

## **PART 4 - PLAN PROCESSING PROCEDURES**

### **SECTION 400 GENERAL**

- A. This Part sets forth the application requirements for obtaining approval of subdivision and land developments. The form of the various plans referred to in this Part and information required to be forwarded with such plans shall be as specified in Part 5 of this Chapter.

### **SECTION 401 COMPLIANCE WITH ZONING ORDINANCE AND APPLICABLE ZONING DECISIONS**

- A. Whenever Chapter 27 of the Codified Ordinances of the Borough of Highspire relating to zoning provides that the use proposed by the applicant for subdivision or land development approval shall constitute a use by special exception or conditional use, or when a variance from the terms of the zoning ordinance is required to develop in accordance with the plan, the applicant shall obtain such special exception, variance or conditional use approval from the Highspire Borough Zoning Hearing Board or Borough Council, as applicable, prior to the submission of the preliminary plan, or final plan as applicable. The plan shall be designed and developed in accordance with any conditions which have been imposed upon the grant of such special exception, variance or conditional use by the Zoning Hearing Board or Borough Council, as applicable. The plan shall note the date of the hearing where approval was granted, along with all conditions of approval, and all such specific related section references of the zoning ordinance.

### **SECTION 402 APPLICATION AND PROCESSING REQUIREMENTS**

- A. All applicants and their related applications shall follow and comply with these application and processing requirements (except sketch plans as provided hereafter).
  - 1. Formal Application/Submission Deadlines.
    - a. All subdivision and/or land development applications shall be made by the developer/applicant filing an application form, to be supplied by the Borough, together with the appropriate plans, studies, reports, supporting data, and required filing fee, with the Borough. Applications may be filed with the Borough on any business day; however, the Highspire Borough Planning Commission may review a plan at a regular meeting only if the plan was submitted at least twenty four (24) days prior to that regular meeting and deemed acceptable by the Borough for filing and initial consideration at the next regular Planning Commission which shall be the official date of filing of the application.
  - 2. Application Requirements. All plan applications shall include the following:
    - a. Ten (10) copies of the plan(s). All plans shall be either black on white or blue on white paper prints and prepared in conformance with the provisions of Part 5 of this Chapter.

- b. Two (2) copies of all reports, notifications, and certifications which are required by Parts 4, 5, and/or 7 of this Chapter.
  - c. Two (2) copies of the application form as provided in the Appendix.
  - d. Filing and review escrow fees in the amounts as specified on the fee schedule adopted by resolution of the Borough Council and available at the Borough Office.
  - e. Documentation that the plans (including the required electronic media formatted copy) and all applicable review and filing fees have been paid and properly filed with the Dauphin County Planning Commission, Dauphin County Conservation District, as well as any and all other approving agencies (municipal, school district, county, state, and federal agencies, emergency management entities, water and sewer authorities, utilities, etc.), when required.
3. Initial Application.
    - a. The Borough shall have seven (7) days from the date of submission of an application to check the plans and documents to determine if on their face they are in proper form and contain all information required by this Chapter. If defective, the application shall be returned to the applicant with a statement explaining the reason(s) of rejection, within twelve (12) days following the date of submission by the applicant; otherwise, it shall be deemed accepted for filing and initial consideration at the next regular Highspire Borough Planning Commission which shall be the official date of filing of the application. The acceptance for filing shall not, however, constitute a waiver of any deficiencies or irregularities in the content and layout of the plan, reports, and/or other required information. Under this Section, the applicant may appeal a decision by the Borough to the Borough Council.
4. Amendments or Corrections to an Application.
    - a. The Borough shall have seven (7) days from the date of submission of an amended or corrected application or plan to determine whether such amended or corrected application results in a substantial amendment to the plan or if the application or plan filed changed so as to be considered a new plan. If the Borough determines that the amended or corrected application constitutes a substantial amendment, the applicant shall be informed of the determination within twelve (12) days from the date of the submission of the amended or corrected application and the Borough shall further inform the applicant that the Borough shall consider the ninety (90) day review procedure to have been restarted as of the date of the filing of the substantial amendment. If the Borough determines that the amended or corrected application constitutes a new plan, the Borough shall so inform the applicant that a new application and new fees are required. Under this Section, the applicant may appeal a decision by the Borough to the Borough Council.
5. Plan Review Process.
    - a. Review by the Borough Staff and Consultants
      - 1) The Borough Zoning/Codes Officer and any Borough personnel as directed by the Borough Council shall review the application documents to determine if they are in compliance with this Chapter, Chapter 27 of the Codified Ordinances of the Borough of Highspire relating to zoning, the most recent version of the Highspire Borough Comprehensive Plan, the Borough's planning objectives, and accepted planning standards. These

