

A Guide to SUBDIVISION AND LAND DEVELOPMENT in MIFFLIN COUNTY PENNSYLVANIA

SUBDIVISION AND LAND DEVELOPMENT

A *subdivision* is the division or re-division of a lot into two or more lots that results in property line changes for the purpose of:

- Leasing property;
- Distributing property to heirs;
- Transferring property ownership; or
- Developing property.

A *land development* is a site plan of proposed improvements to one or more contiguous lots or tracts involving:

- Two or more residential buildings; or
- A single non-residential building.

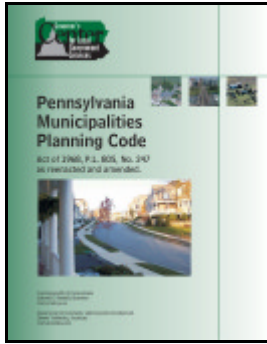
Exemptions from land development review are:

- An accessory to a commercial use;
- A single-family residence on an existing lot; and
- Subordinate farm buildings.

REGULATIONS

The Pennsylvania Municipalities Planning Code (MPC) authorizes counties and municipalities (boroughs/townships) to adopt and enforce subdivision and land development regulations. In Mifflin County, the county regulations are in effect unless a municipality has adopted its own ordinance. The purpose of a subdivision and land development ordinance is to provide a uniform system of legally recording subdivision and land

development plans. The subdivision and land development regulations are the most common land use control in Pennsylvania. A subdivision and land development ordinance provides standards and procedures for dividing and developing land. Subdivisions and land developments are regulated to ensure minimum public safety, as well as amenity standards such as streets, sidewalks, water, sewer, etc.



Subdivision and land development plans are reviewed by the appropriate authority(ies), as described below. After the review is complete, applicants receive plan approval, conditional approval or disapproval. **Approval** means the plan fully meets the subdivision and land development ordinance and can be recorded. **Conditional approval** means the plan is not in full compliance with the ordinance and must be revised to meet specified conditions before it can be recorded. **Disapproval** means the plan is not approved for recording, and if the subdivision or land development is to be undertaken, a new plan that meets the ordinance must be submitted for review.

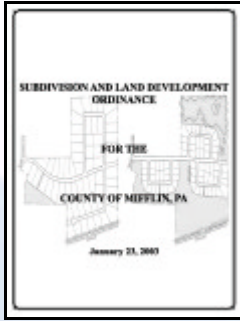
MIFFLIN COUNTY SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

Mifflin County has had a subdivision and land development ordinance since 1995. Seven municipalities in Mifflin County require that plans are approved by the Mifflin County Planning Commission in accordance with the Mifflin County Subdivision and Land Development Ordinance:

Bratton Township Juniata Terrace Borough
 Brown Township Kistler Borough
 Wayne Township McVeytown Borough
 Newton Hamilton Borough

Subdivision and land development plans must be submitted to the Mifflin County Planning and Development Department for review, as well as to the municipality in which the property is located.

The Mifflin County Planning Commission has 90 days to approve, conditionally approve or disapprove the plan. Following a formal meeting of the Planning Commission, the applicant and municipality are notified of the decision within 15 days. Upon approval, the applicant has 90 days to record the plan with the Mifflin County Office of the Recorder of Deeds before the approval becomes null and void.



MUNICIPAL ORDINANCES

Nine municipalities in Mifflin County have adopted Subdivision and Land Development Ordinances. These ordinances require that plans are approved by the municipality, and where applicable the municipal planning commission:

Armagh Township Lewistown Borough
 Burnham Borough Menno Township
 Decatur Township Oliver Township
 Derry Township Union Township
 Granville Township

Subdivision and land development plans must be submitted to the municipality in which the property is located, as well as to the County Planning and Development Department. The municipality gives the Mifflin County Planning Commission 30 days to review and comment on submitted plans before a decision is made by the municipality.

The municipality has 90 days to approve, conditionally approve or disapprove the plan. Following a formal municipal meeting, the applicant is notified of the decision within 15 days. Upon approval, the applicant has 90 days to record the plan with the Mifflin County Office of the Recorder of Deeds before the approval becomes null and void.


SEWAGE FACILITIES PLANNING

The Pennsylvania Sewage Facilities Act 537 requires all municipalities to develop a plan to address present and future sewage disposal needs.

A Sewage Facilities Planning module, which updates the municipal Act 537 Plan, is required for all subdivisions. When an on-lot sewage system is proposed, soil testing is required, which should be coordinated with the local Sewage Enforcement Officer. Subdivisions involving public sewer are exempt from the Sewage Facilities Planning module.

THE PROCESS AND REQUIRED STEPS

Applicants and landowners should follow these steps in the subdivision or land development process:

1. Contact the municipality in which the property is located to find out what land use regulations are in place.
2. Determine whether the plan will require approval under a municipal subdivision and land development ordinance or the Mifflin County Subdivision and Land Development Ordinance.
3. When applicable, contact the local Sewage Enforcement Officer to complete a soils analysis in order to determine whether or not the property is suitable for on-lot sewage disposal.
4. Contract with and authorize a registered surveyor, or when applicable, a professional engineer, to perform a site survey and prepare a plan that meets the Mifflin County Subdivision and Land Development Ordinance or the municipal ordinance. 
5. The applicant or agent (surveyor or engineer) must submit an application and the required copies of the plan to the County Planning and Development Department, as well as the municipality in which the property is located.
6. The plan is reviewed by the municipality and Mifflin County Planning Commission.
7. The County Planning and Development Department or the municipality notifies the applicant of plan approval, conditional approval or disapproval.
8. When approved, the applicant or agent must record the plan at the Mifflin County Office of the Recorder of Deeds.

COUNTY SUBMISSION REQUIREMENTS

A *preliminary plan* is a tentative plan that is submitted as part of a major subdivision (seven or more lots) showing proposed streets and the lot layout as required in the subdivision and land development ordinance. A *final plan* is a complete plan that meets all ordinance requirements to be recorded in the Office of the Recorder of Deeds.

Plan submitted to the County Planning and Development Department must include:

- One copy of a complete County Review Application signed by the applicant and municipal secretary/manager indicating they have received the plan;
- Three to six copies of the plans;
- One copy of any supporting documents (highway occupancy permit, sewage planning module, etc.); and
- Review fees payable to the Mifflin County Planning Commission.

Mifflin County's subdivision and land development review application, fee schedule and plan requirements can be obtained from the Mifflin County Planning and Development Department's office or the website at www.co.mifflin.pa.us.

MUNICIPAL SUBMISSION REQUIREMENTS

Municipal plan submission requirements, applications and fee schedules should be obtained from the municipality in which the property is located.