

## ARTICLE VII

### MINOR SUBDIVISIONS AND LOT LINE ADJUSTMENTS

701. PURPOSE. This Article provides simplified procedures for submitting and reviewing minor subdivisions, land developments involving only a single non-residential building and lot line adjustments.
702. SUBMISSION AND REVIEW PROCEDURE. The following submission and review process shall apply for Minor Subdivisions, Lot line adjustments, annexations, land developments involving only a single non-residential building and what the City determines to be minor revisions of approved plans.
- 702.A. Final Plan Submission Required. A Minor Subdivision or Lot Line Adjustment is not required to submit a Preliminary Plan, but shall be required to submit a Final Plan meeting the provisions of this Article VII.
- 702.B. Required Submission.
1. The Applicant shall file to the Staff at least 14 days prior to a scheduled Planning Commission regular meeting the required fee(s) and required number of copies of required plans and materials (see Section 703). The Applicant shall also deliver one of the complete copies of the submittal to the City Engineer on the same day as the submittal is made to the Plans Administrator.
  2. If a State road is involved, the Applicant shall forward the required information to PennDOT and apply for a highway occupancy permit. If such permit is not granted prior to Final Plan approval, then it shall automatically be a condition of Final Plan approval, and the plans shall not be recorded until it is granted.
  3. Each Final Plan filed for minor subdivisions shall provide the information required by Section 703. Plans for Lot line adjustments shall provide the information required by Section 704.
  4. The applicant shall provide a copy of the plans for review to the County Planning Commission. A soil erosion and sedimentation control plan shall be provided to the County Conservation District if earth disturbance is involved.
- 702.C. Initial Actions by the Staff.
1. The Staff shall review the Submission items filed against a checklist for completeness and shall report such review to the Commission at its next regularly scheduled meeting.
  2. The Staff shall retain in the Commission's files one copy of all materials submitted by the Applicant.
  3. The Staff shall forward to the Commission at or before the next regularly scheduled meeting of the Commission: a) at least 1 copy of the Application Form, b) at least 1 copy of the Final Plan Checklist, c) several copies of the Final Plan and d) at least 1 copy of the

Supporting Documents.

4. 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 the subsection below.
  - a. If the submission is returned, the submission shall have been considered to have never been officially accepted for action by the City.

702.D. Determination of Completeness by Commission.

1. Regardless of whether the City Engineer did not return a submission under the above subsection, 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 therefore to refuse to review the submission further and to do one of the following:
  - a. Not accept the Submission, indicating the deficiencies, and return the fee (minus the costs of any City review) to the Applicant.
  - b. 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 within a certain number of days from the date of such acceptance.
  - c. Table the acceptance of the submission until the next Planning Commission meeting where the applicant has met all of the submittal requirements, and has filed such materials within the required time period prior to the meeting. The 90 day time limit for action shall not begin until such acceptance.
  - d. Reject the submission for just cause, such as the submission being significantly incomplete.
2. 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.
3. Zoning Variances. An application under the Subdivision and Land Development Ordinance shall not be considered to be complete if one or more zoning variances will be required for the subdivision or land development to legally occur as submitted, until such time as the needed zoning variances have been granted.

702.E. Review by Subdivision Bureau. The Subdivision Bureau (including the City Engineer) should review the engineering considerations in the Plan and prepare report(s) on such considerations to the Commission.

702.F. Decision by the Planning 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 accomplish the following within the time limitations of the PA. Municipalities Planning Code (unless the applicant grants a written time extension).
  - a. Review all applicable reports received from the appropriate review agencies and officers;
  - b. Determine whether the Final Plan Submission meets the requirements of this Ordinance and other applicable ordinances;
  - c. Review the Final Plan Submission and recommend any needed revisions so that the Submission will conform to this Ordinance and other applicable ordinances; and
  - d. approve, conditionally approve or reject the Final Plan Submission within the time required by the PA. Municipalities Planning Code.

(As of 1994, that law generally requires 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 duly filed for review; but in no case shall the Planning Commission' decision be made later than 120 days following the date the Submission was accepted as being filed for review, unless the Applicant grants a written extension of time.)

