or Window
Automated teller machine	3	Teller
Restaurant drive-through	6	Order Box
Restaurant drive-through	4	Order Box to Pick-Up Window
Car wash stall, automatic	6	Entrance
Car wash stall, self-service	3	Entrance
Gasoline pump island	2	Pump Island
Other	Determined by applicable Engineer based on Traffic Study	

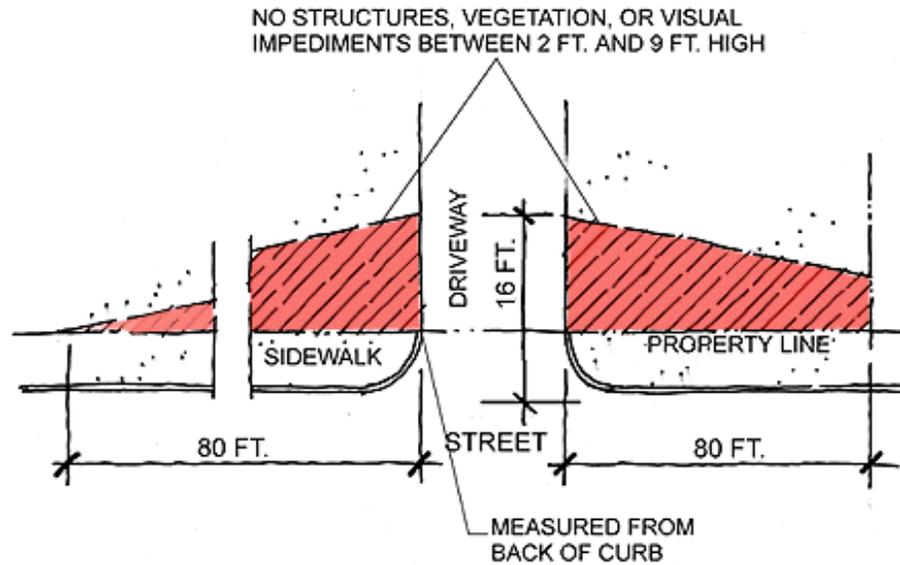
1. Design and Layout - Required stacking spaces are subject to the following design and layout standards.
  - a. Size - Stacking spaces must be a minimum of 8 feet by 20 feet in size.
  - b. Location - Stacking spaces may not impede on- or off-site traffic movements or movements into or out of off-street parking spaces.
  - c. Design - Stacking spaces must be separated from other internal driveways by raised medians if deemed necessary by the Planning Commission for traffic movement and safety.

B. Should two or more uses, with different hours of operation, be located in the same structure or parcel, these uses can share parking spaces for that use which would require the highest number of spaces

C. Parking Lot layout, landscaping, buffering and screening shall prevent direct views of parked vehicles from public streets or sidewalks, avoid spill-over light, glare, noise or exhaust fumes onto adjacent properties and provide the parking area with a reasonable measure of shade, when trees reach maturity.

D. Accessible Parking for Physically Handicapped Persons - A portion of the total number of required off-street parking spaces in each off-street parking area shall be specifically designated, located and reserved for use by persons with physical disabilities.

F. Visibility - Visibility of a driveway crossing a street property line shall not be blocked between a height of 2 feet and 9 feet for a depth of 16 feet from the back of curb. This driveway visibility zone shall extend along the edge of the right-of-way on either side of the driveway for a distance of 80 feet or to the nearest property line intersecting the street property line, whichever is less.



**Driveway Visibility**

**G. Screening and Landscaping** - Parking lots should be effectively landscaped with trees and shrubs to reduce the visual impact of glare, headlights, and parking lot lights, to delineate driving lanes and define rows of parking. Furthermore, parking lots should be adequately landscaped to provide shade in order to reduce the amount of reflected heat and to improve the aesthetics of parking lots.

