

## ARTICLE III

### PROCESSING, REVIEW, APPROVAL AND RECORDING OF PLANS

#### 300 GENERAL

The procedures established in this Article shall apply to all subdivisions and land developments that require the approval of the Union County Planning Commission or require advisory review by the Commission in accordance with the Pennsylvania Municipalities Planning Code for those municipalities that have enacted subdivision and land development regulations, including those municipalities that have adopted this ordinance by reference but do not designate the Union County Planning Commission as their agency for approval.

#### 301 CLASSIFICATION

Subdivisions and Land Developments are classified within this Ordinance and any Subdivision or Land Development must fall within one of the classifications prescribed herein. For each plan classification listed below please refer to Article IV for plan drafting requirements/contents and to Appendix A for a plan submission checklist.

- A. Minor Subdivision – A minor subdivision is any subdivision abutting an existing public street or road, involving no more than five (5) lots, parcels of land, or other divisions of land from the same parent tract as of the effective date of the Union County Subdivision and Land Development Regulations (June 10, 1969), which does not require a new street, access easements, or the installation of any other improvements.
- B. Major Subdivision – A major subdivision is any subdivision involving six (6) or more lots, parcels of land or other divisions of land whether or not they involve new streets, additional utilities, or other improvements; in effect all subdivisions not considered minor subdivisions for plan processing purposes.
- C. Lot Addition/Consolidation– Any subdivision creating a lot that is to be added to an existing contiguous lot of record of separate ownership and where no new building lot or land development is proposed. It is solely intended to convey a parcel of land located immediately adjacent to other property owned by the intended grantee, which is being added to the grantee's existing lot. The size of one lot will increase in an equal amount by which the size of an adjacent lot(s) will decrease. In the case of a Consolidation the entire area of one or more lots is added to an adjacent lot thereby in effect eliminating one or more original lots. These plans are processed as Minor Subdivision Plans.
- D. Land Development – The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving: (1) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or (2) 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.

The applicant should refer to the applicable Sections within this Article for the processing procedures that apply to the proposed activity. The applicant is also encouraged to meet with staff to determine which classification may be applicable to the proposed activity prior to the submission of an application.

### **302 EXEMPTIONS**

The following activities shall be exempted from the requirements of this Ordinance with staff concurrence. Staff shall determine whether the exemptions cited herein shall be applicable; the decision of the staff may be appealed to the Commission.

- A. The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium.
- B. The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.
- C. The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. This shall not apply to newly acquired acreage by an amusement park until proper authorities have approved initial plans for the expanded area.
- D. The division of land by lease for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or residential dwellings. Upon the request of the property owner and upon receipt of a signed statement or letter from the landowner and buyer stating that such lands to be leased shall be used solely for agricultural purposes and does/will not involve any new streets or easement of access or residential dwellings, the Commission will forward a statement of exemption to the above parties.
- E. When the replacement of a building is necessitated due to unpreventable "Acts of God" (e.g. including but not limited to fire, flood, storm damage) and meets the following conditions: (1) the structure has been left essentially uninhabitable; (2) repair of the damage to the existing structure is significantly more costly than to replace; (3) replacement of the structure will result in relatively the same size (does not increase by more than 15%), dimensions, layout, and lot access approved under a previous land development application; (4) the applicant can provide written confirmation from local governing officials to indicate that the proposal meets or exceeds all applicable land use controls regulated locally; and (5) the applicant provides written confirmation from appropriate State officials that the proposal meets or exceeds all applicable state regulations.

### **303 PRE-APPLICATION CONFERENCE AND REVIEW**

- A. The purpose of the Pre-Application Conference and Review is to afford an applicant opportunity to receive the advice and assistance of Commission staff on subdivision and land development procedures, the requirements necessary to achieve conformity to the standards and provisions of this Ordinance, and to alert the applicant to other factors pertinent to the design and effectuation of the subdivision or land development.
- B. Although not required, a Pre-Application Conference and Review is strongly recommended before submission of a formal plan, particularly for proposals that involve the creation of new streets or storm water facilities, or plans for nonresidential structures.
- C. The Pre-Application Conference and Review shall not constitute the filing of an application for approval of a plat, and all such meetings and/or review shall be considered informal. At the discretion of the applicant a proposal may be presented at a Commission meeting for informal review and comment.

