



South Middleton Township

Subdivision and Land Development Plan Review Policy and Procedure

PLAN REVIEW POLICY

This information is being supplied as general guidance to supplement the requirements of the Zoning Ordinance and Subdivision and Land Development Ordinance. If this document happens to impose requirements that conflict with the requirements of said ordinances, the provisions of the Zoning and Subdivision and Land Development Ordinance shall be deemed and interpreted to control.

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South Middleton Township Plan Review Policy

I. Conceptual Design Phase

Researching the site prior to developing a subdivision and land development plan is essential.

Applicants should consider the following information when developing a property:

- Zoning District Requirements
- Special Overlay Districts
- Wellhead Protection District
- Natural, Endangered, or Historical Features
- Floodplain
- Topography
- Watercourses
- Wetlands
- Stormwater
- Emergency Services/Fire
- Subdivision and Land Development Requirements
- Comprehensive Plan Objectives

Prior to the submission of a subdivision or land development plan, a **pre-planning meeting** with Township staff is encouraged to discuss any applicable requirements for the proposed development.

Voluntary Sketch Plans

A sketch plan is defined as a voluntary, non-binding schematic plan submitted for informational purposes only. Applicants are encouraged to submit a sketch plan to receive feedback from the Planning Department, Planning Commission, and Board of Supervisors on a potential development plan. See Article IV in the Subdivision and Land Development Ordinance for additional information.

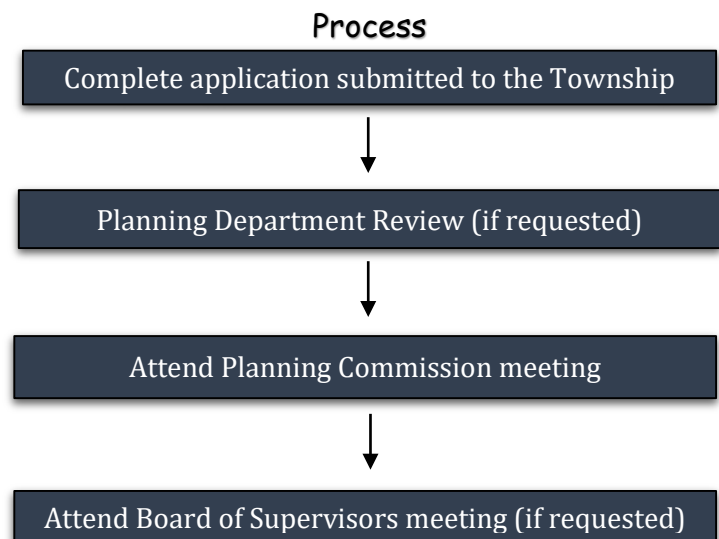
Deadline

- Seven (7) days prior to the next Planning Commission meeting
- For Planning Department, the deadline is fourteen (14) days prior to the next Planning Commission meeting

Sketch Plan Completion Checklist

- Completed Application
- Transmittal Letter
- Project Narrative
- Development Plan
- Electronic Submission

After comments are received from the Township staff and officials, the applicant can proceed to submit the appropriate land use application.





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II. Zoning Approvals Phase

During the conceptual design phase, it may be determined that a (A) special exception/variance approval or (B) conditional use permit is required prior to review and approval of a subdivision and land development plan.

A. Zoning Hearing Board Applications

A variance is an adjustment to a zoning regulation which, if strictly adhered to, would result in an unnecessary hardship and where the permission granted would not be contrary to the public interest, and would maintain the spirit and original intent of the Zoning Ordinance.