1. All off-street parking areas which provide more than twenty (20) parking spaces shall be screened from any residential use that is abutting or across the street or alley from the parking lot.
2. Screening may be accomplished by the placement of adjacent buildings, a solid fence, or by the provision of a maintained hedge.
3. A solid fence shall be a minimum of six feet in height, constructed of a durable material and visually attractive materials.
4. A shrubby hedge of sufficient and acceptable plants shall be a minimum of 36-inches in height at the time of planting and be spaced not less than 36-inches apart. The shrubby hedge shall not exceed 10-foot in height at maturity.



**Landscape Buffers**

**505.4 Connectivity of development.**

A. Connectivity

To the maximum practical extent, subdivisions and land developments shall be laid out and designed to provide walkways and paths that connect with destinations such as parks, schools, and shopping areas. Pedestrian connectivity shall be required for adjacent non-residential development.

B. Location of Existing and Planned Transit Routes

Any proposed subdivision and/or land development shall take into account the location of existing and planned transit routes and provide vehicular and pedestrian connections to any transit points within or adjacent to the development.

C. Design Standards

1. Pedestrian connection (trail connection) easements ten (10) feet wide may be required by the Commission through the center of blocks more than six hundred (600) feet long, to provide circulation or access to schools, playgrounds, shopping, or other community facilities.
2. Sidewalks, where provided, shall be located within and be parallel to the street right-of-way; however, alternative locations will be considered to preserve topographic features or to provide visual interest, provided the applicant shows that an alternative system maintains safe and convenient pedestrian circulation to the satisfaction of the Commission.
3. The minimum width of all sidewalks and pathways shall be five (5) feet. Wider widths may be necessary near major pedestrian generators and employment centers and to accommodate federal Americans with Disability Act (ADA) requirements.
4. The grades and paving of the sidewalks shall be continuous across driveways except in non-residential and high-density developments and in certain other cases where heavy traffic volume dictates special treatment.

5. The sidewalk shall be constructed of at least four (4) inches of Class AA concrete and a six (6) inch depth at intersections, and handicap and curb cut ramps and shall include rebar reinforcement. All curbs and sidewalks shall be underlain by four (4) inches of compacted crushed stone or gravel. Where sidewalks cross streets serving commercial and industrial uses the Commission may impose additional requirements.
6. Pathways may be constructed of other materials including pervious materials, provided that the proposed materials and construction are appropriate to the surrounding land use and to the expected volume of pedestrian traffic, and are approved by the Commission Engineer.
7. Sidewalks and pathways shall be laterally pitched at a slope toward the street not less than one eighth (1/8) inch per foot to provide for adequate surface drainage.
8. At corners and pedestrian street-crossing points, sidewalks shall be extended to the curb line with an adequate apron area for anticipated pedestrian traffic and curb cuts and ramps designed in accordance with ADA accessibility requirements.
9. Sidewalks and pathways shall not exceed a seven (7) percent grade. All sidewalks and ramps, e.g. slopes greater than five (5) percent, shall be designed in accordance with federal ADA accessibility requirements.

## **ARTICLE 6 – PLAN SPECIFICATIONS**

- 601 Sketch Plan
  
- 602 Preliminary Plan
  - 602.1 Drawing Requirements
  - 602.2 Information
  
- 603 Final Plan
  - 603.1 General Drawing Requirements
  - 603.2 Additional Information, Minor Plan
  - 603.3 Additional Drawing Requirements, Major Plan
  - 603.4 Additional Information, Major Plan

## **ARTICLE 6 – PLAN SPECIFICATION**

### **601 SKETCH PLAN**

A sketch plan may be submitted by the subdivider as a basis for informal discussion with the Commission Staff. Information furnished by the sketch plan level is at the discretion of the subdivider but should be of appropriate detail and accuracy for a meaningful discussion. The following information is suggested for a sketch plan submission:

1. Tract boundary and municipality in which the subdivision or land development is located.
2. North point
3. Existing streets on and adjacent to the tract as well as proposed new street layout.
4. Topographic and physical features (use of the U.S.G.S. quadrangle maps is suggested.)
5. Proposed lot layout.
6. Municipal zoning information.
7. Municipal sewage disposal method.
8. Erosion and sedimentation control measures.
9. Stormwater management plan.