- personnel shall provide comments and recommendations to the Borough and the applicant, when directed by the Borough Council.
- 2) The Borough Engineer, and/or other legal and professional consultants designated by the Borough Council shall review the application documents to determine compliance with this Chapter, and any other applicable Borough ordinances, plans, specifications, standards and good engineering, planning, and legal practices. The Borough Engineer, and/or other legal and professional consultants shall prepare a written report of his findings and recommendations which shall be presented to the Borough and the applicant, when directed by the Borough Council.
- b. Review by the Dauphin County Planning Commission
    - 1) After the applicant has submitted the plan (including the required electronic media formatted copy) and supporting documentation along with paying all applicable review and filing fees with the Dauphin County Planning Commission, the County Planning Commission shall review the plan and data and shall return a written review report to the Borough and the applicant within thirty (30) days of its receipt of the same or forfeit its right to review. The Borough Planning Commission shall not take action on the application until the County review report is received or until the expiration of thirty (30) days from the date the application was forwarded to the County, whichever comes first.
  - c. Review by Other Borough/County Entities/Agencies
    - 1) The following entities shall have the opportunity to review the plan application documents (when applicable) and offer comments:
      - a) Fire company
      - b) Borough Authority (sewer)
      - c) Water company
      - d) Steelton/Highspire School District
      - e) Other municipalities when part of an Intermunicipal Agreement
      - f) Dauphin County Emergency Management Agency/911Communications
      - g) Gas, electric, cable, phone utilities providers
      - h) Other service and utility providers
  - d. Highspire Borough Planning Commission Review Process.
    - 1) The Planning Commission will review the application with the applicant/developer and/or his agent review at the next regular meeting only if the plan was submitted at least twenty four (24) days prior to that regular meeting and deemed acceptable for filing. The meeting shall be the official date of filing of the application. The Planning Commission will review the application to determine if it meets the standards set forth in the Borough's ordinances, plans, standards, and specifications. The application shall then be submitted by the Planning Commission, together with its analysis and recommendations, including those of the Borough staff and Borough Engineer and/or legal and other professional consultants, to the Borough Council.
    - 2) The Planning Commission shall recommend whether the plan should be approved, approved with conditions, or disapproved. (Additionally, the Planning Commission may table to make revision to the plan.) The Planning

Commission shall notify the Borough Council of its official recommendation in writing (excluding tabling the plan). If the plan is recommended for disapproval, the Planning Commission shall specify in writing the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of the Chapter relied upon. All such applicable information shall be included in the written notification.