3. If 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 the statute or ordinance relied upon in each case.

702.G. Review by the County Planning Commission. No subdivision or land development shall be granted final approval until a report is received from the County Planning Commission or until 30 days have passed from the date the application was forwarded to the County Planning Commission.

702.H. Actions After Decision by the Planning Commission.

1. The decision of the Planning Commission shall be in writing and shall be communicated to the Applicant personally or mailed to him/her at the last known address not later than 15 days following the decision.
2.
  - 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 such acceptance is specifically made at such time.
  - b. Any such acceptance of dedication shall be specifically stated along with the signatures required for approval.
  - c. If the Planning Commission 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.
3. 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 concerning 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.

703. MINOR SUBDIVISION FINAL PLAN REQUIREMENTS. All of the following information and materials listed in this section are required as part of all minor subdivision submissions, other than lot line adjustments or submittals under Section 704. 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.

Section 703  
City of Scranton  
**MINOR SUBDIVISION FINAL PLAN CHECKLIST**  
**AND LIST OF SUBMITTAL REQUIREMENTS**

Applicant's Name: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

Applicant's Daytime Phone No.: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\* Place a check in the applicable column, except: 1) insert "NA" in the "Not Submitted" column if not applicable, and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT  
SUBMITTED      SUBMITTED\*

A.      GENERAL SUBMISSION ITEMS: (the City staff may require the submission of additional numbers of copies)

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|-------|-------|--|
| _____ | _____ | 1. City application fee/ review fee(s)/escrow  |
| _____ | _____ | 2. The applicant has submitted the following to the Plans Administrator:<br>1 copy of the completed Application (see Appendix A)<br>1 copy of the Minor Subdivision Plan Checklist (using the photocopies of the pages in is Section)<br>5 copies of the complete Final Plan<br>7 additional print copies of only the Layout Plans<br>1 set of Supportive Documents required by this Section |
| _____ | _____ | 3. 1 set of all information concerning layout, fire hydrants and water service for review by the Fire Bureau   |
| _____ | _____ | 4. The applicant has submitted to the following to the City Engineer: one copy of all materials submitted 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   |

B.      DRAFTING REQUIREMENTS: All information shall be legibly and accurately presented.

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|-------|-------|---|
| _____ | _____ | 1. Plans prepared on a standard sized sheet (such as 18"x24", 24"x36", 30"x42" or 36"x48"). Sheets should be folded to approximately 9"x12" size, in such a manner that the title of the sheet faces out. |
| _____ | _____ | 2. Plans drawn at a scale of 1 inch equals 50 feet or other scale pre-approved by the City Engineer or City Staff   |
| _____ | _____ | 3. All dimensions set in feet and decimal parts thereof, and bearings in degrees, minutes and seconds.  |
| _____ | _____ | 4. Differentiation between existing and proposed features   |
| _____ | _____ | 5. Boundary line of the tract, shown as a heavy boundary line   |

C.      GENERAL INFORMATION:

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|-------|-------|---|
| _____ | _____ | 1. Name and location of project (such as the "Smith Subdivision No. 2") |
| _____ | _____ | 2. Name of landowner and developer (with addresses)                     |

\* Place a check in the applicable column, except: 1) insert "NA" in the "Not Submitted" column if not applicable, and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

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|-------|-------|---|
| _____ | _____ | 3. Names and addresses of abutting property owners, with abutting lot lines   |
| _____ | _____ | 4. Notarized Owners Statement of Intent (see Appendix B)  |
| _____ | _____ | 5. Name, address, signature, and seal of the plan surveyor and plan preparer. (See Appendix B)  |
| _____ | _____ | 6. Approval/review signature blocks for:<br>(See Appendix B) the City Engineer, City Planning Commission and County Planning Commission staff |
| _____ | _____ | 7. Location map showing the location of the project in relation to major streets and any municipal boundaries                                 |
| _____ | _____ | 8. North arrow, graphic scale, written scale  |
| _____ | _____ | 9. Date of plan and all subsequent revision dates (especially noting if is revision of a previously approved plan)                            |
| _____ | _____ | 10. Deed Book volume and page number from County records  |
| _____ | _____ | 11. Tax map, block and lot number for the tract being subdivided  |

