

ARTICLE III

PLAN PROCESSING PROCEDURES

SECTION 301 **Pre-Application Review.** The purpose of the pre-application meeting or sketch plan review is to afford the applicant the opportunity to receive the advice and assistance of the Township Staff. Such meeting or review shall be considered as confidential between the applicant and the Township Staff.

301.01 **Pre-Application Review Process.** Proposals for possible development of sites into subdivisions of more than twenty (20) lots, or which involve the creation of new streets, or which involve plans for the development of retail and office structures, shall be discussed with the Township Staff, and sketch plans shall be submitted for review prior to submission of preliminary plans. Submission of a sketch plan shall not constitute formal filing of a plan with the Township. However, the applicant may request, by letter, a formal review by the Planning Commission, in which case the Planning Commission will take action, discuss the plan at a public meeting, and comment by letter. Generally, Township Staff reviews will be scheduled within fifteen (15) consecutive days from the date of the receipt of the request by the Zoning Officer. If the applicant requests a formal review of a sketch plan by the Planning Commission, the plan shall be reviewed at a public meeting within ninety (90) days of the receipt of the request by the Zoning Officer.

Sketch plans should include those items listed in Section 401 of this Ordinance.

301.02 **Optional Pre-Application Review.** Applicants are urged, but not required, to discuss other types of proposals and submit sketch plans for review.

SECTION 302 **Preliminary Plan Application**

302.01 **Preliminary Plan Application.** With the exceptions noted in Section 307 of this Ordinance, a preliminary plan is required for applications which propose new streets, all land development plans, and subdivision plans of ten (10) or more lots. All other plans may be submitted as final plans in accordance with Section 303 of this Ordinance.

A. Preliminary plans may be filed with the Zoning Officer on any business day; however, the Planning Commission will review a

plan at a particular meeting only if the plan was filed at least fifteen (15) consecutive days prior to that meeting.

- B. In addition to submitting the required material in accordance with Section 302.02 of this Ordinance, the applicant shall file with the Zoning Officer documentation that plans have been properly filed with the County Planning Commission.

302.02 Application Requirements. All preliminary plan applications shall include the following:

- A. Five (5) copies of the preliminary plan, plus one (1) additional copy if the subject tract is within one-half (1/2) mile of a municipal boundary. All plans shall be either black on white or blue on white paper prints.
- B. Three (3) copies of all reports, notifications and certifications which are not provided on the preliminary plan.
- C. Three (3) copies of the application form. (See Appendix No. 1)
- D. Filing fee. (See Appendix No. 24 as it may be amended from time to time by resolution)

302.03 Plan Requirements. All preliminary plans shall be prepared in conformance with the provisions of Section 402 of this Ordinance.

302.04 Distribution. The applicant shall file with the Zoning Officer documentation that one (1) complete copy of the preliminary plan application has been submitted to the Township Engineer and to any adjoining municipalities (if the subject tract is within one-half (1/2) mile of any municipal boundary). The remaining four (4) copies of the preliminary plan application shall be submitted to the Zoning Officer who shall distribute one (1) complete copy of the application to both the Board of Supervisors and the Planning Commission.

302.05 Planning Commission Review Process. At the first meeting of the Planning Commission, no action will be taken for most applications. The plan will be considered as a briefing item for general comments and introduction by the Township Staff. The Planning Commission may elect to take action on any subdivision or land development if deemed to be in order and all review comments from the Township Staff are available.

The Planning Commission may discuss the preliminary plan application with the developer or his agent at the next regular meeting and will review

the application to determine if it meets the standards set forth in this Ordinance. The preliminary plan shall then be submitted by the Planning Commission, together with its analysis and recommendations, including those of the Township Staff, to the Board of Supervisors.

302.06 Review by The Township Staff. The Township Staff shall review the application documents to determine if they are in compliance with this Ordinance, the Township Zoning Ordinance, the Comprehensive Plan and any Township planning objectives and accepted planning standards. The Township Staff shall provide comments and recommendations, including written findings when directed by the Board of Supervisors.

302.07 Board of Supervisors Review Process. All applications for approval of a plan shall be acted upon by the Board of Supervisors which shall render its decision and communicate it to the applicant not later than the greater of the period of time required by the Municipalities Planning Code or ninety (90) days following the date of the regular meeting of the Planning Commission next following the date the application is filed, provided that, should the said next regular meeting occur more than thirty (30) days following the filing of the application, the said ninety (90) day period shall be measured from the thirtieth (30th) day following the day the application has been filed.