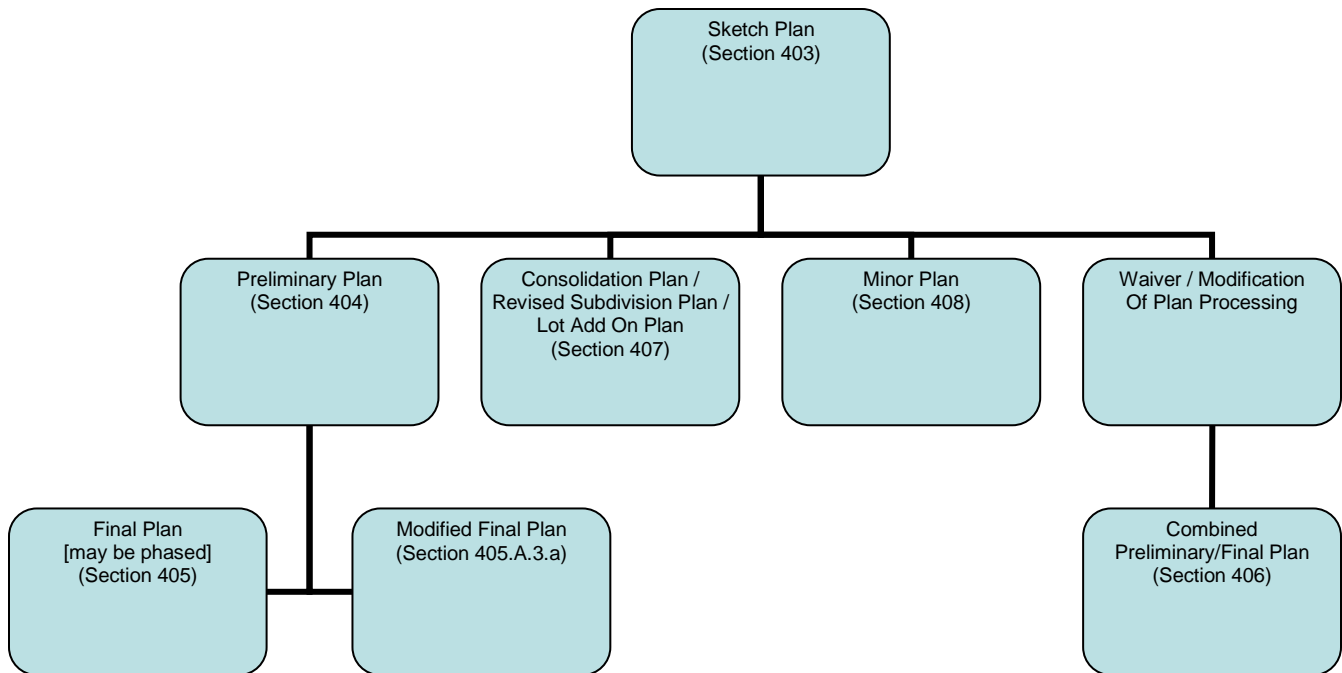
- a) When a plan is tabled by the Planning Commission for the applicant to comply with the review comments generated by the Planning Commission, Borough staff, Borough Engineer and/or legal and other professional consultants, County Planning Commission, and any other review entity(s), the applicant shall provide a written response to all the comments and the revised plan to the Borough at least ten (10) days prior to the next Planning Commission meeting at which the plan is to be considered.
  - b) When a plan is recommended by the Borough Planning Commission for action, the Borough shall provide the Planning Commission meeting minutes or a written report recommending approval (conditional or otherwise) or disapproval of the plan and the reasons therefore; citing the provisions of the statute or ordinance relied upon, to the applicant and/or agent.
- e. Borough Council Review Process
- 1) Generally, following review and recommendation by the Borough Planning Commission, the Borough Council will place the plan on its agenda for review and action.
  - 2) All applications for approval of a plan shall be acted upon by the Borough Council at a regular scheduled meeting. The Borough Council shall render its decision 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 application is filed, provided that should the said next regular meeting occur more than thirty (30) days following the filing of the application, the said ninety (90) day period shall be measured from the thirtieth (30th) day following the day the application has been filed.
  - 3) Notification of Borough Council Action. The decision of the Borough Council shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision.
    - a) When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of the Chapter relied upon.
    - b) Failure of the Borough Council to render a decision and communicate it to the applicant within the time and in the manner required herein, unless a greater period of time has been authorized by the MPC, shall be deemed an approval of the application in terms as presented, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner or presentation of communication of

