

ARTICLE III PLAN PROCESSING

301 General

All plans for the subdivision and/or development of land within the corporate limits of the municipalities governed by this Ordinance shall be submitted to and reviewed by the Susquehanna County Planning Commission and other Municipal, State and/or County Officials as provided in this Ordinance, and shall be approved or disapproved by the Planning Commission in accordance with the procedures specified in this Article.

302 Sketch Plan

302.1 Optional - Sketch Plans

Applicants are **VERY STRONGLY ENCOURAGED**, but not required, to submit a Sketch Plan to the Planning Commission prior to the submission of a Preliminary Plan, Land Development Plan or Minor Plan. The purpose of the Sketch Plan is to:

1. Avoid costly revisions to detailed Preliminary Plans prepared before a general consensus on the layout is reached with the Planning Commission.
2. Determine if the plan is a major or a minor subdivision and/or land development.
3. Assist applicants and officials to develop a better understanding of the property.
4. Establish an overall design approach that respects its special or noteworthy features while providing for the density permitted under the ordinance.
5. Determine the extent to which the plan generally conforms with the provisions of this Ordinance.
6. Determine any design parameters deemed necessary by the Planning Commission for conformance to the Susquehanna County Comprehensive Development Plan.

302.2 Contiguous Holdings

When an application includes only a portion of a landowner's entire tract or when such portion is contiguous to an adjoining tract of the landowner, a sketch layout shall be included showing future potential subdivision of all the contiguous lands belonging to the landowner to ensure that subdivision may be accomplished in accordance with current codes and with appropriate access. Submission and review of the sketch plan described in this section shall not constitute approval of the future subdivision shown thereon.

302.3 Non-formal Filing

A Sketch Plan shall be considered a submission for discussion between the Applicant and the Planning Commission and shall not constitute a formal filing of a plan with the Planning Commission. All Sketch Plans submitted shall be so noted on the Plan and in the minutes of the Planning Commission.

302.4 Review of Sketch Plan

The Planning Commission and/or the Planning Department shall review the Sketch Plan in accordance with the criteria contained in this ordinance and with other applicable ordinances of the County or municipality. The review shall informally advise the applicant of the extent to which the proposed subdivision or land development conforms to the relevant standards of this and other ordinances, and may suggest possible plan modifications that would increase its degree of conformance.

303 Preliminary Plans for Major Subdivisions

All applications for preliminary plans for major subdivisions shall be submitted to the Susquehanna County Planning Commission and processed in accord with this §303. Plans for major subdivisions that propose no improvements as defined in Section II may receive preliminary and final approval at the same time.

303.1 Pre-Application Meeting - A pre-application meeting is encouraged between the applicant, the site designer, and the Planning Commission (and/or the Planning Department), to introduce the

applicant to the subdivision regulations and procedures, to discuss the applicant's objectives, and to schedule site inspections, meetings and plan submissions as described below.

303.2 Official Submission of Preliminary Plans

303.2.1 Plan to be Filed With the Commission - Copies of the Preliminary Plan and all required supporting documentation shall be submitted to the Planning Department by the Applicant or his authorized representative at least fourteen (14) days prior to the Planning Commission meeting at which the Applicant applies for the "Official Date of Preliminary Plan Submission".

303.2.2 Number of Copies to be Submitted - The official submission of the Preliminary Plan shall include the following:

- A. One (1) completed copy of the subdivision plan application.
- B. Eight (8) legible paper prints of the Preliminary Plan.
- C. Two (2) copies of the required sewage planning module(s) and associated documentation.
- D. Two (2) copies of all other required supporting data and information as required in Article IV of this Ordinance.

303.2.3 Preliminary Plan Filing Fee - The Planning Department shall collect a Preliminary Plan filing fee as established by resolution of the Planning Commission for all subdivisions.

- A. Fees shall be charged in order to cover the costs of examining plans and other administrative expenses associated with the review of subdivisions.
- B. The Applicant shall pay the fee at the time of initial submission of the application to the Planning Department, made payable to Susquehanna County.

303.2.4 Preliminary Plan Submission Receipt - Upon receipt of the Preliminary Plan and supporting data the Planning Department shall check the submission for the required number of copies of all documents.

- A. If the submission contains the required number of copies of all documents, the Planning Department shall receive said plans and documentation, complete the submission receipt noting same and provide a copy of the plan submission receipt to the Applicant.
- B. If the submission does not include the required number of copies of all documents, the Planning Department shall complete the plan submission receipt noting any and all deficiencies or omissions in the submission, provide a copy of the plan submission receipt to the Applicant, and return all documents to the Applicant.
- C. The plan submission receipt shall only verify that the correct number of copies of all plans and documentation has been submitted and shall in no way be construed to be a plan submission verification which is required to start the ninety (90) day review period.