Plans will be presented by the Township Staff at the regular meeting of the Board of Supervisors following the first presentation of the plan to the Planning Commission. Following complete review of the Planning Commission, including its recommendations, the Board of Supervisors will place the plan on its agenda for review and action.

302.08 Notification of Board of Supervisors Action. The decision of the Board of Supervisors shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision, or such later date as may be required by the Municipalities Planning Code.

- A. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of the Ordinance relied upon.
- B. Failure of the Board of Supervisors to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of

presentation of communication of the decision; in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

302.09 Compliance with Board of Supervisors Action. If the Board of Supervisors conditions its preliminary plan approval upon receipt of additional information, changes, or notifications, such data shall be submitted or plan alterations noted on two (2) copies of the plan to be submitted to the Board of Supervisors for approval. Such data shall be submitted to the Board of Supervisors within ninety (90) days of its conditioned approval, unless the Board of Supervisors grants a waiver by extending the effective time period.

302.10 Board of Supervisors Approval and Certification. The Board of Supervisors will acknowledge the satisfactory compliance with all conditions, if any, of the preliminary plan approval at a regularly scheduled public meeting. Additionally, at the option of the applicant, after receipt of preliminary plan approval and compliance with all conditions of approval, a preliminary plan may be presented to the Board of Supervisors for acknowledgment through a formal statement on the Plan. (See Appendix No. 5)

302.11 Effect of Preliminary Plan Approval. Approval of a preliminary plan application shall constitute approval of the proposed subdivision or land development as to the character and intensity of development and the general arrangement of streets, lots, structures, and other planned facilities, but shall not constitute final plan approval. The preliminary plan may not be recorded in the office of the Lancaster County Recorder of Deeds.

SECTION 303 Final Plan Application

303.01 Prerequisites to Filing Final Plan Application. An application for final plan approval can be submitted only after the following, when required as noted, have been completed:

- A. The receipt of an unconditional preliminary plan approval in accordance with Section 302 of this Ordinance, when a preliminary plan approval is required.
- B. The completion of the improvements required by this Ordinance in accordance with the improvement construction plan procedure stated in Section 304 of this Ordinance, when the improvements are not intended to be assured by the posting of financial security as provided in Article V of this Ordinance.

303.02 Final Plan Applications.

- A. Final plans may be filed with the Zoning Officer on any business day; however, the Planning Commission will review a plan at a particular meeting only if the plan was filed at least fifteen (15) consecutive days prior to that meeting.
- B. In addition to submitting the required material in accordance with Section 303.03 of this Ordinance, the applicant shall file with the Zoning Officer documentation that plans have been properly filed with the Lancaster County Planning Commission.
- C. The final plan may be submitted in sections, each section covering a reasonable portion of the entire proposed subdivision as shown on the approved preliminary plan.
- D. The Board of Supervisors may accept a final plan modified to reflect a change to the site or its surroundings which occurs after the preliminary plan review. The Board of Supervisors shall determine whether a modified final plan will be accepted or whether a new preliminary plan shall be submitted.

303.03 Application Requirements. All final plan applications shall include the following:

- A. Five (5) copies of the final plan, plus one (1) additional copy if the subject tract is within one-half (1/2) mile of a municipal boundary. All plans shall be either black on white or blue on white paper prints.
- B. Three (3) copies of all reports, notifications and certifications which are not provided on the final plan.
- C. Three (3) copies of the application form. (See Appendix No. 1)
- D. Filing fee. (See Appendix No. 24 as it may be amended from time to time by resolution)

303.04 Plan Requirements. All final plans shall be prepared in conformance with the provisions of Section 403 of this Ordinance.

303.05 Distribution. The applicant shall file with the Zoning Officer documentation that one (1) complete copy of the final plan application has been submitted to the Township Engineer and to any adjoining municipalities (if the subject tract is within one-half (1/2) mile of any

municipal boundary). The remaining four (4) copies of the final plan application shall be submitted to the Zoning Officer who shall distribute one (1) complete copy of the application to both the Board of Supervisors and the Planning Commission.