### **602 PRELIMINARY PLAN**

The subdivider shall submit four (4) copies of the preliminary plan drawing and one (1) copy of other required material. The plan can be either black and white or blue and white prints with a sheet size of eight and one-half by fourteen (8½ x 14) inches to seventeen by twenty-four (17 x 24) inches. A key map must be provided if more than one (1) sheet is used. The drawing scale shall be between twenty (20) feet and one hundred (100) feet to the inch.

#### **602.1 Drawing Requirements**

The preliminary plan drawing shall show the following information:

1. Subdivision or land development name or title and the municipality in which it is located.
2. Name and address of the tract owner or authorized agent.
3. Date, north point and graphic scale.
4. Total acreage or the tract and number of proposed lots or dwelling units.
5. Zoning requirements, including district, lot area, width and yard requirements.
6. Tract boundaries showing accurate distances and bearings stated to the nearest hundredth of a foot. A maximum closure error of 1 in 10,000 is permitted.
7. Contours and vertical intervals of ten (10) feet.
8. The names of all owners of adjacent land including existing or proposed subdivisions or land developments; locations and dimensions of all existing streets, roads, railroads, sewer lines, water lines, fire hydrants, electric and oil transmission lines, watercourses, and other significant

- features within four hundred (400) feet of any part of the property proposed to be subdivided or developed; and the location of all buildings and trees within the property.
9. The full plan of the development showing the location and width of all proposed streets, utility easements, parks, public areas; sewer and water facilities; building setback lines; proposed lot lines and approximate dimensions; lot numbers in consecutive order; areas proposed for public use together with the conditions of such dedication or reservation,
  10. Location and estimated quantities of cut and fill to be made.
  11. A vicinity map, for the purpose of locating the site to be subdivided or developed, at a minimum scale of two thousand (2,000) feet to the inch, showing the relationship of the tract to the adjoining properties and to all streets, schools, parks, and municipal boundaries existing within one thousand (1,000) feet of any part of the parcel to be subdivided or developed.
  12. Centerline profiles and cross-sections for each proposed street. This information may be submitted as a separate sheet.

## **602.2 Information**

Other information required in addition to the plan drawing includes:

1. Erosion and sedimentation control plan in accordance with the Department of Environmental Protection standards. Evidence of approval by the Venango County Conservation District must accompany the plan.
2. Provision for proper surface drainage and stormwater management system including but not limited to the location, dimension, and type of system to be utilized. The calculations and assumptions used to design the system must be presented.
3. Approval from the Department of Environmental Protection for the sewage disposal system, including on-lot or an extension of a community system.
4. Designs of bridges and culverts. These designs may be submitted as separate sheets.
5. Where the preliminary plan covers only a part of the subdivider's entire holdings, a sketch plan of the future street system of the unsubmitted part shall be furnished.
6. Proposed street names, including a letter from the area postmaster stating that the proposed names do not duplicate names of existing streets.
7. A draft of covenants to run with the land.
8. A tentative time schedule for the proposed sequence of development.
9. A statement of intention regarding the installation of required improvements or submission of a performance guarantee.
10. Written comments from the local municipal governing body and planning commission.
11. A statement of intention regarding street and public use area dedication.
12. Evidence of roadway location approval from the Pennsylvania Department of Transportation if the proposed new roads enter onto a State highway.

13. Evidence of a maintenance agreement acceptable to the Commission and municipality concerning perpetual maintenance of the stormwater management system, roads, etc.
14. A completed "Community Impact Analysis" Form and any information submitted to any Federal, State, County, or Municipal permitting body related to the application for development.