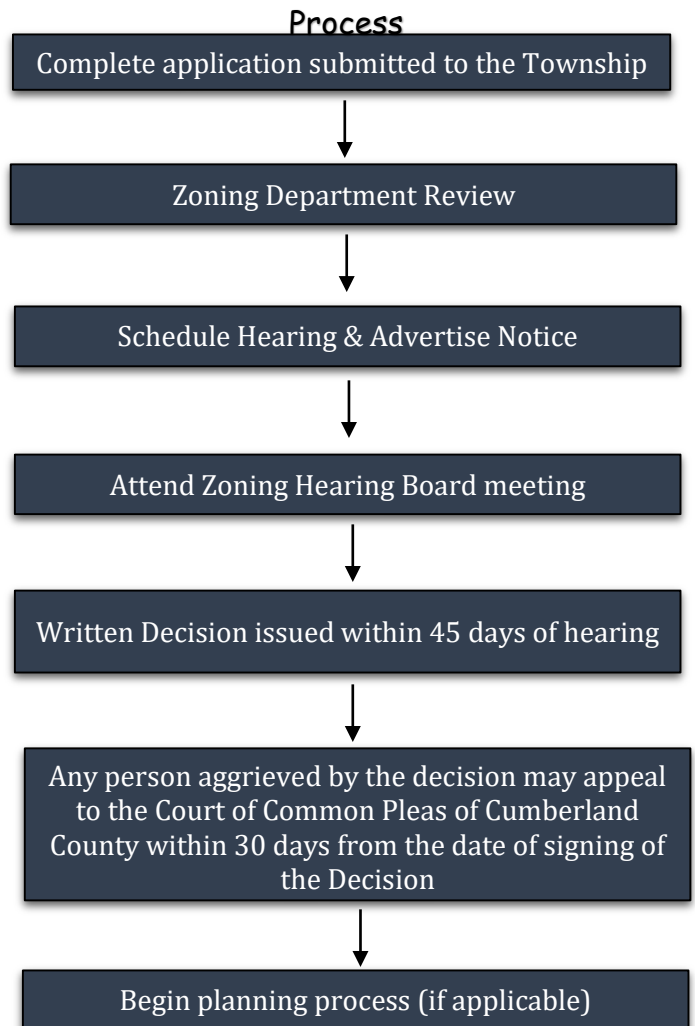
A special exception is defined in the Zoning Ordinance as a use permitted in a particular zoning district pursuant to standards and criteria established in the Zoning Ordinance.

A variance or special exception request must be granted by the Zoning Hearing Board and a written decision must be received prior to review and approval of a subdivision and land development plan.

See Article XXIII of the Zoning Ordinance for additional information.

❖ Completion Checklist:

- Completed Application
- Electronic submission
- Application Fee – *See Current Fee Schedule*
- Site Plan
- Copy of Tax Map - <https://gis.ccpa.net/propertymapper/>
- Property Deed or other evidence of applicant’s interest in property





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B. Conditional Use Applications

A conditional use is a procedure whereby uses are allowed or denied by the governing body (Board of Supervisors) pursuant to public notice and hearing and recommendations by the planning agency and pursuant to express standards and criteria. Specific uses as outlined in the Zoning Ordinance require conditional use approval. Conditional use approvals that do not require land development shall still require permits. Permit requirements can be viewed on page 12.

See Article XX of the Zoning Ordinance for additional information.