## **304 PLAN SUBMISSION DEADLINES AND FILING DATES**

### **A. Plan Submission Deadlines**

1. Minor Subdivision Plans - Minor Subdivision Plans and supporting documentation may be submitted to the Office of the Union County Planning Department with a completed application form accompanied by all applicable fees at any time during normal office hours.
2. Major Subdivision and Land Development Plans – Major Subdivision Land Development Plans and supporting documentation may be submitted to the Office of the Union County Planning Department with a completed application form accompanied by all applicable fees at anytime during normal office hours; however, plans submitted less than fifteen (15) calendar days prior to the next regularly scheduled Commission meeting shall not be reviewed at that meeting, but will be reviewed at the succeeding meeting.

### **B. Official Plan Filing Dates**

1. Minor Subdivision Plans – Minor Subdivision Plans shall be considered officially filed on the date in which a completed application form, applicable fees, and the requisite number of plans and other supporting documentation are submitted to the Office of the Union County Planning Department, and are acknowledged by staff as complete applications.
2. Major Subdivision Plans and Land Development Plans – Major Subdivision and Land Development Plans shall be considered officially filed at the next monthly meeting of the Union County Planning Commission following the delivery of a completed application form, applicable fees, and the requisite number of plans and other supporting documents to the Office of the Union County Planning Department, once the staff acknowledges that the applications are complete. Should the next monthly meeting of the Union County Planning Commission be more than 30 days following the delivery of the completed application to the Office of the Planning Department, the date of plan receipt shall be the 30<sup>th</sup> day following the filing of the application.

- C. Effect of Filing Date** - After an application has been officially filed in accordance with Section 304.B and while a decision is pending, no change in any zoning, subdivision, or other local governing ordinance or plan shall effect the decision on the application adversely to the applicant; and the applicant shall be entitled to a decision in accordance with the provisions of the local governing ordinances and regulations effective on the official plan filing date.

## **305 SKETCH PLAN**

- A. **Sketch Plan Applications.** Applicants are encouraged to submit a Sketch Plan during or after the Pre-Application Conference and Review in order to present the overall development concept of a particular tract before preparing and submitting a formal preliminary or final plan.
- B. The Sketch Plan, like the Pre-Application Conference and Review, is not mandatory but is strongly recommended.
- C. Presentation of a Sketch Plan shall not constitute the filing of an application for approval of a plat. The applicant may present the Sketch Plan at a Commission meeting for informal review and comment.

- D. No formal action will be taken on a Sketch Plan submission, but the Planning Commission staff may, after review and evaluation of the proposal, notify the applicant in writing of findings and recommendations regarding preparation of preliminary or final plans.
- E. The Planning Commission staff may complete a review of Sketch Plans within 30 days of delivery to the Planning Department Office and may communicate findings to the applicant within 15 days of completing the review; however, if such review is not conducted and findings are not communicated within these timeframes, no vested rights shall be deemed to accrue to the developer.

### 306 PRELIMINARY PLANS

- A. **Preliminary Plan Applications.** With the exceptions specifically noted in this Ordinance, a Preliminary Plan is required for applications that meet any of the following conditions:
  - 1. New streets, sanitary sewers, stormwater management facilities, or other improvements are proposed and are being offered for public dedication.
  - 2. An applicant opts to forgo posting an improvements guaranty in accordance with Article VII of this Ordinance and intends to construct improvements prior to Final Plan approval and the sale of lots.
  - 3. In all cases where an applicant proposes phasing of construction activities.
- B. **Application Requirements.** All Preliminary Plan Applications shall include the following:
  - 1. Twelve (12) copies of the Preliminary Plan in either black on white or blue on white prints. Additional copies shall be submitted if the proposed site fronts on or is intended to have a street access to a state highway or is a project of regional significance. The applicant is also responsible for providing the necessary copies for sewage planning review.
  - 2. Three (3) copies of all reports, deed covenants, notifications, regulatory permit applications and reviews, and certifications which are not provided on the Preliminary Plan, including but not limited to, traffic engineer reports, stormwater management narrative and calculations, maintenance and use agreements, and sewage percolation test results.
  - 3. Applications must include one (1) completed “Union County Subdivision and Land Development Application” form with all information legible and bearing the required signatures. An application form is contained in Appendix B.
  - 4. Appropriate filing fee in the form of a check or money order made payable to the Union County Treasurer for an amount established by a fee schedule adopted by resolution of the Union County Board of Commissioners, which is available from the Union County Planning Department Office.
  - 5. **Incomplete Applications.** The Director of the Union County Planning Department or the Director’s designee shall have seven (7) days from the date an application was delivered to check the plans and accompanying documents to determine if on their face they are in proper form and contain all the information required by this Ordinance. If incomplete the application will be returned to the applicant with a statement that the application is incomplete within the seven (7) day period; otherwise the application shall be deemed accepted for filing. Acceptance shall not constitute a waiver of any