### **603 FINAL PLAN**

The subdivider shall submit six (6) black and white or blue and white prints of the final plan drawing and one (1) copy of all other required information. Sheet size must be eight and one half by fourteen (8½ x 14) inches to seventeen by twenty-four (17 x 24) inches or a size in between those dimensions with twenty-four by thirty-six (24 x 36) inches in exceptional cases. The drawing scale must be between twenty (20) feet and one hundred (100) feet to the inch. A key map must be provided if more than one (1) sheet is used.

#### **603.1 General Drawing Requirements**

The final plan drawing for a major subdivision shall show the following information.

1. Name of the subdivision or development, the municipality in which it is located, name and address of the tract owner or authorized agent, north point, graphic scale, and date.
2. Minimum lot area, total number of lots, acreage of the area of development, as well as the entire tract, proposed land use.
3. Zoning requirements, including district, lot area, width and yard requirements, and necessary municipal approval of any variances.
4. Lot lines with accurate bearings and distances stated to the nearest hundredth of a foot. A maximum closure error of 1 in 10,000 is permitted. A designated starting point must be shown with bearings and distances from an established point.
5. Complete curve data for all curves including radius, delta angle, tangent, arc and chord.
6. Flood hazard areas and historic places.
7. Location and material of all monuments and lot markers in accordance with Section 501.5 of this Ordinance.
8. Accurate locations of all streets adjacent to the subdivision or land development.
9. Building setback lines as required by the local zoning ordinance or Section 406 of this Ordinance.
10. Utility and stream easements.
11. A vicinity map showing the relation of the subdivision or land development. Adjoining properties, and all streets and municipal boundaries within one thousand (1,000) feet of the subdivision or land development.
12. Certification with seal by a Pennsylvania registered land surveyor to the effect that the survey and plan are correct.

13. A statement duly acknowledge before a notary and signed by the owner of the property to the effect that the subdivision or land development shown on the final plan is the act and deed of the owner of the property shown on the survey plan and desires the same to be recorded as such.
14. A 3"x 5" signature block for the Commission containing lines for the signatures of the Subdivision Administrator, Planning Director, Board Chair, date, and approval number.
15. Clear sight triangle as required by Section 403.2 (d) at any street intersection.
16. The Venango County assessment number for the parent lot or lots of the subdivision or land development.

### **603.2 Additional Drawing Requirements, Final Plan**

The final plan for a major subdivision shall include all items required by section 603.1 of this Ordinance in addition to:

1. Contours at vertical intervals of ten (10) feet
2. Street names, street centerlines with accurate dimensions and bearings and accurate distances and bearings to the nearest existing street intersection. Any clear sight triangles as required by Section 403.2 (d) must be shown with a note that no building or obstruction is permitted in this area.

### **603.3 Additional Information, Major Plan**

The final plan for a major subdivision/land development shall be accompanied by:

1. Final profiles, typical cross-sections and specifications for streets, sanitary and storm sewers, and water distribution systems shall be shown.
2. All covenants or agreements relating to open space reservation including a maintenance agreement covering the stormwater management system and erosion and sedimentation control devices.
3. Certificate of dedication of streets and other public areas.
4. A certification from the subdivider that all required improvements have been made or a performance guarantee in accordance with Section 304 is submitted.
5. Written comments from the municipal governing body and local planning commission.
6. Department of Environmental Protection certification that public water and sewage facilities are available for the subdivision or land development and where they are not, certification that these facilities can be provided on-site.
7. A completed "Community Impact Analysis" Form and any information submitted to any Federal, State, County, or Municipal permitting body related to the application for development.

**ARTICLE 7 – MOBILE HOME PARKS & RECREATIONAL VEHICLE PARKS**

701 Mobile home Parks

702 Recreational Vehicle Parks and Campgrounds

**ARTICLE 7 – MOBILE HOME PARKS & RECREATIONAL VEHICLE PARKS**

Notwithstanding any other provisions of this Ordinance, the following requirements shall apply specifically to the planning and development of mobile home parks and recreational vehicle parks. Further, the provisions of this Article are intended to supplement and compliment any applicable municipal, county, state, or other laws or ordinances regulating mobile home parts and recreational vehicle parks.