303.2.5 Distribution of the Preliminary Plan - The Planning Department shall promptly, after the date of submission receipt and after all required fees have been collected, refer the Preliminary Plan and applicable supporting documents to the affected municipality and may refer the Preliminary Plan to the following who shall provide any comments and recommendations in writing to the Planning Department.

- A. The Planning Commission Engineer
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- B. Any other Engineer or Consultant designated by the Planning Commission.
- C. Erosion and Sedimentation Control Plan - if required, the Applicant shall submit the project Erosion and Sedimentation Control Plan to the Susquehanna County Conservation District.

303.2.6 Official Date of the Preliminary Plan Submission - The official date of the Preliminary Plan submission shall be determined as follows:

- A. Upon receipt of a plan in accordance with §303.2.4 the Planning Department shall perform an initial review of the plan to determine whether the plan is in the proper form for review by the Planning Commission.
- B. At the first regularly scheduled meeting of the Planning Commission following the receipt of the Preliminary Plan by the Planning Department the Planning Commission shall consider the initial review of the plan by the Planning Department to determine if the plan is in proper form for review.
 - 1. If the submission is not in the proper form for review the Applicant shall be notified in writing of the deficiencies and the submission shall be rejected.
 - 2. If the submission is complete and acceptable for review, the Planning Commission shall execute an official submission verification listing the date of said meeting as the official date of the Preliminary Plan submission and forward said verification to the Applicant. This shall start the ninety (90) day review period.
- C. If the first meeting of the Planning Commission following the date of submission occurs more than thirty (30) days following the date of submission receipt established in accord with §303.2.4 of this Ordinance, the ninety (90) day review period shall be measured from the thirtieth (30th) day following the day of said submission receipt.
- D. If the application is being submitted after a final order of the court remanding the application to the County, the ninety (90) day review period shall be measured from the date of the meeting of the Planning Commission next following the final order of the court. If the first meeting of the Planning Commission occurs more than thirty (30) days following the final order of the court, the ninety (90) day review period shall be measured from the thirtieth (30th) day following the final order of the court.

303.3 Preliminary Plan Review and Action

303.3.1 Planning Commission Review and Action Period - The Planning Commission shall make its decision regarding the Preliminary Plan and communicate in writing such decision to the Applicant and the affected municipality within fifteen (15) days of when the decision is made. However, in no case shall the period for review and action, including the written communication to the Applicant, exceed ninety (90) days from the "Official Date of the Preliminary Plan Submission" as established pursuant to §303.2.6.

303.3.2 Approval with Conditions - When a Preliminary Plan is approved with conditions, such conditions shall be expressly included in the minutes of the Planning Commission meeting at which the Preliminary Plan is considered and communicated in writing to the Applicant and the affected municipality as provided in §303.3.1. When a Preliminary Plan has been approved subject to any conditions and/or modifications and the Applicant does not agree and accept said conditions and/or modifications in writing within fifteen (15) days of receipt of said written notice, said conditional approval of the Preliminary Plan shall become an automatic disapproval and the said plan shall be

resubmitted as required by §303 of this Ordinance, including a new filing fee. The written notice to the Applicant and affected municipality shall include the specific terms of the approval and shall note that failure to agree and accept the conditions is the reasons for denial.

303.3.3 Denials - When a Preliminary Plan is denied, the reasons for such denial, citing specific provisions of this Ordinance or other applicable statute, shall be expressly included in the minutes of the Commission meeting at which the Preliminary Plan is considered, and communicated in writing to the Applicant and the affected municipality as provided in §303.3.1.

303.4 Reviewing Agency and Officials Comments

The Planning Commission may consider the comments and the recommendations provided pursuant to §303.2.5 and may request such additional information as deemed necessary.

303.5 Affected Municipality Comments

No official action shall be taken by the Planning Commission until the Commission has received and considered the comments of the affected municipality, or after thirty (30) days following transmittal of the Preliminary Plan to the affected municipality.

303.6 Sewage Facilities Planning Modules

Preliminary Plan approval shall be conditional upon local municipal sewage planning approval and/or concurrence by the Department of Environmental Protection, and no plans shall be released until verification of DEP and/or local municipal sewage planning approval is received.

303.7 Highway Occupancy Permit

If a highway occupancy permit shall be required for access to a municipal or State road, approval of the preliminary major subdivision plan shall be conditional upon the issuance of a highway occupancy permit by the municipality or PA DOT, as the case may be.

303.8 Public Hearing

The Planning Commission may conduct a public hearing on the proposed Preliminary Plan pursuant to public notice.