deficiencies or irregularities. An applicant may appeal a decision by the Director to the Planning Commission in accordance with Section 804.A of this Ordinance.

- C. **Distribution of Copies.** Upon receipt of a completed application the Planning Commission Staff shall refer one (1) copy of the Preliminary Plan and any related documentation to the following individuals and agencies, as appropriate, for their review and report.
1. Municipal Governing Body.
  2. Municipal Planning Commission if established and active.
  3. Municipal Zoning Officer
  4. County Planning Commission Engineer.
  5. Pennsylvania Department of Transportation when the subdivision or land development will front on or will have a street proposing access to a state highway.
  6. Pennsylvania Department of Environmental Protection for any necessary report with respect to sewer and water facilities, stream encroachments, wetlands, contaminated sites, and other environmental regulations.
  7. Union County Conservation District for review and approval of erosion and sedimentation pollution control plan and other applicable regulations.
  8. Union County Emergency Communications Center
  9. Fire Company or protection district.
  10. Water supplier.
  11. Sewage treatment supplier/Sewage Enforcement Officer.
  12. Municipalities within ½ mile of the proposed site if the project is expected to generate 200 or more vehicle trips per day or is otherwise deemed to be of regional significance.
- D. **Phased Development.** If an applicant intends to develop land in phases, the Preliminary Plan application shall encompass the entire land area proposed for development and shall serve as a master plan.
- E. **Optional Hearing.** The Commission may conduct a public hearing pursuant to public notice in order to inform the public and obtain comment prior to taking action on a preliminary plan application.
- F. **Commission Action.** The Commission shall review and render a decision to approve the preliminary plan as submitted, to approve the plan subject to conditions specified by the Commission, or to disapprove the plan at a scheduled public meeting not later than ninety (90) days after such application for preliminary approval was officially filed, unless the applicant and the Commission mutually agree in writing to an extension of time. See Appendix C for a Time Extension Request Form.
- G. **Written Decision.** The applicant shall be notified in writing of Commission action within fifteen (15) consecutive days following the decision. Said notice will be mailed to the last known address on file at the Planning Department Office with a copy of said notification provided as appropriate to the following:

1. Landowner if different from applicant.
  2. Firm that prepared the plan.
  3. Municipal governing body.
  4. Municipal planning commission
  5. Municipal zoning officer.
  6. Municipal Sewage Enforcement Officer.
  7. Union County Planning Commission Solicitor
  8. Union County Planning Commission Engineer
  9. Union County Conservation District
  10. Other appropriate Federal, State, County and Local agencies.
- H. **Acceptance of Conditions.** If an application for a Preliminary Plan is approved subject to conditions, such conditions shall be specified by the Commission and shall be accepted by the applicant in writing within 15 days after the written decision of the Commission was mailed or delivered to the applicant or the approval shall be automatically rescinded.
- I. **Approval Pending Receipt of Additional Information.** When a Preliminary Plan is conditionally approved the applicant shall submit revised plans and necessary documents to the Commission for approval by the staff within 45 days of acceptance of the conditions. Failure to meet the conditions of plan approval within 45 days shall constitute an automatic disapproval of the plan unless the Commission and the applicant mutually agree upon a time extension. For plans conditionally approved, the date of official plan approval shall be the date on which all conditions are met.
- J. **Specified Defects.** If an application for a Preliminary Plan is disapproved as filed, the decision shall specify the defects found in the application and shall identify the requirements that have not been met; citing the provisions of the statute or ordinance relied upon.
- K. **Deemed Approval.** Failure of the Commission to render a decision and communicate it to the applicant in the manner prescribed herein shall be deemed approval of the application as presented.
- L. **Preliminary Plan Certification.** After receipt of Preliminary Plan approval and compliance with all conditions of approval, the Commission will execute the plan approval certification with one (1) copy being retained by the Commission, one (1) copy for the applicant, and one (1) copy to be provided to the municipal governing body.
- M. **Effect of Preliminary Approval.**
1. Approval of the Preliminary Plan application by the Commission shall constitute approval of the proposed subdivision and/or land development in regard to general design, character and intensity of development, general arrangement of streets, lots, structures, and other planned facilities, but shall not constitute final plan approval.
  2. A Preliminary Plan shall not be accepted for recording in the office of the Union County Recorder of Deeds.

3. Preliminary Plan approval will be effective for a five (5)-year period from the date of the Commission's approval of the Preliminary Plan application; thereafter Final Plan application(s) for the entire project shall be made within five (5) years of Preliminary Plan approval unless the Commission grants a waiver by extending the effective time period of the approval.
4. After receipt of Preliminary Plan approval the applicant may proceed to construct the improvements required by this Ordinance and shown on the approved Preliminary Plan. The applicant shall indicate the intent to construct improvements in writing to the Commission prior to the start of construction.
5. Preliminary Plan approval shall not authorize the sale of lots or occupancy of proposed buildings shown on the plan regardless of whether or not proposed improvements have been installed.

### **307 FINAL PLANS**

A. **Final Plan Applications.** An application for Final Plan review and approval may be submitted when the following conditions have been met:

1. The applicant has unconditional Preliminary Plan approval from the Commission.
2. Application is not required to be preceded by a Preliminary Plan in accordance with Section 306 of this Ordinance.
3. The improvements required by this Ordinance have been completed and acknowledged by the Commission and municipality as having been completed correctly as shown on the preliminary plan when said improvements are not assured by a type of guarantee as provided in Article VII of this Ordinance.

B. **Application Requirements.** All Final Plan Applications shall include the following:

1. Twelve (12) copies of the Final Plan in either black on white or blue on white prints. Additional copies shall be submitted if the proposed site fronts on or is intended to have a street access to a state highway or is a project of regional significance. The applicant is also responsible for providing the necessary copies for sewage planning review.
2. Three (3) copies of all reports, deed covenants, notifications, regulatory permit applications and reviews, and certifications which are not provided on the Final Plan, including but not limited to, traffic engineer reports, stormwater management narrative and calculations, improvements guaranty, maintenance and use agreements, and sewage percolation test results.
3. Applications must include one (1) completed "Union County Subdivision and Land Development Application" form with all information legible and bearing the required signatures. An application form is contained in Appendix B.
4. Appropriate filing fee in the form of a check or money order made payable to the Union County Treasurer for an amount established by a fee schedule adopted by resolution of the Union County Board of Commissioners, which is available from the Union County Planning Department office.
5. **Incomplete Applications.** The Director of the Union County Planning Department or the Director's designee shall have seven (7) days from the date an application was delivered to check the plans and accompanying documents to determine if on their face

they are in proper form and contain all the information required by this Ordinance. If incomplete the application will be returned to the applicant with a statement that the application is incomplete within the seven (7) day period; otherwise the application shall be deemed accepted for filing. Acceptance shall not constitute a waiver of any deficiencies or irregularities. An applicant may appeal a decision by the Director to the Planning Commission in accordance with Section 804.A of this Ordinance.

6. **Conformance with Preliminary Plan.** Final Plans shall conform in all-important respects with the approved Preliminary Plan; otherwise the plan submitted shall be considered as a revised Preliminary Plan.
7. **Improvements.** No Final Plan shall be approved unless the applicant has satisfactorily installed all improvements required by this Ordinance or has alternatively filed with the Commission an adequate financial guarantee in accordance with Article VII of this Ordinance to insure proper installation and construction of said improvements.

