

ARTICLE VI

FINAL PLAN

601. APPLICABILITY. This Article lists the requirements for final plans for a major subdivision or any land development. See the requirements of Article VII for a project that only involves: a) a minor subdivision, b) a lot line adjustment or c) minor corrections or minor revisions to a previously approved plan as specified in Section 704.

602. SUBMISSION AND REVIEW PROCEDURE.

602.A. Final Plan Submission Required.

1. A Final Plan Submission for each major subdivision or land development must be filed by the Applicant and reviewed in accordance with the provisions of this Article VI.
2. A Final Plan shall only be submitted after a Preliminary Plan has been approved by the Planning Commission, if a Preliminary Plan is required.

602.B. Final Plan Submission Deadline.

1. An applicant shall file a Final Plan Submission within 5 years from the date of the approval of the Preliminary Plan by the Planning Commission.
2. Failure to comply with this requirement shall render the Preliminary Plan Submission null and void, and a new Preliminary Plan Submission must be filed.

602.C. Filing and Distribution.

1. The Applicant shall file with the City Staff at least 14 calendar days prior to a regular Planning Commission meeting (not including workshop meetings) all of the required plans, information and fees listed in Section 603 of this Ordinance.
2. The City Staff shall forward applicable plans to the following agencies to seek their comments prior to Final Plan Approval:
 - a. the appropriate City staff (including 1 official "file" copy of all materials submitted by the applicant),
 - b. the City Planning Commission (including copies of the Application Form, at least 1 copy of the Preliminary Plan Checklist, several copies of the Preliminary Plan and at least 1 copy of the Supporting Documents), with such information provided at or before the next regularly scheduled meeting of the Commission.
3. Applicant's Distribution. It is the applicant's responsibility to:
 - a. City Engineer, provided the same day as the submittal is made to the Plans Administrator,
 - b. City Fire Chief (layout plan and hydrant and water system information, unless such information was already approved at the preliminary plan level and is not proposed to change from such plan),

- c. make agreements with the appropriate utility companies, including but not limited to the Scranton Area Sewage Authority and the water supplier,
 - d. provide information to PennDOT that is required for any needed permit for access to or work within a State road right-of-way,
 - e. provide information to PA. DEP or other agencies for any permits that might be required,
 - f. submit a copy of the soil erosion and sedimentation plan to the County Conservation District, and pay their required review fees, if earth disturbance is proposed, and if such erosion control plan was not approved at the preliminary plan level, and
 - g. provide a copy of the plans to the County Planning Commission.
- 4. The filing of the Final Plan shall conform with the approved Preliminary Plan and any conditions and changes recommended by the City during the Preliminary Plan review.
 - 5. Revisions. A list of revisions from a previously submitted plan shall be provided whenever a revised plan is submitted.

602.D. Determination of Completeness by Commission.

- 1. If the City Engineer determines that a submission is significantly incomplete, the City Engineer shall have the authority: a) within 14 days after a submission to return the submission to the applicant or b) to recommend action by the Planning Commission as provided in subsection "2." below.
 - a. If the submission is returned, the submission shall have been considered to have never been officially accepted for action by the City.
- 2. Regardless of whether the City Engineer did not return a submission under subsection "1." above, the Commission shall have authority, at its first regularly scheduled meeting after the Submission is filed in a timely fashion, to determine that a submission is significantly incomplete and to do one of the following:
 - a. Not officially accept the Submission, indicating deficiencies in writing, and return the fee (minus the costs of any City review) to the Applicant.
 - b. Officially accept the Submission as being filed for review on the condition that the Applicant shall file such additional required materials and information to the Staff or appropriate agency or person by a specific deadline.
 - c. Table the official acceptance of the submission until the next Planning Commission meeting after the applicant has met all of the submittal requirements within the required time period prior to the meeting. The 90 day time limit for action shall not begin until the plan is accepted as complete.
 - d. Reject the application for just cause, such as the submission being significantly incomplete.
- 3. If the Commission determines that the Submission is significantly complete, as filed and as required, the Commission shall accept the plans and may begin its review.

4. If the Commission determines that a Final Plan Submission, as filed, departs substantially from the approved Preliminary Plan, the Commission may classify the submission as a Revised Preliminary Plan (with the applicable review fees required) and process the application as such.

602.E. Review by the Subdivision Bureau.

1. See determination of completeness in Section 502.C.
2. The Subdivision Bureau (including the City Engineer) should review the engineering considerations of the submission and prepare report(s) to the Commission.
3. Policy matters that should be dealt with directly by the Planning Commission should be listed separately from technical engineering considerations.
4. The Applicant and/or his/her plan preparer shall make reasonable efforts to resolve technical engineering considerations outside of and prior to Planning Commission meetings. The City Engineer may require the applicant or his/her plan preparer to meet with the City Engineer for this purpose.