❖ **Deadline**

Fourteen (14) days prior to the next Planning Commission meeting

❖ **Completeness Checklist**

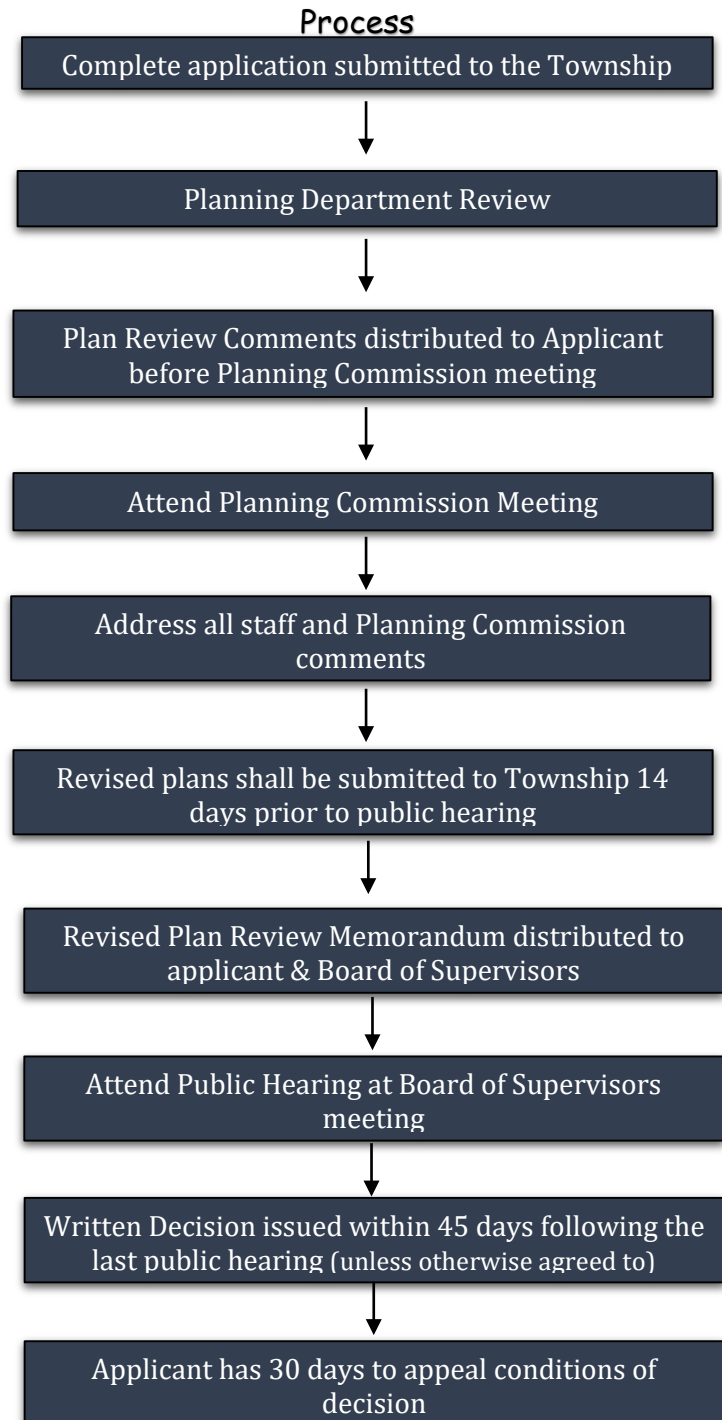
- Application Fee – *See Current Fee Schedule*
- Escrow Fee – *See Current Fee Schedule*
- Development Plan
- Conditional Use Narrative
 - Verify compliance with Zoning Ordinance
 - Verify compliance with supplemental regulations specific to use – *Article XVI*
 - Addressing conditional use objectives – *Article XX Section 2001*
 - Addressing Development Plan Requirements – *Article XX Section 2005*
- Traffic Impact Study (When applicable)
- Electronic submission

❖ **Planning Department Comments**

After the technical review of a complete application, the Planning Department will notify the Planning Commission and Applicant of its comments and concerns with the application.

❖ **Action Date**

A conditional use hearing will be scheduled within sixty (60) days after the official submission of an application, unless the applicant has agreed in writing to an extension of time.





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Developer's Agreement Requirement

During the plan review process, it may be determined that a Developer's Agreement will be required. The following information outlines the requirements for a Developer's Agreement.

Format A

- A Developer's Agreement between Applicant, South Middleton Township, and South Middleton Township Municipal Authority is required for the following projects:
 - New Commercial with public utilities or public improvements necessary to accommodate the proposed use of the property deemed so by the Board of Supervisors.
 - New Industrial with public utilities or public improvements necessary to accommodate the proposed use of the property deemed so by the Board of Supervisors.
 - New Large Scale Development (25+ units) with public utilities or public improvements necessary to accommodate the proposed use of the property deemed so by the Board of Supervisors.