C. **Distribution of Copies.** Upon receipt of a completed application the Planning Commission Staff shall refer one (1) copy of the Final Plan and any related documentation to the following individuals and agencies, as appropriate, for their review and report.

1. Municipal Governing Body.
2. Municipal Planning Commission if established and active.
3. Municipal Zoning Officer
4. County Planning Commission Engineer.
5. Pennsylvania Department of Transportation when the subdivision or land development will front on or will have a street proposing access to a state highway.
6. Pennsylvania Department of Environmental Protection for any necessary report with respect to sewer and water facilities, stream encroachments, wetlands, contaminated sites, and other environmental regulations.
7. Union County Conservation District for review and approval of erosion and sedimentation pollution control plans and other applicable permits.
8. Union County Emergency Communications Center
9. Fire Company or protection district.
10. Water supplier.
11. Sewage treatment supplier/Sewage Enforcement Officer.
12. Municipalities within ½ mile of the proposed site if the project is expected to generated 200 or more vehicle trips per day or is otherwise deemed to be of regional significance.

D. **Phased Development.** The Final Plan may be submitted in phases as long as the following conditions are met:

1. Each phase shall cover a reasonable portion of the entire proposed subdivision or land development as shown on the approved Preliminary Plan.

2. Each phase, except for the last section, shall contain a minimum of twenty-five percent (25%) of the total number of units of occupancy as depicted on the approved Preliminary Plan unless the Commission approves a lesser percentage for one of the phases.
  3. A schedule shall be submitted indicating the intended submission of final plans for remaining phases.
  4. Final Plan approval for all phases shall be within five (5) years of Preliminary Plan approval.
- E. **Commission Action.** The Commission shall review and render a decision to approve the Final Plan as submitted, to approve the plan subject to conditions specified by the Commission, or to disapprove the plan at a scheduled public meeting not later than ninety (90) days after such application for Final Plan approval was officially filed or after order of the court remanding an application, unless the applicant and the Commission mutually agree in writing to an extension of time. See Appendix C for a Time Extension Request Form.
- F. **Written Decision.** The applicant shall be notified in writing of Commission action within fifteen (15) calendar days following the decision. Said notice will be mailed to the last known address on file at the Planning Department Office with a copy of said notification provided as appropriate to the following:
1. Landowner if different from applicant.
  2. Firm that prepared the plan.
  3. Municipal governing body.
  4. Municipal planning commission
  5. Municipal zoning officer.
  6. Municipal Sewage Enforcement Officer.
  7. Union County Planning Commission Solicitor
  8. Union County Planning Commission Engineer
  9. Union County Conservation District
  10. Other appropriate Federal, State, County and Local agencies.
- G. **Acceptance of Conditions.** If an application for a Final Plan is approved subject to conditions such conditions shall be specified by the Commission and shall be accepted by the applicant in writing within 15 days after the written decision of the Commission was mailed or delivered to the applicant, or the approval shall be automatically rescinded. It should be noted that it will be the general policy of the Commission to not give approval subject to conditions on Final Plans except when a state permit or approval is required or other minor deficiencies exist.
- H. **Approval Pending Receipt of Additional Information.** When a Final Plan is conditionally approved the applicant shall submit revised plans and necessary documents to the Commission for approval by the staff within 45 days of acceptance of the conditions. Failure to meet the conditions of plan approval within 45 days shall constitute an automatic disapproval of the plan, unless the Commission and the applicant mutually agree upon a time extension. For plans

conditionally approved, the date of official plan approval shall be the date on which all conditions are met.