602.F. Review by Commission.

1. The applicant and the preparer of the plans are expected to attend Planning Commission meeting(s) where his/her submission will be reviewed. If the Commission has insufficient information to render a decision as a result of such non-attendance, such attendance may result in disapproval of the submission.
2. The Planning Commission shall:
 - a. Review applicable reports received from official review agencies,
 - b. Determine whether the Final Plan Submission meets the requirements of this Ordinance and other applicable ordinances.

602.G. Decision by the Planning Commission. The Planning Commission shall:

1. Approve, conditionally approve or reject the Final Plan Submission within the time required by the PA. Municipalities Planning Code. (As of 1994, State law generally requires:
 - a) the Planning Commission to act not later than 90 days following the date of the first regular meeting of the Commission held after it has been properly filed; but in no case shall the Planning Commission' decision be made later than 120 days following the date the submission was duly submitted, unless the Applicant grants a written extension of time; and
 - b) that no subdivision or land development shall be granted final approval until a report is received from the County Planning Commission or until the expiration of 30 days from the date the application was forwarded to the County Planning Commission.)
2. Notice to Applicant. The decision of the Planning Commission shall be in writing and shall be communicated to the Applicant personally or mailed to him/her at his/her last known address not later than 15 days following the decision.

3. Dedications.

- a. The approval of the Final Plan by the Planning Commission shall not by itself constitute an acceptance of the dedication of any street or other proposed public way, space, or area, unless the such acceptance is specified at such time.
- b. Any such acceptance of dedication shall only occur after formal action of the City at such time.
- c. As part of an improvements agreement, if the City Council elects to accept lands offered for dedication, the submission shall be accompanied by duly executed instruments of conveyance to the City. Such instruments shall state that the title thereof is free and unencumbered.

4. Disapproval. When a Final Plan Submission is disapproved, the decision shall specify defects found in the Submission, shall describe requirements which have not been met, and shall cite the provisions of ordinance section(s) relied upon.

5. Conditions. The Planning Commission may attach reasonable conditions to an approval to ensure the carrying out of the Comprehensive Plan, this Ordinance, other City Ordinances and State laws and regulations, and to protect the public health and safety.

6. Acceptance of Conditions. Any conditions on the approval shall be mailed or otherwise provided in writing to the applicant or his/her official representative. If the applicant provides notice to the City that he/she rejects one or more conditions within 30 days after the Planning Commission action, then the submission shall be considered to have been rejected. The applicant is requested to provide notice in writing that the conditions have been accepted. However, if the applicant does not respond regarding the conditions or otherwise file an official appeal within 30 days after the Planning Commission action, then all of the conditions shall automatically be considered to have been accepted by the applicant.

602.H. Development in Stages.

1. If requested by the Applicant, the Planning Commission may permit the undertaking of the required improvements and the preparation of the Final Plan to be completed in a series of sections or stages, each covering a portion of the proposed subdivision or land development as shown on the Preliminary Plan.
2. If Final Plans are to be filed in sections or stages, each section or stage shall provide sufficient access, utilities and amenities to allow the development to properly function if future stages are not built.
3. The boundaries of phases and the timing of related improvements shall be subject to the approval of the Planning Commission.

603. FINAL PLAN REQUIREMENTS.

- 603.A. All of the information and materials listed in this section are required as part of all final plans for: 1) a major subdivision or 2) a land development. This list of requirements shall serve as both a list of requirements, and as a checklist for the applicant and the City to ensure completion of submissions. The applicant shall submit completed photocopies of this section as part of the application.
- 603.B. The required information listed in this Section may be combined or separated onto different sheets, provided that the plans will be clearly readable.

Section 603.C.
City of Scranton
FINAL PLAN FOR MAJOR SUBDIVISION OR LAND DEVELOPMENT
CHECKLIST AND LIST OF SUBMITTAL REQUIREMENTS