Format B

- An Agreement for Completion & Guarantee of Improvements between the Applicant and South Middleton Township is required for the following projects that post financial security:
 - Development with existing public water/sewer and on-site improvements
 - Development with new/existing private water/sewer and on-site improvements
- A Construction Agreement between the Applicant and South Middleton Township Municipal Authority is required for the following projects that post financial security:
 - Development with new water/sewer improvements

For Conditional Use Applications:

- A standard condition of conditional use approval will be that prior to preliminary plan approval, the applicant, Township, and Municipal Authority shall enter into a Developer's Agreement that covers topics including, but not limited to, infrastructure installation, sewer and water capacity availability and service, and financial security for required improvements.

For Subdivision and Land Development Applications:

- Executed Agreements are required prior to placement of the subdivision and land development plan on the Board of Supervisors agenda for action.



South Middleton Township Plan Review Policy

III. Subdivision and Land Development Phase

After discussing the development plan with Township Planning Staff and receiving any necessary zoning approvals, a subdivision and land development plan can be submitted for review.

What is a Subdivision and Land Development Plan?

A subdivision plan is the division or re-division of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether 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 purpose into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

A land development plan is a subdivision of land or any improvement to one (1) or more parcels of land, or change or expansion of a use, that significantly affects the existing character of the parcel, as determined by the Township Engineer or Zoning Officer. Improvements that may affect the character include, but are not limited to, stormwater management, grading, landscape screening requirements, parking requirements, impervious coverage, portable water consumption, sanitary sewer discharge rate, uses regulated by the wellhead protection requirements, and/or traffic generation or distribution.



South Middleton Township Plan Review Policy

Types of Subdivision and Land Development Plan Submissions

A **Preliminary** Plan must be filed when:

- The plan is not a final minor plan under Section 305 of the Ordinance.
- The plan is not a lot addition or lot alteration (Section 306 of the Ordinance).
- The total disturbed area exceeds 5 acres.
- There are any public improvements (included but not limited to streets, sewer and/or water line extensions, curbs, sidewalks, gutters, stormwater, etc.).
- The development is planned in phases or sections.

A **Final** Plan can be submitted after the approval of the proceeding Preliminary Plan based on the phasing schedule.

- Final plans shall conform in all respects with the Preliminary Plan as previously approved, and any conditions specified in the approval of Preliminary Plans shall be incorporated into the Final Plans.

A combined **Preliminary/Final** Plan can be submitted if the following criteria is met:

- The public improvements are limited to private infrastructure not requiring Township maintenance.
- The project is not phased.

Under this scenario, the applicant must meet requirements of both the Preliminary and Final plan. However, the plan shall not be considered for recommendation of the application by the Planning Commission until all the Final Plan requirements are met.

A **lot alteration** plan can be submitted when: (See Section 306 for additional criteria)

- A plan which proposes to alter the existing property line between two existing recorded lots.

A **lot addition** plan can be submitted when: (See Section 306 for additional criteria)