the decision; in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

- f. Compliance with the Borough Council Action.
  - 1) If the Borough Council conditions its plan approval upon receipt of additional information, changes and/or notifications, such data shall be submitted and/or alterations noted on two (2) copies of the plan to be submitted to the Borough for approval. Such data shall be submitted to the Borough Council within ninety (90) days of their conditional approval, unless the Borough Council grants a modification by extending the effective time period.
- g. Borough Council Approval and Certification.
  - 1) The Borough Council will acknowledge the satisfactory compliance with all conditions, if any, of the plan approval at a regularly scheduled public meeting. After receipt of plan approval and compliance with all conditions of approval, a plan shall be presented to the Borough for acknowledgement through a formal approval certification statement on the plan as provided in the Appendix. Two (2) copies (one for the Borough and one for the applicant) of the plan shall be provided for the Borough Council to sign the approval certificate.
- h. Public Hearing.
  - 1) The Borough Council and/or Borough Planning Commission may hold a public hearing, pursuant to public notice, prior to recommendation, and/or action on any plan.

## **SECTION 403 SKETCH PLAN AND PRE-APPLICATION MEETING**

- A. Historically, subdivision and land development plans have been submitted and processed in steps, i.e. preliminary plan followed by final plan. Highspire Borough believes that certain plans should be processed on an expedited basis without going through all of the traditional steps. Highspire Borough places great value on the open exchange of ideas between the applicant and Borough before the applicant invests considerable time and funds in the preparation and submittal of the applicant's subdivision and/or land development plan. The applicant is encouraged, but not required, to initiate the subdivision and land development process by initiating a meeting with the Borough and related staff, and completing the sketch plan process. The sketch plan shall be prepared in accordance with Part 5 of this Chapter and is a permissive and not a mandatory submission. The submission of the sketch plan would enable the Borough to openly discuss the applicants' plans and project and to make recommendations for the applicant to consider in preparing the formal submission using such examples as Appendix G. An applicant who elects to take advantage of the sketch plan process, will, at the applicant's option, have the right to proceed to a preliminary/final plan and forego the preliminary plan phase/processing requirements. The sketch plan process is encouraged in all situations, but is not mandatory and will not prevent the applicant from submitting a modification request regarding preliminary plan processing requirements as part of its submission. The Borough has prepared the following flow chart as a summary of the plan processing procedures. The flow charts do not, nor shall be construed to, override or supersede the processing requirements set forth in this Chapter but are provided as an additional aid to the applicant



**B. Submission, Meeting, and Consultant Review.**

1. The applicant shall submit ten (10) copies of the sketch plan, along with any required supplemental data, fees and an application form, to the Borough at least fifteen (15) days prior to the next regularly scheduled Highspire Borough Planning Commission meeting. Prior to the Borough Planning Commission meeting, the applicant should schedule a review meeting with the Borough staff which shall include the Zoning/Codes Officer, Borough Engineer, and may include other legal and professional consultants and/or related Borough/County entity representatives, at the applicant's sole cost and expense. The applicant may request that the Borough planning, engineering, and/or legal consultant(s) perform a written review of the sketch plan, at the applicant's sole cost and expense. In such case, the written review shall be provided to the applicant with copies to Borough staff and the Highspire Borough Planning Commission.

**C. Review by Highspire Borough Planning Commission.**

1. The Highspire Borough Planning Commission shall review the sketch plan submission and as applicable, consultant reviews and advise the applicant how the proposed subdivision or land development may conform or fail to conform to the requirements and objectives of this Chapter and other applicable plans and ordinances. The Highspire Borough Planning Commission may then submit its written comments and recommendations to the applicant. The applicant shall incorporate the comments or concerns of the Planning Commission and staff and make every effort to address these

items in subsequent plan submissions. Said comments shall not be deemed to be an approval of any application or to vest any rights in the applicant.

D. Review by Highspire Borough Council.

1. The applicant may, but need not, request further review of the sketch plan submission by the Highspire Borough Council at a regularly scheduled meeting. The Highspire Borough Council may provide written comments to the applicant. Said comments shall not be deemed to be an approval of any application or to vest any rights in the applicant.