Applicant's Name: _____

Applicant's Address: _____

Applicant's Daytime Phone No.: _____

Applicant's Signature: _____

Date: _____

* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT
SUBMITTED SUBMITTED*

A. GENERAL SUBMISSION ITEMS:*

- | | | |
|---|-------|--|
| _____ | _____ | 1. City application/review fee(s)/escrow |
| _____ | _____ | 2. Delivered by the applicant to the Plans Administrator:
1 copy of the Completed Application (see Appendix A)
1 copy of the completed Preliminary Plan Checklist showing that all of the information on that checklist has been addressed on the Final Plan also (using the photocopies of the pages in Section 503)
1 copy of the completed Final Plan Checklist (using photocopies of the pages in this Section)
4 print copies of the complete Final Plans
7 additional print copies of only the Layout Plans
1 set of Supportive Documents required by this Section (Note - the applicant is not required to resubmit supporting documentation and reports submitted as part of a Preliminary Plan review unless such documentation or reports need to be updated.)
(See Section 504 concerning original signatures and seals) |
| _____ | _____ | 3. Delivered by applicant to the Fire Bureau - 1 set of all information concerning layout, fire hydrants & water service |
| _____ | _____ | 4. Delivered by the applicant to the City Engineer - 1 copy of all materials delivered to the Plans Administrator |
| _____ | _____ | 5. Dated receipt showing that the applicant has provided a copy of plan to the County Planning Commission together with any review fees required by the County |
| * Note- The City may require the Applicant to file additional copies. | | |
| _____ | _____ | 6. Words "Final Plan" and sheet title (such as "Layout Plan") on each sheet |
| _____ | _____ | 7. Wetlands. Detailed delineations by a qualified professional of wetlands are required and shall be dimensioned from lot lines, with a metes and bounds description of wetlands that are within areas that may be disturbed, except if: the Plan states that no alteration, buildings, earthmoving, driveways or septic systems will occur within 100 feet of the outer extent of any areas that might reasonably be suspected of being wetlands. Such suspected wetlands shall still be noted on the plans. |

* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT
SUBMITTED SUBMITTED*

- a. The applicant may be granted Final Plan approval conditioned upon receipt of all required Federal and State wetland permits.
- b. See the "supporting documentation" portion of this section regarding wetland studies.
- 8. For uses other than single family detached and twin dwelling:
 - a. Number, sign area, height and location of proposed signs (required applications for signs may be submitted separately)
 - b. Major types, heights and locations of outdoor lighting
- 9. Required profiles shown at a scale of 1"-50' horizontal and 1"-5' vertical, or other scale preapproved by the City Engineer or City Staff.
- 10. A line drawing of any proposed new or extended streets at a scale of 1 inch = 800, to allow the City to trace the street onto City Maps.

B. UTILITIES

- 1. If centralized sewage service is proposed:
 - a. proposed contour lines on same sheet as utility layout
 - b. proposed lotlines and any proposed easements or rights-of-ways needed for the utilities
 - c. location of all other drainage facilities and public utilities in the vicinity of sanitary sewer lines
 - d. type, size, length and grade of sewer lines
- 2. If centralized water service is proposed:
 - a. location and size of existing and proposed waterlines
 - b. existing and proposed fire hydrant locations, with such locations being subject to approval by the Scranton Fire Bureau
 - c. distance noted that water lines will have to be extended to reach existing lines (if not already abutting the tract)

C. GRADING AND STORMWATER MANAGEMENT PLAN:

- 1. Locations of existing and proposed storm drainage facilities or structures, including detention basins (with capacity), swales, pipes (with sizes), culverts and inlets
- 2. Capacity, depth, dimensions and locations of detention basins
- 3. Watershed areas for each drainage structure or swale (for pre and post development) or point of concentration
- 4. Locations of any proposed or existing stormwater easements
- 5. Intended design year standards for culverts, bridge structures and/or other stormwater facilities
- 6. Schematic location of all underground utilities
- 7. See also requirements of Section 1008

* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT
SUBMITTED SUBMITTED*

D. EROSION AND SEDIMENTATION PLAN: (Unless approved at preliminary plan stage and will be unchanged)

1. Drawings showing locations and types of proposed measures, complying with the regulations and standards of the County Conservation District and PA. DEP.
2. Narrative describing proposed soil erosion and sedimentation control methods.

E. ROAD PLAN-PROFILES: (With profile drawings on same sheet as plan drawings)

1. Required profiles shown at a scale of 1"=50' horizontal and 1"=5' vertical, or other scale pre-approved by the City Engineer or City staff.
2. Profile of existing and proposed ground surface along centerline of street.
3. Proposed centerline grade with percent on tangents and elevations at 50 feet intervals.
4. All vertical curve data including length, elevations and minimum sight distance as required by Article X.
5. Cross sections at 50 feet intervals if required by City Engineer

F. WATER MAIN, SANITARY SEWER AND STORM DRAIN PLAN-PROFILES: (With profile drawings on same sheet as plan drawings)

1. Profile of proposed ground surface with elevations at top of manholes or inlets
2. Profile of water main, storm sewer and sanitary sewer lines, corresponding to stations
3. All line crossings of other utilities.
4. Invert elevations along flow lines

G. LANDSCAPE PLAN

1. General types, sizes and locations of any required street trees (see Section 1018), paved area landscaping (see City Zoning Ordinance) and any other major proposed landscaping.
2. Any proposed fencing (including height and type) and/or landscaping around stormwater basins (see Section 1008)

H. ADDITIONAL FINAL PLAN REQUIREMENTS:

1. Protective covenants shall be placed on the land providing for:
 - a. clear sight triangle easements (see Sections 1004.H. and 1012.D.)
 - b. all needed utility, drainage, maintenance, pedestrian, open space or other easements.

* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT
 SUBMITTED SUBMITTED*

2. Required Plan Notations. The following wording shall be required to be placed on any final subdivision or land development plan, as applicable:

a. If access will be provided onto a State highway and a required PennDOT Highway Occupancy Permit" has not been granted then the following or closely similar wording shall be stated:

"NOTICE - A PennDOT Highway Occupancy Permit for Lot No(s). ___ is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law," before driveway access to a state highway is permitted. Access to the state highway shall be only as authorized by a PennDOT Highway Occupancy Permit. No Building Permits, Zoning Permits or Certificates of Occupancy shall be issued for said lot until such time as a PennDOT Highway Occupancy Permit has been secured and filed with the City. City shall not be held liable for damages to persons or property arising out of issuance or denial of a Highway Occupancy Permit by the PA. Department of Transportation, pursuant to Section 508 of the PA. Municipalities Planning Code."

b. If on-lot utilities: "Well and sewage disposal systems shall be constructed in accordance with standards of the Pennsylvania Department of Environmental Protection."

c. If applicable, notations stating that the property owner is responsible for maintenance of drainage swales.

3. Street Lighting

a. Existing street lighting

b. Any proposed street lighting (or notation stating none is proposed), including types of poles, spacing of poles and intensity of lamps

I. CONSTRUCTION DETAILS: (following any applicable City improvement standards).

1. Typical cross-section and specifications for street construction as required by Section 1004.

2. Drainage swale cross-section and materials.

3. Pipe bedding details.

4. Storm drainage structures details, including cross-sectional drawings, any detention basin outfall structure and spillway

5. Sanitary sewer structures.

6. Curb and sidewalk details.

7. Street tree details.

8. Erosion and sedimentation details.

9. Centralized water details.

10. Detailed plan and cross-sectional drawings for detention or retention basins.

J. SUPPORTING DOCUMENTS AND ADDITIONAL INFORMATION:

Supporting written and data reports submitted at the time of the preliminary plan are not required to be resubmitted unless they need to be revised to reflect changes between the preliminary and the final plans.

* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT
SUBMITTED SUBMITTED*

- | | | |
|-------|-------|---|
| _____ | _____ | 1. A copy of any "Supporting Documentation and Additional Information" that was required for the Preliminary Plan and that needed to be <u>adjusted</u> or <u>revised</u> to reflect changes between the Preliminary and the Final Plan. |
| _____ | _____ | 2. <u>If</u> the subdivision or land development was not required to submit a preliminary plan, a copy of any supporting information listed in Section 503 that is applicable to this project. |
| _____ | _____ | 3. List of Modifications or Waivers requested to this Ordinance that are needed but have not yet been granted |
| _____ | _____ | 4. Deed Restrictions. All private deed restrictions, homeowner or condominium association agreements or covenants already imposed or to be imposed as a condition to sale that may affect improvements or common facilities in the subdivision or land development plan. Any homeowner or condominium association agreement regarding maintenance of utilities and common facilities may be subject to review by the City Solicitor and acceptance by the Planning Commission. |
| _____ | _____ | 5. Nondedicated Streets Agreement. For any street not offered for dedication, an agreement stating who is responsible for the improvement and maintenance of such streets. The developer shall be responsible for such maintenance until the condominium or homeowners association is established and operational. |
| _____ | _____ | 6. Open Space Agreement. For any common open space, a formal contract providing for the maintenance of open space and the method of management, together with all offers of dedication and covenants governing the reservation and maintenance of undedicated open space. This agreement is subject to the review of the City Solicitor and acceptance by the Planning Commission. |
| _____ | _____ | 7. Storm Drainage Calculations. All calculations relating to facilities appearing on the Grading and Storm Drainage Plan and the Erosion and Sedimentation Plan shall be submitted for review by the City Engineer. (see Section 1008). |
| _____ | _____ | 8. Development Schedule. A statement indicating the approximate date when major phases of construction can be expected to begin and be completed. |
| _____ | _____ | 9. PennDOT Reviews. If a PennDOT highway occupancy permit is required and has not yet been granted, the applicant shall submit to the City a copy of the application to PennDOT for any needed occupancy permit to have access onto a State highway, and shall also submit any review comments received from PennDOT within 7 days of receiving such comments. If a needed permit is not issued prior to Final Approval, such permit shall automatically be a condition of Final Plan approval. |