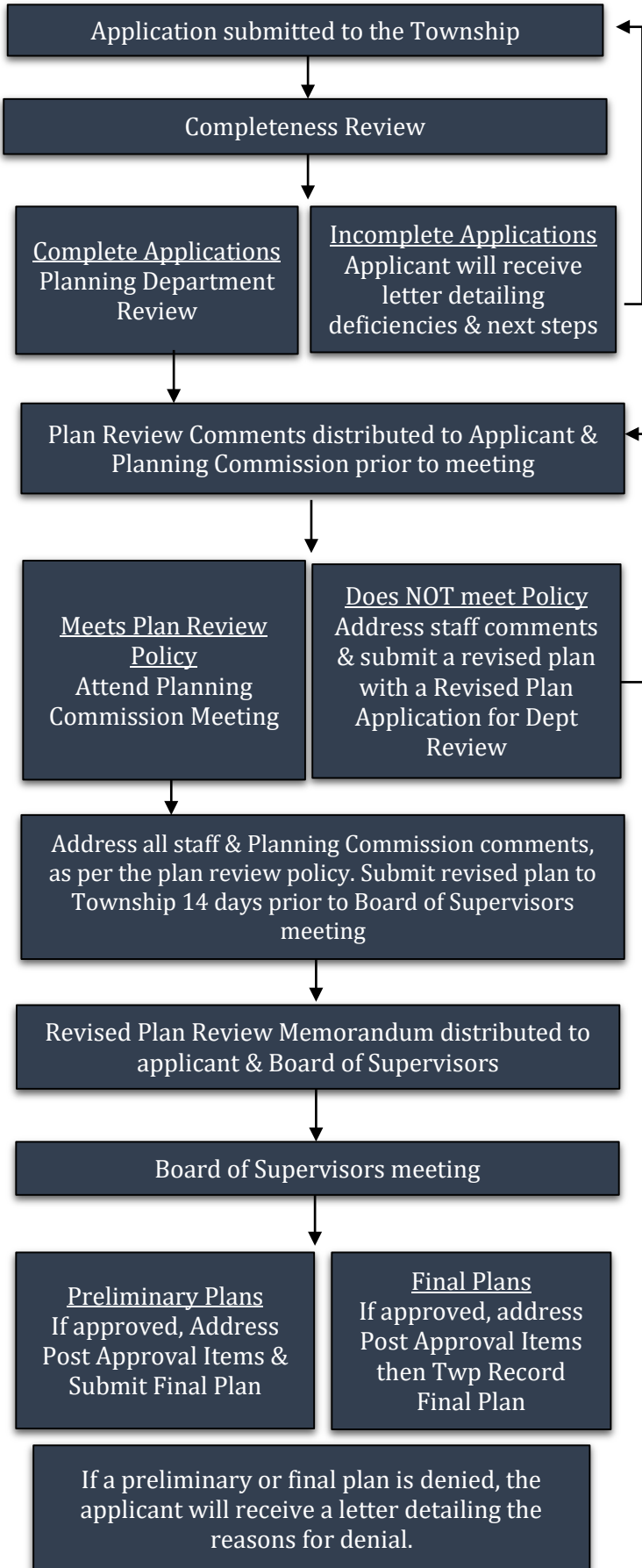
- A plan which proposes to add an existing parcel of land to another existing recorded lot.



South Middleton Township Plan Review Policy

Subdivision and Land Development Application Submission Requirements

Process



❖ Deadline

For a plan to be reviewed for an upcoming Planning Commission meeting, submissions are due by the twenty-fifth (25) day of the month.

❖ Action Date

New Plans

The ninety (90) day time period for action begins with the first Planning Commission review (at the regular public meeting), or thirty days (30) after a plan is submitted, whichever comes first.

Time Extensions

For plans that may take longer than 90 days, a Grant of Time Extension form should be provided to the Township, granting the Board of Supervisors a new action date. If no time extension is granted and the plan does not meet the requirements, the plan will be taken to the Board of Supervisors for denial at the last public meeting prior to the date by which the Board of Supervisors must take action.

❖ Completeness Checklist

Application completeness is based on the plan submission type. Please see the Completeness Review page (8) for checklist information.

❖ Phasing Schedule

In the case of a preliminary plan calling for the installation of improvements beyond the 5-year period, a schedule shall be filed by the landowner delineating all proposed phases and deadlines for which the Final plan applications will be filed.

Such schedule shall be updated annually by the applicant on or before the anniversary of the Preliminary plan approval, until Final plan approval of the final phase has been granted.

Failure of the landowner to adhere to the aforesaid schedule shall be subject to any and all changes in applicable Ordinances.



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Completeness Review

The Planning Department will conduct a completeness review of new plans within ten (10) days after submission.

Complete Applications must contain the following information:

Preliminary, Final, Preliminary/Final Subdivision and Land Development Plan Completeness Checklist

- Application
- Application Fee
- Escrow Fee
- Electronic Submission
- 4 copies of the Plan
- Stormwater Management Plan
- Grading Plan
- Erosion & Sedimentation Control Plan
- Landscaping Plan
- Sewage Planning Module/Sewage Exemption
- Statement from Municipal Authority or proof of submission
- LeTort Regional Authority Comments or proof of submission*
- Cumberland County Planning Comments or proof of submission
- Traffic Impact Study*
- Environmental Impact Assessment Report*
- Modification of Requirements
- Previous Zoning Approval*

**When Applicable*

Final Lot Alteration, Final Lot Addition Plan Completeness Checklist

- Application
- Application Fee
- Escrow Fee
- Electronic Submission
- 4 copies of the Plan
- Cumberland County Comments or proof of submission
- Modification of Requirements
- Previous Zoning Approval*

**When Applicable*

Upon acceptance of a complete application, the subdivision and land development plan will be subject to technical review for compliance with Township Ordinances.