E. Completion of the Sketch Plan Process

1. After completion of the sketch plan process, the applicant is allowed to do one of the following:
  - a. Preliminary Plan submission: : Plan must be titled "Preliminary Plan" and must be processed per Section 404 and 502 and then followed by the final plan submission and must be titled "Final Plan" and processed per Section 405 and 503..
  - b. Lot Consolidation Plan / Revised Subdivision Plan / Lot Add-On Plan submission: Plan must be titled "Final Plan – Lot Consolidated Plan"; "Final Plan - Revised Subdivision Plan"; or "Final Plan - Lot Add-On Plan"; and must be processed per Section 407 and 504.
  - c. Minor Plan submission: Plan must be titled "Final Plan – Minor Plan" and must be processed per Section 408 and 505..
  - d. Combined Preliminary /Final Plan submission: Plan must be titled Preliminary/Final. Plans must be processed per Sections 406 and 503.

**SECTION 404 PRELIMINARY PLAN**

A. Purpose:

1. The purpose of the preliminary plan is to require formal preliminary approval in order to, vest the plan from changes in Borough ordinances, phase development, and provide additional time to complete conditions of approval.

B. Plan Requirements:

1. Plan must be titled Preliminary Plan.
2. All preliminary plans shall be prepared in conformance with the provisions of Section 502 and any other applicable requirements of law.

C. Preliminary Plan Application.

1. With the exceptions noted in Section 406, 407, and 408 of this Chapter, a preliminary plan is required for all applications.

D. Approval of a Preliminary Plan application.

1. Approval of a preliminary plan application shall constitute approval of the proposed subdivision and/or land development as to the general character and intensity of

development and the general design and arrangement of streets, lots, structures, and other planned facilities, but shall not constitute final plan approval. This preliminary approval binds the developer to the general scheme of the plan as approved. Approval of the preliminary plan does not authorize the recording, sale, or transfer of lots.

- E. The preliminary plan approval will be effective for a five (5) year period from the date of approval of the preliminary plan and no subsequent change or amendment in the zoning, subdivision, or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved plan in accordance with the terms of such approval within five (5) years from such approval. The final plan for the entire project must be made within five (5) years of the preliminary plan approval unless the Borough Council grants a waiver by extending the effective time period of the approval. An extension of time may be requested by the applicant in writing and approved by the Borough Council in accordance with Section 508(4) of the MPC. Request for extension shall be submitted to the Borough thirty (30) days prior to any prevailing expiration date. Extensions may be granted for no more than three (3), one (1) year periods.
- F. In the case of a preliminary plan calling for installation of improvements beyond the five (5) year period, a schedule shall be filed by the applicant with the preliminary plan delineating all proposed sections as well as deadlines within which applications for final plat approval of each section are intended to be filed. Such schedule shall be updated annually by the applicant on or before the anniversary of the preliminary plan approval, until final plan approval of the final section has been granted and any modification in the aforesaid schedule shall be subject to approval of the Borough Council in its discretion.
- G. Each section in any residential subdivision or land development, except for the last section, shall contain a minimum of twenty-five (25) percent of the total number of dwelling units as shown on the preliminary plan, unless a lesser percentage is approved by the Borough Council in its discretion. Provided the applicant has not defaulted with regards to or violated any of the conditions of the preliminary plan approval, including compliance with applicant's aforesaid schedule of submission of final plans for the various sections, then the aforesaid protection afforded by substantially completing the improvements shown on the final plan within five (5) years shall apply and for any section or sections, beyond the initial section, in which the required improvements have not been substantially completed within said five (5) year period the aforesaid protection shall apply for an additional term or terms of three (3) years from the date of final plan approval for each section.
- H. Failure of applicant to adhere to the aforesaid schedule of submission of the final plan for the various sections shall subject any such section to any and all changes in this Chapter, zoning and other governing ordinance enacted by the Borough Council subsequent to the date of the initial preliminary plan submission.
- I. Improvement Construction from Preliminary Plan.
  - 1. In accordance with the option as set forth in Section 509 of the MPC authorizing an applicant to complete construction of the subdivision/land development improvements prior to approval and recording of a final plan and, hence, avoiding the requirements for the deposit with the Borough of financial security to cover the costs of such improvements an applicant electing to do so shall meet the following requirements;