- I. **Specified Defects.** If an application for a Final Plan is disapproved as filed, the decision shall specify the defects found in the application and shall identify the requirements that have not been met; citing the provisions of the statute or ordinance relied upon.
- J. **Deemed Approval.** Failure of the Commission to render a decision and communicate it to the applicant in the manner prescribed herein shall be deemed approval of the application as presented.
- K. **Final Plan Certification.** After receipt of Final Plan approval and compliance with all conditions of approval, the Commission will execute the plan approval certification with one (1) copy being retained by the Commission and one (1) copy to be provided to the municipal governing body. No Final Plan shall be recorded with the Office of the Union County Recorder of Deeds without bearing an original signature of the Planning Commission Chairperson and/or the Planning Director (in the case of plans not requiring Commission action) denoting approval of the plan.
- L. **Assignment of Uniform Parcel Identifier.** Prior to the acceptance of a plan for recording by the Union County Recorder of Deeds the applicant shall obtain and show on the plans a Uniform Parcel Identifier for each parcel assigned by the Union County Tax Assessment Office.
- M. **Recording.** Approval of the Final Plan application by the Commission shall entitle the applicant to record the plan in the Office of the Union County Recorder of Deeds once necessary approval signatures and certificates are executed. All Final Plans approved by the Commission shall be recorded by the applicant in the Office of the Union County Recorder of Deeds within ninety (90) days of the Commission approval date noted on the plan. Failure of the applicant to record the plan within this time shall render the plan null and void unless a time extension is requested by the applicant in writing and is granted by the Commission in writing prior to the expiration date. Under no circumstances shall a plan be recorded as an attachment to or an exhibit of the instrument of conveyance.
- N. **Sale of Lots.** The sale of lots and/or construction and occupancy of proposed buildings in a subdivision or land development shall not commence until the approved Final Plan is filed and recorded with the Union County Recorder of Deeds Office. The Commission may seek preventive remedies, injunction or enforcement action in accordance with Article VIII, Sections 809, 810 and 811 of this Ordinance if lots are sold or occupancy of buildings occurs prior to Final Plan approval.
- O. **Effect of Ordinance Changes on Approval.** When an application has been granted Final Plan approval, no change in this Ordinance or in any applicable municipal ordinance shall affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five (5) years. Where Final Plan approval is preceded by Preliminary Plan approval, the five (5) year period shall be counted from the date of Preliminary Plan approval.

### **308 MINOR SUBDIVISION**

- A. **Plan Applications.** For Minor Subdivision Plans as defined in this Ordinance the applicant may apply directly for Final Plan approval in accordance with the Final Plan processing procedures set forth in Section 307 with the exceptions herein noted. However when multiple Minor Subdivisions consisting of more than five (5) lots within any given tract have been or are expected to be effected, or when other circumstances warrant, the Commission may require

additional plan submissions, including those meeting full Preliminary and Final Plan procedures and requirements.

B. **Staff Approval.** A proposal subject to Minor Subdivision or Lot Addition, Consolidation, and Replot Plan classification may be approved, approved with additional conditions specified, or disapproved by Commission Staff when the following conditions are met:

1. No lot or tract of land shall be created or sold which is neither smaller than the minimum nor larger than the maximum lot sizes under this Ordinance or the applicable zoning ordinance.
2. Drainage easements or rights-of-way shall not be changed.
3. Existing accesses to affected parcels shall not be changed.
4. The proposed lots shall front on an existing public street and shall provide vehicular access that does not interfere with normal movement of traffic.
5. Street alignments are not changed.
6. In the case of Add-On, Lot Consolidation and Replot Plans, no new lots are created.
7. All applicable Ordinance provisions can be fully met. Staff shall not be authorized to grant modifications to this Ordinance; therefore, any application that includes a request for a modification shall not be processed as a minor subdivision under this Section. The same shall be the case if staff determines that a modification request is needed.

The intent of this provision is to expedite the process of reviewing certain Subdivision Plans by granting discretionary powers to the staff. The staff shall ensure that such proposals meet all applicable requirements of this Ordinance. The staff shall have 90-days to render a decision on plans processed under this Section; however, a reasonable attempt will be made to have a decision communicated to the applicant within 30 days.

- C. A listing of all subdivisions approved utilizing this procedure during the preceding month will be provided to the full Commission at each monthly meeting for review.
- D. Any applicant aggrieved by a decision of the Commission staff under this Section shall have the right to appeal such decision to the full Commission at their next regularly scheduled meeting. Requests for an appeal to a staff decision shall be submitted to the Commission in writing 15 or more days prior to the next regularly scheduled meeting using the form provided in Appendix D.