Incomplete Applications

If any of the above information is not included with the application, the entire submission will be deemed incomplete. Incomplete submissions will be accompanied by a letter from the Director of Community Development and Planning indicating the reason(s). Submissions deemed incomplete will not be scheduled for review by the Planning Commission until all documentation has been provided. Applicants should provide the required missing documentation within the designated timeline as detailed in the Incompleteness Letter. A Completeness Review Transmittal Form shall accompany the submission of the missing documents.

If the required missing documentation is not submitted by the deadline, the incomplete application will be forwarded to the Board of Supervisors for action with a recommendation of denial.



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Planning Department Comments

After the technical review of a complete application, the Planning Department will notify the Planning Commission and Applicant of its comments and concerns with the application.

The Board of Supervisors have established two types of comments: **administrative** and **substantive & design** comments.

- **Administrative** Comments are generally related to the requirements of Article III, V, VI, and XIII in the Subdivision and Land Development Ordinance.
- **Substantive and Design** comments are generally related to the planning and design of the project and are associated with the requirements of Article VII, XI, and XII, in the Subdivision and Land Development Ordinance and Stormwater Ordinance. Additionally, any zoning or subdivision and land development requirements that may result in a design change or require outside agency approval/review will be considered substantive.

Therefore, it is the policy of the Board of Supervisors that conditional approvals will not be recommended by the Planning Commission if:

Preliminary Plans

- The plan has more than 5 unresolved substantive and design comments, or
- There are a total of more than 10 unresolved comments, or
- Revisions of the plan design are required, or
- The plan has not been submitted to other governmental agencies for review.

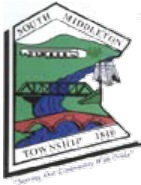
Final Plans

- The plan has any unresolved substantive and design comments, or
- There are more than 5 unresolved administrative comments, or
- Revisions of the plan are required, or
- If there are required reviews or approvals pending from the following governmental agencies:
 - PA Department of Environmental Protection
 - Cumberland County Planning Commission
 - Cumberland County Conservation District
 - The Applicable Authority or jurisdiction regarding the adequacy of sanitary sewer and public water service
 - Bureau of Aviation or Federal Aviation Administration, if required.
 - The PUC, if required.
 - Any other state, local, or federal agency as deemed necessary.

Post Approval Comments

The Board of Supervisors recognizes that there are several requirements that apply to nearly all subdivision and land development proposals that are addressed most efficiently after approval of the final plan. These requirements are:

- Providing recordable plans including notarization
- Providing adequate financial security
- Paying recreation fees
- Obtaining PA Department of Transportation permits/approvals
- Operations and Maintenance Agreements
- Stormwater Permit



South Middleton Township

Subdivision and Land Development Plan Review Policy and Procedure

Revised Plan Submissions

If a plan does not meet the requirements to receive conditional approval from the Planning Commission, or at the request of the Planning Commission, revised plans addressing Planning Department and/or Planning Commission comments shall be submitted for review.

❖ **Deadline**

Fourteen (14) days prior to the next Planning Commission or Board of Supervisors meeting

❖ **Completeness Checklist**

- Revised Plan Application
- Written Comment Response Letter
- Four (4) copies of the plan
- Supporting Documentation, if applicable

❖ **Action Date**

When a revised plan is submitted, the original plan is therefore withdrawn, and a new 90 days review period from the date of the next Planning Commission meeting is established via the Revised Plan Application.

All revised plans shall be accompanied by a revised plan application, withdrawing the original submission. If a revised plan application does not accompany the submission, the Planning Department shall recommend denial to the Board of Supervisors of the plan submission.

No plans will be accepted at the meetings.