- a. Requirements.
  - 1) The applicant shall indicate in writing the intent to construct the improvements prior to final plan approval to the Highspire Borough Council as part of the preliminary plan application process.
  - 2) Plans must also receive approval when applicable from all authorities having jurisdiction including by way of example but not limited to, Highway Occupancy Permit (HOP), Erosion and Sedimentation (E&S) Control Approval, etc.
  - 3) The applicant may, after receipt of acknowledgment from the Highspire Borough Council of the satisfactory completion of all conditions of preliminary plan approval, proceed to construct the improvements required by this Chapter and shown on the approved preliminary plan.
  - 4) The applicant shall complete and enter into the appropriate developer's agreement. The applicant shall indicate the timetable for the construction of the improvements including a schedule and plan of the proposed phasing of sections of the plan.
  - 5) An as-built plan will be required to be recorded as the final plan after constructing improvements from each phase of a preliminary plan.
2. Limitations.

Construction and completion of the improvements shall not constitute permission to sell lots or occupy proposed buildings shown on the plan. Such permission shall occur concurrently with, or after the recordation of the final plan.

## **SECTION 405 FINAL PLAN**

### **A. General.**

1. Final Plan Submission.

Applications for final plan approval can be submitted only after the following, when required, have been completed:

  - a. The applicant has satisfied any conditions of preliminary approval which the Highspire Borough Council's preliminary plan approval has required to be completed prior to the submission of a final plan.
  - b. When a preliminary plan is not required (See Sections 406, 407, and 408).
  - c. When a preliminary plan has been approved with conditions to be resolved during the final plan review process and the applicant has not chosen to construct and complete the subdivision/land development improvements pursuant to Section 404.I.
2. Final Plan Submitted in Phases:
  - a. The Final Plan may be submitted in phases, each phase covering a reasonable portion of the entire proposed subdivision or land development as shown on the approved preliminary plan; provided that each phase, except for the last, shall contain a minimum of twenty-five (25) percent of the total number of dwelling units as depicted on the approved preliminary plan unless the Highspire Borough Council specifically approves a lesser percentage for one or more phases.

3. Modified Final Plan:

- a. The Highspire Borough Council may accept a final plan modified to reflect a change to the site or its surroundings that occurs after the preliminary plan review. The Highspire Borough Council shall determine whether a modified final plan will be accepted or whether a new preliminary plan shall be submitted.

B. Purpose.

1. The purpose of the final plan is to record the subdivision and or land development according to state law, insure formal approval by the Highspire Borough Council before plans are recorded, and to provide sufficient information so that the Highspire Borough Council can assure construction according to the requirements of this Chapter.

C. Plan Requirements:

1. Plan must be titled Final Plan.
2. All final plans shall be prepared in conformance with the provisions of Section 503 and any other applicable requirements of law.
3. In addition to the application requirements of Section 503, final plans which require access to a highway under the jurisdiction of the PA Department of Transportation (PennDOT), shall include two (2) copies of the plans prepared to support the application for a HOP.

D. Final Plan Applications

1. When a final plan is preceded by preliminary plan approval, the final plan and all required supplemental data shall be submitted within twelve (12) months after approval of the preliminary plan. An extension of time may be granted by the Borough Council upon written request. Otherwise, the plan submitted shall be considered as a new preliminary plan.
2. The final plan may be submitted in sections, each section covering a reasonable portion of the entire proposed subdivision as shown on the approved preliminary plan; provided that each section, except for the last section, shall contain a minimum of twenty-five (25) percent of the total number of units of occupancy as depicted on the approved preliminary plan.
3. The final plan shall incorporate all changes and modifications required by the Borough in the preliminary plan, and shall conform to the approved preliminary plan.
  - a. The Borough may accept a final plan modified to reflect a change to the site or its surroundings that occurs after the preliminary plan review. The Borough Council, with a recommendation from the Borough Planning Commission, shall determine whether a modified final plan will be accepted or whether a new preliminary plan shall be submitted.