### **309 NON-JURISDICTIONAL PLAN PROCESSING REQUIREMENTS**

The procedures set forth in this Section shall be followed by all applications where the Commission's jurisdiction is that of review rather than approval in those municipalities that have adopted their own Subdivision and Land Development Ordinance or a Subdivision Ordinance.

- A. All review requests shall be accompanied by the following:
1. At least two (2) copies of the Plan that has been submitted to the municipality by the applicant, one (1) copy of which will be retained by the Commission as a file copy.

2. One (1) copy of all reports, notifications, and certificates that are not provided on the Plan, and which have been submitted to the municipality. This may include but not be limited to the stormwater narrative, E & S Plan approvals, and street name approval by Union County Emergency Services Department.
  3. One (1)-review request signed by the municipal secretary or other authorized municipal official.
  4. Appropriate filing fee if applicable.
- B. A municipality shall not approve applications for Preliminary or Final Plan approval prior to receiving a report and a signed copy of the plan with the Commission Review Certification (See Appendix E-1) executed and/or “Review” stamp affixed, or until the expiration of the 30 days from when the plan was received by the Commission.
- C. If a municipality acts upon any plan application prior to receipt of the County review or prior to the expiration of the 30 day period, the Commission shall not review, sign the Review Certification nor affix any applicable “Review” stamp to said plans.
- D. **Plan Requirements.** All plans shall be prepared in conformance with the prevailing regulations of the applicable municipality and the Commonwealth of Pennsylvania, and all other relevant requirements of law.
- E. **Staff Approval.** Upon receipt of complete copies of the plans, reports, and application the Commission staff will evaluate the plan based upon the applicable laws, sound planning principles, consistency with the County Comprehensive Plan, and probable effects of development. Commission staff generally *will not* review the plan for compliance with the municipal zoning ordinance and/or subdivision and land development ordinance unless specifically requested by the municipality. A review will be completed within thirty (30) days of receipt and provided to the following:
1. Municipal Planning Commission
  2. Municipal Governing Body
  3. Municipal Review Officer\*
  4. Applicant
  5. Landowner if different than applicant
  6. Firm that prepared the plan
- \*Where a municipality has a designated Review Officer the Commission may elect to only provide a copy of the review to that individual.
- F. **Commission Certification.** After completion of the Commission’s review a Preliminary or Final Plan may be presented to the Commission for signature at which time the Review Certification will be executed and/or a “Reviewed” stamp will be affixed to the Plan. See Appendix E-1.
- G. **Deemed Review.** A plan that has not been reviewed within 30 days from the date of receipt from the municipality due to failure of the Commission staff to respond shall be signed to execute the Review Certification and/or affixed with a “Review” stamp once the plan is returned bearing municipal approval.

- H. **Recording.** In accordance with the Pennsylvania Municipalities Planning Code the Union County Recorder of Deeds shall not accept Final Plans for recording that do not bear the signature of the Commission and/or the Commission “Review” stamp.

### **310 REVIEWS BY ENGINEER OR OTHER QUALIFIED PERSON**

- A. The Commission Engineer and/or other consultant experienced in a particular discipline shall review any application that involves engineering or other specialized considerations, and any comments received from said engineer and/or other consultants shall be considered a part of the application review and incorporated therein. Costs of such review by the Commission Engineer and/or other consultants shall be borne by the applicant.
- B. Where a conflict of interest arises due to an application being filed by the Commission Engineer or other consultant or their office, the Commission shall appoint an independent engineer or consultant to review said application.
- C. The Commission Engineer and/or other consultant experienced in a particular discipline will not review any application that involves engineering or other specialized considerations for Non-Jurisdictional Plans, unless the municipality requests such a review in writing and a mutual agreement is made regarding payment of said engineering and/or other consultant review fees. The review of these items will be deferred to the Municipal Engineer and/or other municipal consultant.

### **311 SITE INSPECTIONS**

The Commission and staff representatives may visit any site proposed for subdivision and/or land development before any action is taken to approve or disapprove a plan in order to evaluate a plan application on the basis of the information presented.