

Land Development Review & Approval Procedure

This policy, the Subdivision and Land Development Ordinance, and Applications are located at the [Tioga County Planning](#) page. Scroll down the page for the list of downloadable Planning documents.

What Is a Land Development?

The following definitions are from Section 201.02 of the [Tioga County Subdivision and Land Development Ordinance](#) (SALDO) adopted July 26, 1994 and amended August 13, 2013:

“Land Development” - Any of the following activities:

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

2 Types of Land Developments:

The following definitions are from Section 701 of the Tioga County Subdivision and Land Development Ordinance.

1. **Minor Land Development** – A land development shall be considered a minor land development if it meets all of the following criteria:
 - a. It does not involve a non-agricultural earth disturbance of more than one acre or the threshold for NPDES permits.
 - b. It does not involve a structure or combination or group of structures of greater than 10,000 square feet gross floor area and the total impervious area doesn't exceed 10% of total land area or have the potential to cause stormwater or other issues with adjoining.
2. **Major Land Development** - A land development shall be considered a major land development if it does not meet the criteria for a minor land development.

What is a Subdivision?

“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.

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How is The County Planning Office Involved?

All of these activities require review and approval from the County in those Municipalities that are covered under this Ordinance. Some Municipalities have their own Ordinances and those supersede the County level approval.

Does My Municipality Have an Ordinance?

For a list of Municipalities having their own Ordinances see “List of Townships with Land Use Ordinances” on the County Website. [Tioga County Planning](#) Scroll down the page to the list of downloadable Planning documents.

These 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 after approval from your local Municipality.

The following outline can be used to assist in guiding the application and approval process.

GETTING STARTED

Once you have determined that your Municipality does not have its own local ordinance, we recommend that you contact the Tioga County Planning Department. A pre-application conference with the County Planning Director is advised and can be made by calling 570-723-8251.

Minor Land Developments can be approved by the Tioga County Planner.

Major Land Developments are reviewed and approved by the Planning Commission at a monthly meeting. These meetings are open to the public.

Application Process:

1. Submit the completed application, with site plan(s) and any supporting documentation. If earth disturbance is part of the project, an Erosion and Sedimentation Plan and a Stormwater Management Plan with approvals will be required. These can be obtained by contacting the Tioga County Conservation District at 570-724-1801.
2. The appropriate Sewage Component Applications are needed and approval must be given by DEP before the project can be taken before the Planning Commission for preliminary approval. The name and number of your Municipal Sewage Enforcement office can be found on the “List of Townships with Land Use Ordinances” document on the Planning website.
3. Once the application is administratively complete, it will be reviewed by the Planning Department. A copy will be submitted to the County Engineer for review and comment. The Municipality must also review the application.
4. After the County Planner, Engineer and the Municipality have reviewed the Land Development and all deficiencies have been addressed; a proposal will be brought before the Tioga Planning Commission for their action and feedback.

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5. Once the proposed Land Development meets the requirements of the Subdivision and Land Development Ordinance, Preliminary Approval will be granted. This authorizes construction of the project to begin.
6. At this time a building permit can be obtained from the local municipality or Erb Inspections.
7. Once construction has been completed; the Planning Department must be notified to discuss what documentation is needed for project completion. A final inspection will be conducted by the county engineer for compliance of SALDO.
8. One year is given to complete construction. If the construction cannot be completed in that year, an extension may be requested, in writing, to the Planning Department.

The Planning Commission:

This group of nine Commissioner-appointed Commission Members from across the County serves to review applications. This group reviews and provides comment on: Subdivision and Land Development plans, planned residential developments, zoning ordinances, comprehensive plans, and zoning ordinance amendments from municipalities in the county. For your application to appear on the agenda it must be received by the Planning Commission ten working days prior to the monthly meeting.

Planning Commission Meeting Times:

Meetings are held at 6:30 pm, the second Wednesday of each month at the Tokishi Building, located at 124 Nypum Drive. These meetings are open to the public.

APPLICATION INCLUSIONS

Items for an administratively complete application:

- a. Application signed by the landowner or leasee.
- b. Parent deed and lease agreement (if applicable) for tract being developed.
- c. Project Narrative
- d. Plot Plans and Cross Sections for the Development (24x36 size – 4 copies)
- e. Erosion & Sedimentation Plan or Stormwater Management Plan – Contact the Tioga County Conservation District at 570-724-1801
- f. Sewage Approval – Contact the Sewage Enforcement Officer for your Municipality.
- g. Fees – per the fees schedule on page 6 of the application

MUNICIPALITY

Municipality review and comments are also required and can be handled concurrently. If the Municipality has concerns or comments these must be addressed to the County Planning Commission's satisfaction and may be a condition of approval if they are not received prior to Planning Commission review. Check with your local municipality to see when they meet to best align your Land Development review.

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SUBMISSION TIMELINE and REVIEW

When an application is administratively complete the Planning Commission will review the application. If the application is substantially complete Preliminary Approval may be granted by the Planning Commission at a regular meeting. This approval may include conditions to be met by the applicant/developer. These conditions can be deficiencies identified by the Planning Director, County Engineer or the Planning Commission. Conditional approvals are granted to preclude the necessity for coming back to the Planning Commission for their concurrence.

Project Dependent items that may be required as conditions to approval:

- a. Screening and Lighting Plan
- b. Pollution Preparedness Control Plan
- c. Noise, Dust and Emission Control Plan
- d. Wetland Delineation (base on soil types – hydric or hydric inclusions)
- e. Floodplain Permit
- f. DEP Permit Approval Acknowledgement
- g. Highway Occupancy Permit (PennDOT or Municipality)

APPROVALS:

Once all conditions have been met, as required by the Planning Commission, the County Engineer is 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. Approvals will be in the form of a letter.

PRELIMINARY APPROVAL

The Preliminary Approval is good for one year from the date of approval and extensions can be requested in writing. This approval grants construction of the project but is not the end of the process.

FINAL APPROVAL

Once construction is complete, a request for Final Approval is required. Contact the Planning Department to discuss exactly what will be needed and the timeline for project closeout. “As Builts” 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. The developer will be notified of approval or denial in writing.

**The developer is responsible for recording the final map after project completion.

For questions or more information:

Tioga County Planning Department
118 Main Street Wellsboro, PA 16901
Phone: 570-723-8251