- 303.06 Planning Commission Review Process.** In general, the Planning Commission will schedule the final plan application for action at a regular meeting which is at least fifteen (15) consecutive days following the filing of the application by the applicant. The Planning Commission will discuss the final plan application with the developer or his agent at a regular meeting and will review the application to determine if it meets the standards set forth in this Ordinance. The final plan application shall then be submitted by the Planning Commission, together with its analysis and recommendations, including those of the Township Staff, to the Board of Supervisors.
- 303.07 Review by Township Staff.** The Township Staff shall review the application documents to determine if they are in compliance with this Ordinance, the Township Zoning Ordinance, the Comprehensive Plan and any Township planning objectives and accepted planning standards. The Township Staff shall provide comments and recommendations, including written findings when directed by the Board of Supervisors.
- 303.08 Board of Supervisors Review Process.** All applications for approval of a plan shall be acted upon by the Board of Supervisors which shall render its decision and communicate it to the applicant not later than the greater of the period of time required by the Municipalities Planning Code or ninety (90) days following the date of the regular meeting of the Planning Commission next following the date the application is filed, provided that, should the said next regular meeting occur more than thirty (30) days following the filing of the application, the said ninety (90) day period shall be measured from the thirtieth (30th) day following the day the application has been filed.
- Plans will be presented by the Township Staff at the regular meeting of the Board of Supervisors following the first presentation of the plan to the Planning Commission. Following complete review of the Planning Commission, including its recommendations, the Board of Supervisors will place the plan on its agenda for review and action.
- 303.09 Effect of Final Plan Approval.** Final plan approval will be effective for ninety (90) days from the date of the Board of Supervisors action on the final plan, unless the Board of Supervisors grants a waiver by extending the effective time period of the approval. Within this time period, the

applicant must meet all conditions of approval, if any, certify plans and record plans as required by this Ordinance.

303.10 Notification of Board of Supervisors Action. The decision of the Board of Supervisors shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision, or such later date as may be required by the Municipalities Planning Code.

- A. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of the Ordinance relied upon.
- B. Failure of the Board of Supervisors to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision; in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

303.11 Compliance with Board of Supervisors Action. If the Board of Supervisors conditions its final plan approval upon receipt of additional information, changes, or notifications, such data shall be submitted or plan alterations noted on two (2) copies of the plan to be submitted to the Board of Supervisors for approval. Such data shall be submitted to the Board of Supervisors within ninety (90) days of its conditional approval, unless the Board of Supervisors grants a waiver by extending the effective time period.

303.12 Final Plan Certification. After the Board of Supervisors' approval of the final plan and the required changes, if any, are made, the applicant shall proceed to prepare two (2) sets of final plans which shall be either (a) black ink on tracing cloth or (b) transparent reproductions of the original plan with black line on cloth or stable plastic base film and one (1) set of final plans which shall be a paper copy for the Township's files. The two (2) transparent copies of the final plan shall be certified in the following manner: both final plans shall be presented to the Board of Supervisors for the signature of the Chairperson and the Vice-Chairperson or their designees. (See Appendix No. 7) Final plans will not be signed by the Board of Supervisors if submitted more than ninety (90) days from the Board of Supervisors' final approval action unless the Board of

Supervisors grants a waiver by extending the effective time period of the approval.

303.13 Final Plan Recordation. Upon approval and certification of a final plan, the applicant shall record the plan in the office of the Lancaster County Recorder of Deeds. Should the applicant fail to record the final plan within ninety (90) days of the Board of Supervisors' final plan approval, the Board of Supervisors' action on the plan shall be null and void unless the Board of Supervisors grants a waiver by extending the effective time period of the approval.

- A. The final plan shall be filed with the Lancaster County Recorder of Deeds before proceeding with the sale of lots. Proof of such recording shall be provided to the Zoning Officer.
- B. The final plan shall be filed with the Lancaster County Recorder of Deeds before proceeding with the construction of any improvement except as provided for in Section 304 of this Ordinance.
- C. No subdivision or land development plan may be recorded unless it bears the endorsement of the Board of Supervisors.