303.9 Time Extension

The time period for review of the plan may be extended by mutual agreement of the Applicant and the Planning Commission, and any such agreement shall be in writing.

304 Final Plans for Major Subdivisions

All Final Plans for major subdivisions shall be submitted and processed in accord with this §304.

304.1 Final Plan Application

An application for Final Plan approval can be submitted only when the following conditions have been met:

- A. The subdivision has previously been granted an unconditional Preliminary Plan approval in accord with §303 of this Ordinance or the Applicant has fulfilled all conditions established by the Planning Commission for the Preliminary Plan approval.
- B. All improvements such as roads and drainage facilities (see definition of *improvements* in Article II) that are shown on the Preliminary Plan have been completed or guaranteed in accord with Article V of this Ordinance.

304.2 Final Plan Conformation; Five-Year Protection From Ordinance Changes

The Final Plan shall conform in all principal respects to the previously approved Preliminary Plan. The Planning Commission shall determine whether a modified Final Plan shall be accepted or whether a

new Preliminary Plan shall be submitted pursuant to §303. In accord with §105 of this Ordinance and §508(4) of the MPC, when a preliminary Plan has been approved without conditions or approved by the Applicant's acceptance of conditions, no subsequent change or amendment in the subdivision or other governing ordinance or plan shall be applied to affect adversely the right of the Applicant to commence and complete any aspect of the approved development in accord with the terms of such approval within five (5) years from such approval.

304.3 Sections

Final Plans may be submitted in sections in accord with §508(4)(v)(vi) and (vii) of the MPC, each covering a portion of the entire proposed subdivision as shown on the Preliminary Plan.

- A. Each section in the subdivision, except the last section, shall contain a minimum of twenty-five (25) percent of the total number of lots and/or dwelling units as depicted on the Preliminary Plan except that the Planning Commission may approve a lesser percentage.
- B. When a Final Plan is proposed to be submitted by sections a proposed layout of the sections, their boundaries, the order of submission, and a schedule of submission shall be submitted to the Planning Commission for approval prior to submission of the first section.

304.4 Official Submission of Final Plans

304.4.1 Plan to be Filed With the Planning Commission - Copies of the Final Plan and all required supporting documentation shall be submitted to the Planning Department by the Applicant at least fourteen (14) days prior to the Planning Commission meeting at which the Applicant applies for the "Official Date of Final Plan Submission".

304.4.2 Number of Copies to be Submitted - The official submission of the Final Plan shall include the following:

- A. One (1) completed copy of the subdivision plan review application.
- B. Eight (8) legible paper prints of the Final Plan. Following approval by the Planning Commission and when all required corrections have been made to the Final Plan, six (6) prints shall be submitted for final signature.
- C. One (1) copy of all required sewage disposal approvals and/or permits from the Pennsylvania Department of Environmental Protection.
- D. One (1) copy of the applicable highway occupancy permit.
- E. Two (2) copies of all other required supporting data and information as required in Article IV of this Ordinance.

304.4.3 Final Plan Submission Receipt - Upon receipt of the Final Plan and supporting data the Planning Department shall check the submission for the required number of copies of all documents.

- A. If the submission contains the required number of copies of all documents, the Planning Department shall receive said plans and documentation, complete the submission receipt noting same and provide a copy of the plan submission receipt to the Applicant.
 - B. If the submission does not include the required number of copies of all documents, the Planning Department shall complete the plan submission receipt noting any and all deficiencies or
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omissions in the submission, provide a copy of the plan submission receipt to the Applicant, and return all documents to the Applicant.

- C. The plan submission receipt shall only verify that the correct number of copies of all plans and documentation has been submitted and shall in no way be construed to be a plan submission verification which is required to start the ninety (90) day review period.

304.4.4 Distribution of the Final Plan - The Planning Department shall promptly, after the date of submission receipt and after all required fees, if any, have been collected, refer the Final Plan and applicable supporting documents to the affected municipality and may refer the Final Plan to the following who shall provide any comments and recommendations in writing to the Planning Department.

- A. The Planning Commission Engineer
- B. Any other Engineer or Consultant designated by the Planning Commission.

