

## Land Development Review & Approval Procedure

5-10-12

This policy, the Subdivision and Land Development Ordinance and Application are located at [www.tiogacountypa.us](http://www.tiogacountypa.us): click on County Departments, then Planning Commission, scroll to the bottom of the page for a list of downloadable documents.

The following definitions are from Section 201.02 of the Tioga County Subdivision and Land Development Ordinance adopted July 26, 1994:

“Land Development,” any of the following activities:

- (1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
  - (i) 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
  - (ii) 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.
- (2) A subdivision of land.

“ Subdivision” – the division or re-division of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, where immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership, or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwellings shall be exempted.

All of these activities require review and approval from the County in those municipalities that are covered under this ordinance. For a list of townships and boroughs having their own ordinances see “List of Townships with Land Use Ordinances” on the County Website. The municipalities listed all have similar procedures for Land Development review and approval. A copy of the application must be submitted to the County for review and comment.

The following outline of the process for review and approvals for Land Development from the Tioga County Planning Commission can be used to guide the application process.

1. Application for Land Development is received by the Planning Commission ten working days prior to our meetings (normally held at 7:30 pm on the second Wednesday of the month.) Copies of the application are also provided to the Co. Engineer and the municipality hosting the development. Pre-application conference with Co. Planning Director is advised.
2. Items for an administratively complete application:

- a. Application signed by the landowner or leasee.
  - b. Parent deed and lease agreement (if applicable) for the tract being developed.
  - c. Plot Plans and Cross Sections for the Development
  - d. Erosion & Sedimentation Plan or NPDES Plan
  - e. Sewage Approval
  - f. Fees
3. Township or Borough review and comments are also required and can be handled concurrently. If the Twp (or Borough) has concerns or comments these must be addressed to the Co. Planning Commission's satisfaction and may be a condition of approval if they are not received prior to Planning Commission review..
  4. When application is administratively complete the Planning Commission will review the application. If the application is substantially complete Preliminary Approval is granted by the Planning Commission at a regular meeting. This approval may include conditions to be met by the applicant. These conditions can be deficiencies identified by the Planning Director, Co. Engineer or the Planning Commission. Conditional approvals are granted to preclude the necessity for coming back to the Planning Commission for their concurrence.
  5. Other items that may be required as conditions:
    - a. Stormwater Plan – NPDES
    - b. Screening and Lighting Plan
    - c. Pollution Preparedness Control Plan
    - d. Noise, Dust and Emission Control Plan
    - e. DEP Permit Approval Acknowledgement
    - f. Highway Occupancy Permit from PennDOT or Twp.
  6. Once conditions have been met and the Co. Engineer satisfied and has been paid (Section 303.4 - Cost of engineering or survey work required by the Commission to ensure compliance with these regulations shall be borne by the developer.) the Planning Director has the authority to approve the Land Development and construction can commence.
  7. The Preliminary Approval is good for one year from the date of approval and extensions can be requested in writing.
  8. Once construction is complete, a request for Final Approval is required. "As Built" for the project may be required if the actual construction differs from the plans submitted for Preliminary Approval. The Tioga County Planning Commission will review and approve the project in writing.

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