303.14 Effect of Recording of Final Plan. Recording the final plan after approval of the Board of Supervisors shall have the effect of an irrevocable offer to dedicate all streets and other areas designated for public use. However, the approval of the Board of Supervisors shall not impose any duty upon the Commonwealth of Pennsylvania, Lancaster County or the Township concerning acceptance, maintenance or improvement of any such dedicated areas or portion of same until the proper authorities of the Commonwealth of Pennsylvania, Lancaster County or the Township actually accept same by ordinance or resolution, or by entry, use or improvement.

The landowner may place a notation on the final plan to the effect that there is no offer of dedication to the public of certain designated areas, in which event the title to such area shall remain with the landowner, and neither the Commonwealth of Pennsylvania, Lancaster County, the Township, nor any applicable authorities shall assume any right to accept ownership of such land or right-of-way.

SECTION 304 Improvement Construction Plan

304.01 Improvement Construction Plan Application. After an applicant has received official notification that the preliminary plan has been approved

and the required changes, if any, have been made, an application may be processed for an improvement construction plan.

- A. Improvement construction plans may be filed with the Zoning Officer on any business day; however, the Board of Supervisors will review a plan at a particular meeting only if the plan was filed at least fifteen (15) consecutive days prior to that meeting.
- B. The improvement construction plan may be submitted in sections, each section covering a reasonable portion of the entire proposed subdivision as shown on the approved preliminary plan.
- C. The Board of Supervisors may accept an improvement construction plan modified to reflect a change to the site or its surroundings which occurs after the preliminary plan review. The Board of Supervisors shall determine whether a modified improvement construction plan will be accepted or whether a new preliminary plan shall be submitted.

304.02 Application Requirements. All improvement construction plan applications shall include the following:

- A. Three (3) copies of the improvement construction plan, plus one (1) additional copy if the subject tract is within one-half (1/2) mile of a municipal boundary. All plans shall be either black on white or blue on white paper prints.
- B. Two (2) copies of all reports, notifications and certifications which are not provided on the improvement construction plan.
- C. Two (2) copies of the application form. (see Appendix No. 1)
- D. Filing fee. (See Appendix No. 24 as it may be amended from time to time by resolution)

304.03 Plan Requirements. All improvement construction plans shall be prepared in conformance with the provisions of Section 403 of this Ordinance, with the exception of Section 403.05, Paragraphs F, G, H, I, L and N.

304.04 Distribution. The applicant shall file with the Zoning Officer documentation that one (1) complete copy of the improvement construction plan application has been submitted to the Township Engineer and to any adjoining municipalities (if the subject tract is within one-half (1/2) mile of any municipal boundary). The remaining two (2)

copies of the improvement construction plan application shall be submitted to the Zoning Officer who shall distribute one (1) complete copy of the application to the Board of Supervisors.

304.05 Board of Supervisors Review Process. In general, the Board of Supervisors will schedule the improvement construction plan application for action at its first regular meeting which is at least fifteen (15) consecutive days following the filing of the application by the applicant. The Board of Supervisors will discuss the improvement construction plan application with the developer or his agent at a regular meeting and will review the application to determine if it meets the standards set forth in this Ordinance. All applications for approval of a plan shall be acted upon by the Board of Supervisors who shall render its decision and communicate it to the applicant not later than the greater of the period of time required by the Municipalities Planning Code or ninety (90) days following the date of the regular meeting of the Board of Supervisors next following the date the application is filed, provided that, should the said next regular meeting occur more than thirty (30) days following the filing of the application, the said ninety (90) day period shall be measured from the thirtieth (30th) day following the day the application has been filed.

304.06 Notification of Board of Supervisors Action. The decision of the Board of Supervisors shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision, or such later date as may be required by the Municipalities Planning Code.

- A. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of the Ordinance relied upon.
- B. Failure of the Board of Supervisors to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision; in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

304.07 Compliance with Board of Supervisors Action. If the Board of Supervisors conditions its improvement construction plan approval upon receipt of additional information, changes or notifications, such data shall be submitted or plan alterations noted on two (2) copies of the plan to be submitted to the Board of Supervisors for approval. Such data shall be

submitted to the Board of Supervisors within ninety (90) days of its conditional approval, unless the Board of Supervisors grants a waiver by extending the effective time period.