304.4.5 - Official Date of the Final Plan Submission – The official date of the Final Plan submission shall be determined as follows:

- A. Upon receipt of a plan in accordance with §303.2.4 the Planning Department shall perform an initial review of the plan to determine whether the plan is in the proper form for review by the Planning Commission.
- B. At the first regularly scheduled meeting of the Planning Commission following the receipt of the Final Plan by the Planning Department the Planning Commission shall consider the initial review of the plan by the Planning Department to determine if the plan is in proper form for review.
 - 1. If the submission is not in the proper form for review the Applicant shall be notified in writing of the deficiencies and the submission shall be rejected.
 - 2. If the submission is complete and acceptable for review, the Planning Commission shall execute an official submission verification listing the date of said meeting as the official date of the Preliminary Plan submission and forward said verification to the Applicant. This shall start the ninety (90) day review period.
- C. If the first meeting of the Planning Commission following the date of submission occurs more than thirty (30) days following the date of submission receipt established in accord with §303.2.4 of this Ordinance, the ninety (90) day review period shall be measured from the thirtieth (30th) day following the day of said submission receipt
- D. If the application is being submitted after a final order of the court remanding the application to the County, the ninety (90) day review period shall be measured from the date of the meeting of the Planning Commission next following the final order of the court. If the first meeting of the Planning Commission occurs more than thirty (30) days following the final order of the court, the ninety (90) day review period shall be measured from the thirtieth (30th) day following the final order of the court.

304.5 Final Plan Review and Action

304.5.1 Planning Commission Review and Action Period - The Planning Commission shall make its decision regarding the Final Plan and communicate in writing such decision to the Applicant and the affected municipality within fifteen (15) days of when the decision is made. However, in no case shall the period for review and action, including written communication to the Applicant, exceed

ninety (90) days from the "Official Date of the Final Plan Submission" as established pursuant to §304.4.5.

304.5.2 Approval with Conditions - When a Final Plan is approved with conditions, such conditions shall be expressly included in the minutes of the Commission meeting at which the Final Plan is considered and communicated in writing to the Applicant and the affected municipality as provided in §304.5.1. When a Final Plan has been approved subject to any conditions and/or modifications and the Applicant does not agree and accept the said conditions and/or modifications in writing within fifteen (15) days of receipt of said written notice, the said conditional approval of the Final Plan shall become an automatic disapproval and the said plan shall be resubmitted as required by §304 of this Ordinance, including a new filing fee. The written notice to the Applicant shall include the specific terms of the approval and shall note that failure to agree and accept the conditions is the reasons for denial.

304.5.3 Denials - When a Final Plan is denied, the reasons for such denial, citing specific provisions of this Ordinance or other applicable statute, shall be expressly included in the minutes of the Commission meeting at which the Final Plan is considered and communicated in writing to the Applicant and the affected municipality as provided in §304.5.1.

304.6 Reviewing Agency and Officials Comments

The Planning Commission shall consider the comments and the recommendations provided pursuant to §304.4.4 and may request such additional information as deemed necessary.

304.7 Affected Municipality Comments

The Planning Commission shall take no official action until the Commission has received and considered the comments of the affected municipality or after thirty (30) days following transmittal of the Final Plan to the affected municipality.

304.8 Public Hearing

The Planning Commission may conduct a public hearing on the proposed Final Plan pursuant to public notice.

304.9 Planned Improvements

The Planning Commission shall not approve or sign the Final Plan until such time as all the improvements shown on the Final Plan have been installed by the developer, and have been certified as complete by the Commission Engineer, or a performance guarantee has been provided by the Applicant pursuant to Article V of this Ordinance.

304.10 Signature of Final Plan

When all requirements and conditions have been fulfilled by the Applicant and all supplemental data and documents have been submitted and approved, the Planning Commission shall endorse the Final Plan for recording purposes and shall retain at least one endorsed print.

304.11 Recording of the Final Plan

The Planning Commission or Planning Department shall file the final record plan with the Susquehanna County Recorder of Deeds within thirty (30) days of the date of endorsement by the Commission.

304.12 As-Built Plans

Upon the completion of all improvements, the Applicant shall provide to the Planning Commission plans certified by the Applicant's engineer showing all such improvements as installed. Failure of the Applicant to provide the as-built plans shall constitute a violation of this Ordinance, and shall be subject to all the enforcement proceedings contained in this Ordinance.

304.13 Time Extension

The time period for review of the plan may be extended by mutual agreement of the Applicant and the Planning Commission, and any such agreement shall be in writing.

305 Minor Subdivisions

The intent of this section is to simplify the review and approval procedure for minor subdivisions in accordance with §102.4. Preliminary Plans for minor subdivisions shall not be required. However, a Final Plan for all minor subdivisions shall be submitted to the Susquehanna County Planning Commission and be processed in accord with this §305.

305.1 Official Submission of Minor Subdivision Plans

305.1.1 Plan to be Filed With the Planning Department - Copies of the minor subdivision plan and all required supporting documentation shall be submitted by the Applicant or his authorized representative to the Planning Department.

305.1.2 Number of Copies to be Submitted - The official submission of the minor subdivision plan shall include the following:

- A. One (1) completed copy of the minor subdivision plan review application.
- B. Eight (8) legible paper prints of the minor subdivision plan.
- C. Two (2) copies of the sewage facilities planning modules and associated documentation.
- D. Two (2) copies of all other required supporting data and documentation as required in Article IV of this Ordinance.