Non-Compliant Applications

If a plan has 10 or more substantive comments, the plan shall be rendered substantially non-compliant with the requirements of the Ordinance.

The applicant will be asked to withdraw the application at least 2 weeks prior to the plan review deadline. If an application is withdrawn, fees minus any outstanding charges may be returned upon request of the applicant or may otherwise be applied to a future submission.

If a the substantially non-compliant plan is not withdrawn, the application will be scheduled for action by the Board of Supervisors with the Planning Department's recommendation for denial due to incompleteness. For all applications rejected by the Board of Supervisors, fees will not be returned, with the exception of the unused escrow.

Complete filing fees will then be required for all applications resubmitted after the applicant has withdrawn the plan or receives a formal rejection by the Board of Supervisors.



South Middleton Township Plan Review Policy

IV. Recording Phase

After the plan has been approved by the Board of Supervisors, the applicant will have 1 year to address any remaining Planning Department comments, conditions imposed by the Board of Supervisors and post approval items.

Financial Security

In lieu of the completion of any improvements required as a condition for the final approval of a plan, the developer shall provide financial security with the Township in an amount sufficient to cover the costs of such improvements or common amenities including, but not limited to, roads, storm water detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements, or buffer or screen plantings which may be required.

A cost estimate should be provided to the Township after the approval of the final land development plan. The estimate will be reviewed by the Township Engineer within forty-five (45) days of submittal. When the cost estimate is acceptable to the Township, an approval letter will be sent to the applicant.

Acceptable forms of security include cash, restrictive or escrow accounts in Federal or Commonwealth chartered lending institutions, or irrevocable letter of credit from said institutions. For letters of credit, the form of the letter must match the Township's Letter of Credit language.

As work is completed on site, the developer may request a reduction in financial security.

County Planning Department

The County Planning Department requires a CAD file with the following information be submitted in order to sign plans for recording:

- ❖ Parcel Boundaries
- ❖ Lot Lines
- ❖ Building footprints
- ❖ Road right-of-ways
- ❖ Edge of pavement
- ❖ Declaration of planned communities/condominiums documents (including amendments)

If the conditions of approval cannot be met within a year, the applicant may request a time extension from the Board of Supervisors to meet the conditions of approval. The time extension should be submitted at least 1 month prior to the year deadline.

Any subsequent permits will not be reviewed until the land development plan is recorded.



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V. Permit Phase

Once the land development plan has been recorded, the applicant may submit applications for permit review. For more information on permit reviews, the Building Permit Policy can be obtained at <https://smiddleton.com/2158/Applications>.

**South Middleton Township adopted a standalone Stormwater Ordinance on September 11, 2025. Stormwater permits shall now be required as part of a plan's post approval items.*

VI. Building and Inspection Phase

On-Site Improvements

Any onsite improvements, including but not limited to, erosion control, stormwater management, paving, landscaping, etc., as depicted on the recorded land development plan shall be inspected by the Township Engineer. Please contact the Township Office to schedule inspections.

Permit Inspections

Once all applicable permits have been issued for a project, a list of inspections shall accompany the permit. The applicant is responsible for contacting the Township to schedule all appropriate inspections during construction.

After a final inspection has been approved by Township staff, a Certificate of Use/Occupancy will be issued within five (5) days of the final inspection.

Development Complete

After all improvements and construction has been conducted, the applicant may request a release of the financial security. The Township Engineer shall conduct a final site inspection within forty-five (45) days to verify compliance with the recorded Subdivision and Land Development Plan. The security release request will be taken to the Board of Supervisors for their approval. Once the financial security has been released, the development will be considered complete and any remaining escrow will be returned to the applicant along with the financial security.



South Middleton Township Plan Review Policy

Subdivision and Land Development Policy approved the 30 day of October, 2025

ATTEST:

BOARD OF SUPERVISORS
SOUTH MIDDLETON TOWNSHIP

Janett A. Sweegy
Secretary

Dr. Kelly L. Cappi
Chairperson

October 30, 2025
Date

Subdivision & Land Development Flow Chart