D. NATURAL FEATURES:

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|-------|-------|---|
| _____ | _____ | 1. Contour lines shall be:<br>a. based on a field survey or photogrametric procedure at an interval of 2 feet (or other interval pre-approved by the City Engineer or City Staff) at a scale of 1"=100' or larger;<br>b. Note- Contours are not required to be shown within areas of lots of 10 acres or more that are clearly not intended to be altered as a result of this proposed subdivision, unless needed for stormwater management |
| _____ | _____ | 2. Identification of any slopes of 15 to 25 percent, and greater than 25 percent  |
| _____ | _____ | 3. Areas within any hydric soils (see County Soil Survey), with a notation that there are none if that is the case  |
| _____ | _____ | 4. Watercourses (with any name), natural springs, lakes and wetlands. Detailed delineations with courses and distances of wetlands are not required if there is clearly no alteration, buildings, earthmoving, driveways or septic systems proposed within 200 feet of any area that could be reasonably suspected of being wetlands; however, such areas suspected of being wetlands shall be shown on the plans                           |
| _____ | _____ | 5. Areas of existing mature woods, with areas noted that are proposed to be preserved or removed  |

E. MAN-MADE FEATURES:

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|-------|-------|--|
| _____ | _____ | 1. Existing and proposed lot lines<br>a. The boundaries of lots (other than a residual lot of at least 10 acres) shall be determined by accurate field survey, closed with an error not to exceed 1 in 10,000 and balanced.<br>b. The boundaries of any residual tract which is greater than 10 acres may be determined by deed. |
| _____ | _____ | 2. Location of existing and proposed monuments   |

\* Place a check in the applicable column, except: 1) insert "NA" in the "Not Submitted" column if not applicable, and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

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_____	_____	3. Sufficient measurements of all lots, streets, rights-of-way, easements and public areas to accurately and completely reproduce each and every course on the ground.
_____	_____	4. Buildings estimated to be 80 years or older that are proposed to be adversely impacted by the subdivision, with name and description
_____	_____	5. Sewer lines, storm water facilities, water lines, bridges and culverts
_____	_____	6. Existing and proposed utility easements and restrictive covenants and easements for purposes which might affect development (stating which easements and rights-of-ways proposed for dedication to the municipality)
_____	_____	7. Proposed (if known) and existing non-residential building locations and land uses
_____	_____	8. If on-lot water is proposed, locations of proposed wells, with required separation distance shown from septic drain fields, and with dimensions from lotlines
_____	_____	9. If on-lot septic service is proposed, location of proposed system, with locations of approved perc tests and soil probes, and evidence that such system would meet PA. DEP-required separation distances
		<b>F. <u>ZONING REQUIREMENTS:</u></b>
_____	_____	1. Applicable zoning district and minimum lot area
_____	_____	2. Minimum setback requirements shown for each lot
		<b>G. <u>PROPOSED LAYOUT:</u></b>
_____	_____	1. Total acreage of site and total proposed number of lots
_____	_____	2. Identification number for each lot
_____	_____	3. Lot width (at minimum building setback line) and lot area for each lot
		<b>H. <u>ADDITIONAL INFORMATION:</u> The Planning Commission may require the submission of any additional information that would be required for the Final Plan of a major subdivision under Section 603, if needed to determine compliance with this Ordinance.</b>
_____	_____	1. Residual Lands Sketch. If the submitted plans do not include all undeveloped or underdeveloped adjacent or abutting lands owned by the same or landowner or under control of the same developer (or closely related corporations), then a sketch shall be submitted at an appropriate scale, on one sheet, covering all such land holdings together with a sketch of a reasonable future road system to demonstrate that the proposed subdivision provides for the orderly development of any residual lands and/or does not adversely affect the potential development of residual lands.
_____	_____	2. Copy of the PA. DEP Sewage Planning Module application, if applicable, as completed by the applicant, with evidence that the application has been forwarded to the proper review agencies for comments
_____	_____	3. Copy of existing deed of property