305.1.3 Minor Subdivision Plan Filing Fee - The Planning Department shall collect a Minor subdivision plan filing fee as established by resolution of the Planning Commission for all subdivisions.

- A. Fees shall be charged in order to cover the costs of examining plans and other administrative expenses associated with the review of minor subdivisions.
- B. The Applicant shall pay the fee at the time of initial submission of the application to the Planning Department, made payable to Susquehanna County.

305.1.4 Reserved

305.1.5 Official Date of the Minor Subdivision Submission - The official date of the Minor Subdivision Plan submission shall be determined as follows: The Planning Department shall examine the Minor Subdivision Plan submission to determine that all documents are complete and in proper form.

- A. If the submission is not complete or not in the proper form the Applicant shall be notified in writing of the deficiencies and the submission shall be rejected and returned to the applicant.
- B. If the submission is complete and acceptable the Planning Department shall execute an official submission receipt listing the official date of the Minor Subdivision Plan submission and forward it to the Applicant.

305.1.6 Distribution of the Minor Subdivision Plan - The Planning Department shall promptly after the official date of submission and after all required fees have been collected refer the Minor Plan

and applicable supporting documents to the affected municipality and may refer the Minor Plan to the following who shall provide any comments and recommendations in writing to the Planning Department.

- A. The Planning Commission Engineer
- B. Any other Engineer or Consultant designated by the Planning Commission.

305.2 Minor Subdivision Plan Review and Action

305.2.1 Planning Department Review and Action Period - The Planning Department shall make a decision regarding the Minor Subdivision Plan and communicate in writing such decision to the Applicant and the affected municipality within fifteen (15) days of when the decision is made. However, in no case shall the period for the Planning Department review and action, including written communication to the Applicant, exceed ninety (90) days from the "Official Date of the Minor Subdivision Plan Submission" as established pursuant to §305.1.5.

305.2.2 Approval with Conditions - When a Minor Subdivision Plan is approved with conditions, such conditions shall be expressly communicated in writing to the Applicant and the affected municipality as provided in §305.2.1. When a Minor Subdivision Plan has been approved subject to any conditions and/or modifications and the Applicant does not agree and accept in writing the said conditions and/or modifications within fifteen (15) days of receipt of said written notice, said approval with conditions of the Minor Subdivision Plan shall become an automatic disapproval and said plan shall be resubmitted as required by §305 of this Ordinance, including a new filing fee. The written notice to the Applicant shall include the specific terms of the approval and shall note that failure to agree and accept the conditions is the reasons for denial.

305.2.3 Denials - When a Minor Subdivision Plan is denied, the reasons for such denial, citing specific provisions of this Ordinance or other applicable statute, shall be expressly communicated in writing to the Applicant and the affected municipality as provided in §305.2.1.

305.3 Reviewing Agency and Officials Comments

The Planning Department shall consider the comments and the recommendations pursuant to §305.1.6 and §305.1.7, and may request such additional information as deemed necessary.

305.4 Affected Municipality Comments

No official action shall be taken by the Planning Department until the Planning Department has received and considered the comments of the affected municipality, or after thirty (30) days following transmittal of the Final Plan to the affected municipality.

305.5 Sewage Facilities Planning Modules

Minor Subdivision Plan approval shall be conditional upon local municipal sewage planning approval and/or approval by the Department of Environmental Protection, and no plans shall be released until such approvals are received.

305.6 Public Hearing

If requested by the Planning Department, the Planning Commission may conduct a public hearing on the proposed Minor Subdivision Plan pursuant to public notice.

305.7 Signature of Minor Subdivision Plan

When all requirements and conditions have been fulfilled by the Applicant and all supplemental data and documents have been submitted and approved, the Planning Director shall endorse the Minor Subdivision Plan for recording purposes. The Planning Department shall retain at least one endorsed print.

305.8 Recording of the Minor Subdivision Plan

The Planning Department shall file the Minor Subdivision record plan with the Susquehanna County Recorder of Deeds on the date of endorsement by the Planning Department.

305.9 Time Extension

The time period for review of the plan may be extended by mutual agreement of the Applicant and the Planning Department, and any such agreement shall be in writing.

306 Plans for Land Developments

- A. Applicability - All plans for land developments, except as noted in §§C below, shall be submitted and processed in accord with this §306.
- B. Intent - The intent of this §306 is to combine the preliminary and final plan approval stages into one step for land developments that do not involve the transfer of any interest in real estate other than rental or short-term lease. Requiring preliminary and final approval for such land developments is not necessary because no transfer of real estate is proposed, and the preliminary-final process is not necessary to assure the completion of improvements for the protection of individual purchasers. Occupancy of any structures that are part of the land development shall not be permitted until all required improvements have been completed by the developer and approved by the Planning Commission.
- C. Non-Qualifying Land Developments - Land developments which involve the transfer of any interest in real estate other than rental or short-term lease shall comply with §303 and §304 of this Ordinance. (e.g., condominiums, or townhouses transferred in fee.)