E. Final Plan Certification.

1. After the Borough Council's approval of the final plan and the required changes, if any, are made, the applicant shall proceed to prepare two (2) sets of final plans, which shall be transparent reproductions of the original plan with black line on stable plastic base film (mylar or equal) and two (2) sets of paper copies of the approved version of the final

plan. One (1) paper copy of the plan shall be kept in the Borough files and one (1) paper copy of the plan shall be kept in the Dauphin County Planning Commission's files.

2. Upon compliance with all conditions of plan approval to the satisfaction of the Borough and compliance with Part 5 of this Chapter, two (2) transparent and two (2) paper copies of the final plan shall be certified in the following manner:
  - a. Both sets of final plans shall be presented to the Highspire Borough Planning Commission and the Borough Council for the signature of the respective Chairman and President or their designees. Final plans will not be signed by the Borough Council prior to certification by the Highspire Borough Planning Commission or if submitted more than ninety (90) days from the Borough Council's final approval action unless the Borough Council grants a modification by extending the effective time period of the approval.
  - b. After obtaining the required Borough signatures, both sets of copies of the approved version of the final plan shall be presented to the Dauphin County Planning Commission for signature.

F. Final Plan Recordation.

1. Upon approval and certification of a final plan and payment of any and all outstanding fees, the applicant shall record the plan in the office of the Dauphin County Recorder of Deeds.
  - a. Recording Number Required:
    - 1) A recording number and a complete set of plans with all signatures, stamps and seals must be provided to the Borough before the:
      - a) Applicant proceeds with any sale of lots or the construction of any improvement except as provided for in Section 404.I of this Chapter. It should be noted that lots may be placed under agreement of sale prior to plan recording but not conveyed.
      - b) Borough issues any permits.
  - b. Reporting to GIS:
    - 1) A compact disc in CAD or GIS format of the approved final plan including parcel boundaries, roads, water, sewer, utility, and building locations shall be provided to Dauphin County at the time of plan recording.
2. Should the applicant fail to record the final plan within ninety (90) days of the Borough Council's final plan approval, the Borough Council's action on the plan shall be null and void unless the Borough Council grants a modification by extending the effective time period of the approval.

G. Effect of Recording of Final Plan.

1. Recording the final plan, after approval of the Borough Council, shall have the effect of an irrevocable offer to dedicate all streets and other areas designated for public use, unless reserved by the landowner as provided in Part 5 of this Chapter. However, the approval of the Borough Council shall not impose any duty upon the Commonwealth, County, or Borough concerning acceptance, maintenance, or improvement of any such dedicated areas or portion of same until the proper authorities of the Commonwealth, County, or Borough actually accept same by ordinance or resolution, or by entry, use, or improvement.

- H. The landowner may place a notation on the final plan to the effect that there is no offer of dedication to the public of certain designated areas, in which event the title to such area shall remain with the owner, and neither the Commonwealth, County, Borough, nor any applicable authorities shall assume any right to accept ownership of such land or right-of-way.

**SECTION 406 PRELIMINARY/FINAL PLAN.**

A. Purpose.

Historically, subdivision and land development plans have been submitted and processed in steps, i.e. preliminary plan followed by final plan. Highspire Borough believes that certain plans should be processed on an expedited basis without going through all of the traditional steps. An applicant who elects to take advantage of the sketch plan process, will, at the applicant's option, have the right to proceed to a preliminary/final plan and forego the preliminary plan phase/processing requirements.

B. Plan Requirements.

All preliminary/final plans shall be prepared in conformance with any other applicable requirements of law. Only the plan sheets relating to the final plan are recorded. The entire set of plans is not recorded. Plans shall only be permitted when all of the following criteria are satisfied:

1. Plan must be titled Preliminary/Final Plan.
2. Plans must be prepared per Section 503.

C. Preliminary/Final Plan Certification and Recordation.

1. All preliminary/final plan applications shall comply with the procedures from Section 405 E. – H.

**SECTION 407 LOT CONSOLIDATION PLAN / REVISED SUBDIVISION PLAN / LOT ADD-ON PLAN**

A. The following plans shall be processed as a single submission and handled as a final plan:

1. Lot Consolidation Plan:
  - a. The consolidation of two (2) or more existing tracts to create one (1) lot with revised lot lines if it is in conformance with the criteria specified in Section 504.
2. Revised Subdivision Plan:
  - a. Any replatting of recorded plans due to survey corrections or revision due to survey corrections of approved final plans, which have not yet been recorded can be made if it is in conformance with the criteria specified in Section 504.
3. Lot Add-On Plan:
  - a. The proposal to alter the location of lot lines between existing lots of separate ownership or under the same ownership with separate deeds for the sole purpose of increasing lot size if it is in conformance with the criteria specified in Section 504.

B. Plan Criteria:

1. Plans shall only be permitted when all of the following criteria are satisfied:
  - a. The resultant lots meet all requirements of the applicable zoning district.
  - b. The resultant lots shall retain adequate access to accommodate potential development in accordance with the current zoning district regulations.
  - c. Drainage easements or rights-of way are not altered.
  - d. Access to the affected parcels is not altered or modified.
  - e. Street alignments are not changed.

C. Plan Requirements:

1. Where the above conditions are satisfactorily proven to exist, a plan shall be prepared in conformance with the provisions of Section 504 and any other applicable requirements of law.

D. Lot Consolidation Plan / Revised Subdivision Plan / Lot Add-On Plan Certification and Recordation.

1. All lot consolidation plan / revised subdivision plan / lot add-on plan applications shall comply with the procedures from Section 405 E. – H.
2. Additionally, deeds related to such plans shall also comply with the following:
  - a. A copy of the deeds to be recorded for the subject tract or receiving and conveying tracts shall be submitted prior to recording of the plan.
  - b. Recordation of such plan does not serve to join the receiving tract with the acreage to be conveyed. To reflect the descriptions as provided on the recorded plan, deeds must be recorded for the receiving and conveying tracts.

E. Future Development.

1. Any development of the lots created through this process must follow standard plan processing procedures as specified in this Chapter.

**SECTION 408 MINOR PLAN**

A. Plan Purpose.

1. Subdivision of one lot into not more than two (2) lots, including the parent tract, either initially or cumulatively from the effective date of this Chapter, for single family residential detached development in any residential or the MN/C zoning district or,
2. Construction of an accessory residential dwelling unit on a subject tract when not utilizing an existing structure; or
3. Renovation / conversion / expansion of an existing or former residential building with a total building footprint, either initially or cumulatively from the effective date of this Chapter for a mixed use land development of not more than:
  - a. two thousand five hundred (2,500) square feet in the CBD zoning district; and

- b. five thousand (5,000) square feet in the MN/C zoning district.

B. Plan Criteria.

Plans shall only be permitted when all of the following criteria are satisfied:

1. The resultant lots are designed in accordance with the provisions of the applicable zoning district.
2. All lots shall front on an existing public street, and street alignments are not changed.
3. All lots shall retain and/or provide for adequate vehicular access to accommodate potential development in accordance which does not interfere with the normal movement of traffic in accordance with the current zoning district regulations.
4. No new point discharge of runoff will result from the proposal.

C. Plan Requirements.

1. The applicant shall demonstrate by submission of existing contour and storm water management report and a grading plan that post development peak stormwater flows from the site do not exceed the pre development peak flows from the site and leave the site in the same manner as in pre-development condition.
2. Where the above conditions are satisfactorily proven to exist, a plan shall be prepared in conformance with the provisions of Section 505 and any other applicable requirements of law.

D. Minor Plan Certification and Recordation.

1. All minor plan applications shall comply with the procedures from Section 405 E. – H.
2. Additionally, deeds related to such plans shall also comply with the following:
  - a. A copy of the deeds to be recorded for the subject tract or receiving and conveying tracts shall be submitted prior to recording of the plan.
  - b. Recordation of such plan does not serve to join the receiving tract with the acreage to be conveyed. To reflect the descriptions as provided on the recorded plan, deeds must be recorded for the receiving and conveying tracts.