304.08

Improvement Construction Plan Certification and Construction

Authorization. After the Board of Supervisors' approval of the improvement construction plan and the required changes, if any, are made, the applicant shall proceed to prepare two (2) sets of plans which shall be either (a) black ink on tracing cloth or (b) transparent reproductions of the original plan with black line on cloth or stable plastic base film. These plans shall be certified in the following manner:

- A. Both improvement construction plans shall be presented to the Board of Supervisors for the signature of the Chairperson and the Secretary or their designees. (See Appendix No. 6) Improvement construction plans will not be signed by the Board of Supervisors if submitted more than ninety (90) days from the Board of Supervisors' approval action unless the Board of Supervisors grants a waiver by extending the effective time period of the approval.
- B. Approval and certification of an improvement construction plan shall not constitute final plan approval of the proposal, nor shall this plan be recorded with the Lancaster County Recorder of Deeds, but shall, when combined with the necessary municipal and Commonwealth approvals and permits, grant the authority to install the improvements required as part of this Ordinance.
- C. Following the Board of Supervisors' certification of the improvement construction plan, one (1) copy of the plan will be retained by the Board of Supervisors and the remaining copy will be available to the firm which prepared the plan.
- D. Improvement construction plan approval will be effective for a five (5) year period from the date of the Board of Supervisors' approval action. Construction must be completed and a final plan application must be submitted within five (5) years of the improvement construction plan approval, or else the plan approval will become null and void unless the Board of Supervisors grants a waiver by extending the effective time period of the approval.

304.09

Completion of Improvements. Upon completion of the improvements required by this Ordinance, the applicant may proceed to submit a final plan application.

SECTION 305

Revised Subdivision and/or Land Development Plans

305.01 Applicability of Revised Subdivision and/or Land Development Plans. Any replatting or resubdivision of recorded or unrecorded plans, excluding lot grading plans in subdivisions, shall be considered as a new application and shall comply with all requirements of this Ordinance, except that plans may be changed, provided that in making such changes:

- A. No lot shall be created that does not meet the minimum design standards required by this Ordinance and existing Township regulations.
- B. No structure shall be relocated which does not meet the minimum design standards required by this Ordinance and existing Township regulations.
- C. No increase is made in the overall density of the development.
- D. The storm water management facilities are not altered in a manner which significantly affects the discharge of storm water to an adjacent lot or significantly relocates a major storm water management facility within the development.
- E. Street locations and block sizes shall not be changed.
- F. The character and land use of the original application shall be maintained.

305.02 Application Requirements. In every case where a plan alteration conforms to the above, the applicant shall:

- A. Submit to the Board of Supervisors two (2) black on white or blue on white paper copies of the revised final plan, one application form (see Appendix No. 1), and the required filing fee. (See Appendix No. 24 as it may be amended from time to time by resolution) Upon review of the revision at its next regular meeting if the plan was filed at least fifteen (15) consecutive days prior to that meeting, the Board of Supervisors will, in writing, advise the applicant whether or not the revision complies with the above and with the final plan requirements of Section 403 of this Ordinance.
- B. If the revision complies, the applicant shall prepare two (2) plans for recording, which shall be either (a) black ink on tracing cloth or (b) a transparent reproduction of the original plan with black line on cloth or stable plastic base film, and which shall specifically identify the alterations to the previously recorded plan.

- C. The applicant shall then submit the plan to the Board of Supervisors for certification as specified in Section 303.12 of this Ordinance. (See Appendix No. 7)
- D. The plans shall then be recorded as specified in Section 303.13 of this Ordinance.

305.03 Submission to County Planning Commission. In addition to submitting the required material in accordance with Section 305.02 of this Ordinance, the applicant shall file with the Zoning Officer documentation that plans have been properly filed with the County Planning Commission.

SECTION 306 Lot Add-On Plans

306.01 Applicability of Lot Add-On Plans. The lease, conveyance, sale or transfer of land for the sole purpose of increasing the lot size of an adjacent contiguous lot shall comply with the following lot add-on procedure, provided:

- A. No lot shall be created that does not meet the minimum design standards required by this Ordinance and existing Township regulations.
- B. The storm water management facilities are not altered in any manner.
- C. Street locations and block sizes shall not be changed.
- D. Access to all affected lots is not changed.
- E. No new lots are created.