306.1 Land Development Plan Application

An application for Land Development Plan approval shall be submitted in accord with this §306.

306.2 Official Submission of Land Development Plans

306.2.1 Plan to be Filed With the Planning Commission - Copies of the Land Development Plan and all required supporting documentation shall be submitted to the Planning Department by the Applicant at least fourteen (14) days prior to the Planning Commission meeting at which the Applicant applies for the *Official Date of Land Development Plan Submission*.

306.2.2 Number of Copies to be Submitted - The official submission of the Land Development Plan shall include the following:

- A. One (1) completed copy of the land development plan review application.
- B. Eight (8) legible paper prints of the Land Development Plan.
- C. Two (2) copies of all required sewage disposal approvals and/or permits from the Pennsylvania Department of Environmental Protection.
- D. Two (2) copies of all other required supporting data and information as required in Article IV of this Ordinance.

306.2.3 Land Development Plan Filing Fee - The Planning Department shall collect a Land Development Plan filing fee as established by resolution of the Planning Commission.

- A. Fees shall be charged in order to cover the costs of examining plans and other administrative expenses associated with the review of land developments.
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- B. The Applicant shall pay the fee at the time of initial submission of the application to the Planning Department, made payable to Susquehanna County.

306.2.4 Land Development Plan Submission Receipt - Upon receipt of the Land Development Plan and supporting data the Planning Department shall check the submission for the required number of copies of all documents.

- A. If the submission contains the required number of copies of all documents, the Planning Department shall receive said plans and documentation, complete the submission receipt noting same and provide a copy of the plan submission receipt to the Applicant.
- B. If the submission does not include the required number of copies of all documents, the Planning Department shall complete the plan submission receipt noting any and all deficiencies or omissions in the submission, provide a copy of the plan submission receipt to the Applicant, and return all documents to the Applicant.
- C. The plan submission receipt shall only verify that the correct number of copies of all plans and documentation has been submitted and shall in no way be construed to be a plan submission verification which is required to start the ninety (90) day review period.

306.2.5 Distribution of the Land Development Plan - The Planning Department shall promptly after the date of submission receipt and after all required fees have been collected refer the Land Development Plan and applicable supporting documents to the affected municipality and may refer the Land Development Plan to the following who shall provide any comments and recommendations in writing to the Planning Department.

- A. The Planning Commission Engineer
- B. Any other Engineer or Consultant designated by the Planning Commission.
- C. Erosion and Sedimentation Control Plan - if required, the Applicant shall submit the project Erosion and Sedimentation Control Plan to the Susquehanna County Conservation District.

306.2.6 Official Date of the Land Development Plan Submission - The official date of the Land Development Plan submission shall be determined as follows:

- A. Upon receipt of a plan in accordance with §306.2.4 the Planning Department shall perform an initial review of the plan to determine whether the plan is in the proper form for review by the Planning Commission.
 - B. At the first regularly scheduled meeting of the Planning Commission following the receipt of the Land Development Plan by the Planning Department the Planning Commission shall consider the initial review of the plan by the Planning Department to determine if the plan is in proper form for review.
 - 1. If the submission is not in the proper form for review the Applicant shall be notified in writing of the deficiencies and the submission shall be rejected.
 - 2. If the submission is complete and acceptable for review, the Planning Commission shall execute an official submission verification listing the date of said meeting as the official date of the Plan submission and forward said verification to the Applicant. This shall start the ninety (90) day review period.
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- C. If the first meeting of the Planning Commission following the date of submission occurs more than thirty (30) days following the date of submission receipt established in accord with §306.2.4 of this Ordinance, the ninety (90) day review period shall be measured from the thirtieth (30th) day following the day of said submission receipt.
- D. If the application is being submitted after a final order of the court remanding the application to the County, the ninety (90) day review period shall be measured from the date of the meeting of the Planning Commission next following the final order of the court. If the first meeting of the Planning Commission occurs more than thirty (30) days following the final order of the court, the ninety (90) day review period shall be measured from the thirtieth (30th) day following the final order of the court.

306.2.7 Erosion and Sedimentation Control Plan - if required, the Applicant shall submit the project Erosion and Sedimentation Control Plan to the Susquehanna County Conservation District.