704. LOT LINE ADJUSTMENTS, ANNEXATIONS AND MINOR REVISIONS OF APPROVED PLANS.

- A. The reduced submission requirements listed in this section shall apply, together with the procedural requirements of Section 702, if either of the following apply:
- 1) the proposal will meet the definition of a "lot line adjustment" and/or
  - 2) in the determination of the City Planning Director, which may be based upon the advice of the City Engineer, the proposal will involve revisions to a previously approved plan and those revisions only involve changes in the supporting documentation or engineering details or to correct erroneous data or minor omissions concerning a plan previously granted final plan approval.
- B. The following 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. The required information listed in this Section may be combined or separated onto different sheets, provided that the plans will be clearly readable.

Section 704.C.  
City of Scranton.  
LOT LINE ADJUSTMENTS, ANNEXATIONS AND  
MINOR REVISIONS OF APPROVED PLANS.  
CHECKLIST AND LIST OF SUBMITTAL REQUIREMENTS.

Applicant's Name: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

Applicant's Daytime Phone No.: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\* Place a check in the applicable column, except: 1) insert "NA" in the "Not Submitted" column if not applicable, and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT  
SUBMITTED    SUBMITTED\*

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|-------|-------|---|
| _____ | _____ | 1. City application/review fee(s)/escrow  |
| _____ | _____ | 2. 1 copy of the Completed Application (see Appendix A) and 1 copy of this Checklist (using the photocopies of the pages in this Section)                                     |
| _____ | _____ | 3. 7 print copies of the complete Final Plans   |
| _____ | _____ | 4. Dated receipt showing that the applicant has provided a copy to the County Planning Commission, together with any review fees required by the County.                      |
| _____ | _____ | 5. Submitted by the applicant to the City Engineer: 1 copy of all materials submitted to the Plans Administrator  |
| _____ | _____ | 6. Plans prepared on a standard sized sheet (such as 18"x24", 24"x36", 30"x42" or 36"x48")  |
| _____ | _____ | 7. Plans drawn at a scale of 1 inch equals 50 feet or other standard scale.   |
| _____ | _____ | 8. All dimensions set in feet and decimal parts thereof, and bearings in degrees, minutes and seconds.  |
| _____ | _____ | 9. Differentiation between existing and proposed features   |
| _____ | _____ | 10. Boundary line of the tract, shown as a heavy line   |
| _____ | _____ | 11. Words "Final Plan" and name of project on each sheet  |
| _____ | _____ | 12. Notarized Owners Statement - see Appendix B   |
| _____ | _____ | 13. Plan preparer's statement - see Appendix B  |
| _____ | _____ | 14. Approval/review signature blocks for: City Planning Commission and County Planning Commission (see Appendix B)  |
| _____ | _____ | 15. Location map showing the location of the project in relation to major streets and any municipal boundaries  |
| _____ | _____ | 16. North arrow, graphic scale, written scale   |
| _____ | _____ | 17. Date of plan and all subsequent revision dates and submission dates (especially noting if is revision of a previously approved plan) with space for future revision dates |
| _____ | _____ | 18. Existing and proposed lot lines and street rights-of-ways   |
| _____ | _____ | 19. Existing building locations and type of land uses   |
| _____ | _____ | 20. Applicable zoning district and required minimum lot area  |
| _____ | _____ | 21. Minimum setback requirements shown for each lot   |
| _____ | _____ | 22. Note stating type of water and sewer service proposed (such as "public water and public sewage service")  |
| _____ | _____ | 23. Dimensions of each lot, including lot width in feet (at minimum building setback line) and lot area   |
| _____ | _____ | 24. List of any Modifications or Waivers requested to this Ordinance  |

- 704.C. Additional Information. The Planning Commission may require that a plan under this section include the submission of specific additional information that would be required if the plan would be a final minor subdivision plan, if such specific information is necessary to determine compliance with this ordinance.
- 704.D. An annexation under this section shall be made part of the same lot with the same deed.
705. CERTIFICATION. See Section 504.
706. RECORDING PLANS. See Article IX.