306.02 Application Requirements. In every case where a proposal conforms to the above, the application shall comply with the following procedures:

- A. The applicant shall submit to the Board of Supervisors two (2) black on white or blue on white paper copies of the lot add-on plan prepared to the standards specified in Section 404 of this Ordinance, one (1) application form (see Appendix No. 1), and the required filing fee. (See Appendix No. 24 as it may be amended from time to time by resolution) Upon review of the lot add-on plan at its next regular meeting if the plan was filed at least fifteen (15) days prior to that meeting, the Board of Supervisors will, in

writing, advise the applicant whether or not the proposal qualifies as a lot add-on.

- B. If the plan qualifies, the applicant shall prepare two (2) plans for recording, which shall be either (a) black ink on tracing cloth or (b) a transparent reproduction of the original plan with black line on cloth or stable plastic base film, and one (1) set of paper copies of the plan for the Board of Supervisors' files.
- C. Prior to recording of the lot add-on plan, a copy of the deeds to be recorded for all lots being revised by the lot add-on plan shall be submitted by the applicant to the Township for its files.
- D. The applicant shall then submit the plan to the Board of Supervisors for certification as specified in Section 303.12 of this Ordinance. (See Appendix No. 7)
- E. The plans shall then be recorded as specified in Section 303.13 of this Ordinance.

306.03 Submission to County Planning Commission. In addition to submitting the required material, in accordance with Section 306.02 of this Ordinance, the applicant shall file with the Zoning Officer documentation that plans have been properly filed with the County Planning Commission.

SECTION 307 Minor Land Development Plans. Land development plans may be submitted as final plans in accordance with the provisions of Section 303 of this Ordinance provided the proposal meets one of the following conditions:

- A. The development of a single, non-residential building of less than 30,000 square feet located on a lot that was approved for such non-residential use by a recorded plan prepared in accordance with this Ordinance. The installation of all improvements associated with the approval of such plan shall be completed. Further, access to the lot shall meet the standards of the current ordinance and traffic generated by the proposed use shall not exceed 300 AADT.
- B. The development of a second principal building of less than 10,000 square feet on a lot which contains an existing principal building. Traffic generated by the new use shall not exceed 200 AADT.
- C. The development of a single principal building with an area of 1,500 square feet or less and which will generate fifty (50) or fewer AADT.

- D. The development of a residential building with less than five (5) units of occupancy.

All land development plans which do not meet one of these conditions or which propose to either establish an access which does not meet the safety criteria of this Ordinance, or to phase construction of required improvements, including but not limited to streets, sewer and water facilities, and storm water management facilities, shall be submitted as a preliminary plan in accordance with the requirements of Section 302 of this Ordinance.

SECTION 308 Procedure for Requesting Consideration of a Waiver of Provisions of This Ordinance

308.01 Application Requirements. A request for a waiver may be submitted to the Board of Supervisors at any time. All requests shall be made in accordance with the following:

- A. All requests shall be made in writing and shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, or the alternative standard proposed to provide equal or better results, the section or sections of this Ordinance which are requested to be waived, and the minimum modification necessary.
- B. The request shall be accompanied by a plan prepared at least to the minimum standards of a sketch plan. (See Section 401)

308.02 Board of Supervisors Action.

- A. In general, the Planning Commission will schedule a request for a waiver for action at a regular meeting which is at least fifteen (15) consecutive days following the filing of the request by the applicant. The Planning Commission will review the request to determine (1) if compliance with the provisions of the Ordinance creates an undue hardship or appears to be unreasonable as it applies to the particular property, or (2) if the applicant demonstrates that an alternative proposal will allow for equal or better results. The Planning Commission shall take such action as it shall deem necessary or advisable in the public interest.
- B. The request for a waiver and accompanying documentation shall be submitted by the Planning Commission, together with its analysis and recommendations, to the Board of Supervisors for

consideration. All applications for approval of a waiver shall be acted upon by Board of Supervisors who shall render its decision and communicate it to the applicant in accordance with the requirements of the Municipalities Planning Code.

308.03 Notification of Action of Board of Supervisors. After the meeting at which the waiver was reviewed, the Board of Supervisors shall send a written notice of its action to the applicant at his last known address not later than fifteen (15) days following the decision, or such later date as may be authorized by the Municipalities Planning Code. If the Board of Supervisors denies the request, it will notify the above individual, in writing, of the justification for denial. If the Board of Supervisors grants the request, the final plan shall include a note which identifies the specific waiver as granted.