306.3 Land Development Plan Review and Action

306.3.1 Planning Commission Review and Action Period - The Planning Commission shall make its decision regarding the Land Development Plan and communicate in writing such decision to the Applicant and the affected municipality within fifteen (15) days of when the decision is made. However, in no case shall the period for Commission review and action, including written communication to the Applicant, exceed ninety (90) days from the "Official Date of the Land Development Plan Submission" as established pursuant to §306.2.6.

306.3.2 Approval with Conditions - When a Land Development Plan is approved with conditions, such conditions shall be expressly included in the minutes of the Planning Commission meeting at which the Land Development Plan is considered and communicated in writing to the Applicant as provided in §306.3.1. When a Land Development Plan has been approved subject to any conditions and/or modifications and the Applicant does not agree and accept the said conditions and/or modifications in writing within fifteen (15) days of receipt of said written notice, the said conditional approval of the Land Development Plan shall become an automatic disapproval and the said plan shall be resubmitted as required by §306 of this Ordinance, including a new filing fee. The written notice to the Applicant shall include the specific terms of the approval and shall note that failure to agree and accept the conditions shall constitute a denial of the plan.

306.3.3 Denials - When a Land Development Plan is denied, the reasons for such denial, citing specific provisions of this Ordinance or other applicable statute, shall be expressly included in the minutes of the Planning Commission meeting at which the Land Development Plan is considered and communicated in writing to the Applicant as provided in §306.3.1.

306.4 Reviewing Agency and Officials Comments

The Planning Commission shall consider the comments and the recommendations provided pursuant to §306.2.5 and may request such additional information as deemed necessary.

306.5 Affected Municipality Comments

No official action shall be taken by the Planning Commission until the Commission has received and considered the comments of the affected municipality or after thirty (30) days following transmittal of the Land Development Plan to the affected municipality.

306.6 Sewage Facilities Planning Documents

Land Development Plan approval shall be conditional upon local municipal sewage planning approval and/or Department of Environmental Protection sewage planning approval and no plans shall be released until such approval is received.

306.7 Highway Occupancy Permit

If a highway occupancy permit shall be required for access to a municipal or State road, approval of the Land Development Plan shall be conditional upon the issuance of a highway occupancy permit by the municipality or PA DOT, as the case may be.

306.8 Public Hearing

The Planning Commission may conduct a public hearing on the proposed Land Development Plan pursuant to public notice.

306.9 Authorization to Proceed with Land Development or to Provide a Financial Guarantee

Following any approval granted pursuant to §306.3 and when all requirements and conditions have been fulfilled by the Applicant to satisfy any conditional approval, the Planning Commission shall provide to the Applicant a letter authorizing the Applicant to proceed with site development and construction in accord with the approved plan. In lieu of constructing the improvements, the Applicant may provide a financial guarantee in accord with Article V of this Ordinance. All applicable local municipal permits shall also be obtained by the Applicant prior to proceeding with the land development.

306.10 Final Approval; Signature of Land Development Plan

The Planning Commission shall not sign the Land Development Plan until such time as all the improvements shown on the Land Development Plan have been installed by the Applicant, and have been certified as complete by the Planning Commission Engineer; or a performance guarantee has been provided by the Applicant pursuant to Article V of this Ordinance. When all these requirements and conditions have been fulfilled by the Applicant, the Planning Commission shall endorse the Land Development Plan for recording purposes. The Planning Commission shall retain at least one (1) endorsed print.

306.11 Recording of the Land Development Plan

The Planning Commission or Department shall file the final record plan with the Susquehanna County Recorder of Deeds within thirty (30) days of the date of endorsement by the Planning Commission.

306.12 Certificate of Conformance

No use of land or structure within the land development shall be initiated until such time as a certificate of conformance has been issued by the Planning Commission. No certificate of conformance shall be issued until such time as all the improvements shown on the Land Development Plan have been installed by the Applicant, and have been certified as complete by the Planning Commission Engineer pursuant to Article V of this Ordinance.

306.13 As-Built Plans

Upon the completion of all improvements, the Applicant shall provide to the Planning Commission the plans certified by the Applicant's engineer showing all such improvements as installed. Failure of the Applicant to provide the as-built plans shall constitute a violation of this Ordinance, and shall be subject to all the enforcement proceedings contained in §904 of this Ordinance.

306.14 Time Extension

The time period for review of the plan may be extended by mutual agreement of the Applicant and the Planning Commission, and any such agreement shall be in writing.

307 Minor Land Development

The intent of this §307 is to simplify the review and approval procedure for minor land developments by authorizing the signature of the Minor Land Development Plan by the Planning Department in accordance with §102.4. Preliminary Plans for minor land development shall not be required. However, a Final Plan for all minor land developments shall be submitted to the Planning Department and be processed in accord with this §307.