**701 MOBILE HOME PARKS**

Except as specifically provided for in this Article, mobile home parks shall be developed in accordance with the required improvements and design standards set forth in this Ordinance.

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

- 701.1** All mobile home parks shall have an area of not less than five (5) acres.
- 701.2** Each mobile home lot within the park shall have an area of at least five thousand (5,000) square feet.
- 701.3** Each mobile home lot shall be platted to permit a minimum of thirty (30) feet between individual mobile home, and not less than forty (40) feet between any mobile home and an adjacent property line abutting the mobile home park.
- 701.4** The park shall be appropriately landscaped and screened from adjacent properties. Screening may consist of one or several rows of evergreen bushes or trees, a natural or constructed topographical feature, and other appropriate means approved by the Commission for restricting visual contact with the park.
- 701.5.** All mobile home parks shall be reviewed as a major subdivision.

**702 RECREATIONAL VEHICLE PARKS AND CAMPGROUNDS**

When a recreational vehicle park or campground is located in a municipality having a legally adopted zoning ordinance, the site shall be designed in accordance with the applicable zoning standards. In the absence of a zoning ordinance, the following requirements shall apply:

- 702.1** All recreational vehicle parks and campgrounds shall be reviewed as a major subdivision and must comply with all the requirements of this Ordinance except as specifically noted in Section 702.9
- 702.2** The park or campground shall be designed to serve the short term placement of recreational vehicles and camping units and no vehicle shall be used as a permanent place of abode, dwelling, or business.
- 702.3** A permanent dwelling may be located in the park site for the park manager.
- 702.4** Recreational vehicle parks and campgrounds shall have an area of five (5) or more acres.
- 702.5** Each recreational vehicle site and campsite within the park or campground shall have an area of at least one thousand five hundred (1,500) square feet with a minimum width of thirty (30) feet.
- 702.6** Each site shall be spaced so the vehicles are at least twenty (20) feet apart and no closer and fifty (50) feet to an adjacent property.
- 702.7** In addition to one parking space for each site, separate parking areas for visitors shall be provided in the ratio of one-half (.5) parking space for each site in the camp.
- 702.8** Evidence of approval by the Department of Environmental Protection must be submitted in accordance with Chapter 191 Organized Camps and Campgrounds.
- 702.9** A statement of assurance from the applicant that the proposed road system will be improved to a condition that it is passable for vehicles which are intended to use the street. No other details on road construction are needed including Section 602.1 #10 and #12, Section 602.2 #19.

**ARTICLE 8 – ADOPTION**

These Venango County Subdivision and Land Development Regulations are hereby adopted in accordance with action taken at the January 17, 1974, meeting of the Board of Venango County Commissioners.

Joseph Levi, Chairman  
Henry Mackey  
Lewis A. Judson

Ordinance No. 1 of 1976, which amended these regulations, was adopted in accordance with action taken at the December 21, 1976, meeting of the Board of Venango County Commissioners.

Oscar W. Bodamer, Chairman  
Henry Mackey  
Lewis A. Judson

Ordinance No. 2 of 1991 which amends this Ordinance is hereby adopted in accordance with action taken at the February 19, 1991, meeting of the Board of Venango County Commissioners.

Jonathan H. Hutchinson, Chairman  
Oscar W. Bodamer  
Ralph L. Pritchard

Ordinance No. 02 of 2005 which amends this ordinance is hereby adopted in accordance with action taken at the October 5, 2005, meeting of the Board of Venango County Commissioners.

Susan M. Smith, Chairman  
Larry E. Horn  
Gary R. Hutchison

Ordinance No. 01 of 2006 which amends this ordinance is hereby adopted in accordance with action taken at the March 1, 2006, meeting of the Board of Venango County Commissioners.

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Susan M. Smith, Chair Person

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Larry E. Horn

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Gary R. Hutchison

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Attest: Denise Jones, Chief Clerk