307.1 Minor Land Development Criteria

A land development, as defined by Article II of this Ordinance, may be considered a "minor land development" for the purposes of this Ordinance provided said development does not exceed any of the following development characteristics, or is not by definition considered a major subdivision. Multi-family dwellings, mobile home parks, and campgrounds and recreational vehicle parks shall not qualify as minor land developments.

A. Non-residential Land Developments

1. The gross floor area of all principal structures proposed or existing on the project property does not exceed one thousand five hundred (1,500) square feet.
2. The total number of existing or proposed principal structures on the project parcel does not exceed two (2).

B. Residential Land Developments - The total number of dwelling units on the project parcel does not exceed two (2).**307.2 Procedure and Other Requirements**

Minor Land Development Plans shall be processed in accord with the requirements for minor subdivisions in §305 of this Ordinance. All information and design requirements of this Ordinance applicable to land developments shall also apply to minor land developments except as provided in this §307. The Planning Department may, based upon the character of the project and site conditions, waive the applicability of any or all of the land development requirements including the requirement for a survey of the project parcel.

307.3 Minor Land Development Determination

307.3.1 Application to be Filed With The Planning Commission - The application for minor land development determination shall be submitted to the Planning Department and shall contain such information as may be necessary for the Planning Department to determine the "minor land development" status of the proposed project in accord with this §307. The Planning Department shall have the right to require any additional information deemed necessary.

307.3.2 Status of Application for Minor Land Development Determination - The application for minor land development determination shall not constitute a formal land development submission and shall not initiate the ninety (90) day review period normally required for land developments.

307.3.3 Determination of Minor Land Development - The Planning Department shall determine the minor land development status of the application in accord with the criteria in this §307 and report their determination regarding the same to the Applicant and the affected municipality.

- A. In cases where the Planning Department determines that the proposed development does meet the requirements for a minor land development, the information required for the application shall be submitted in accord with §307.4.
- B. Should the Planning Department determine that the subject development does not meet the criteria for a minor land development, said development shall be considered a land development and the information required for the application shall be submitted in accord with Section 306 of this Ordinance and all other applicable requirements.

307.4 Minor Land Development Application Information

Minor land development plans and applications shall contain all information required by the Planning

Department to determine compliance with this Ordinance and any other requirements. The plan requirements for minor subdivisions in §404 of this Ordinance shall serve as the guide for the types of information that may be required. A survey of the parcel of property containing the proposed minor residential land development shall generally not be required; however, the Planning Department shall have the right to require a survey by a Registered Surveyor in cases where circumstances dictate the need for same to assure compliance with applicable requirements. The Planning Department shall also have the right to apply any of the standards and requirements contained in this Ordinance.

308 Add-on / Addition Subdivisions / Lot Line Adjustments (Also known as *lot-improvement subdivisions*.)

308.1 New Lot Lines

Add-on subdivisions which involve the creation of new lot lines shall require a new subdivision map and shall be processed in the manner set forth in §305 of this Ordinance for Minor Subdivisions. However, sewage planning modules may not be required unless additional new sewage disposal areas are proposed. The applicable notes listed in §404.3,B, of this Ordinance shall be included on the map; and the combination language (see Section 404.3B) shall also be included in the deed from the grantor to the grantee, and shall also be made binding on the combined parcel(s) of the grantee via Articles of Restrictive Covenants.

308.2 Lot-Line Adjustment

Lot-line adjustments shall require a new subdivision map and shall be processed in the manner set forth in §305 of this Ordinance for Minor Subdivisions. However, sewage planning modules may not be required unless additional new sewage disposal areas are proposed.

308.3 Recording of the Add-on / Addition / Lot-line Adjustment Subdivision Plan

The Planning Department shall file the Add-on / Addition or Lot-line Adjustment record plan with the Susquehanna County Recorder of Deeds on the date of endorsement by the Planning Department.

309 Survey of Parent Tract

In cases where a parcel is being subdivided the requirement that the parent parcel be surveyed may be waived by the Planning Department provided the Applicant can demonstrate to the satisfaction of the Planning Department that an adequate description of the parent parcel is on record which may be a recorded survey map or recorded deed description. All parcel(s) subdivided from the parent parcel shall be surveyed and platted in accord with all the requirements of this Ordinance and said parcel(s) shall front on a public road; or evidence satisfactory to the Planning Department otherwise demonstrating access shall be provided by the Applicant. The subdivision shall in all other respects be processed in accord with this Ordinance

310 Contiguous Municipalities

In accord with §502.1(b), of the MPC, the governing body of any municipality contiguous to the municipality in which a subdivision, change of land use or land development may be proposed, may appear before the Planning Commission to comment on a proposed subdivision, change of land use, or land development.
