

ARTICLE IX

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RECREATION SUBDIVISION AND LAND DEVELOPMENT

901. Definition

A Recreation Subdivision or Land Development includes the improvement and development of land for seasonal or leisure time activities (not intended now or in the future for year-round dwelling purposes) including cottages, cabins, second homes, travel trailers and other forms of camping accommodations intended for recreational and/or educational purposes, and land intended for various other outdoor recreation activities such as hunting and fishing.

Recreation Subdivisions or Land Developments are further defined to include Major Recreation Subdivision and Land Developments, including but not limited to Recreational Camps and Campgrounds, and Minor Recreation Subdivisions.

A. Major Recreation Subdivision or Land Development

The division of a tract of land into six (6) or more lots, or the division of a tract of land into five (5) lots or less which does not otherwise meet the definition of a Minor Recreation Subdivision, or the improvement and development of a parcel or tract of land which meets the definition of Land Development.

Major Recreation Subdivision or Land Development shall including the following categories of Recreational Land Development:

1. Campground - Any portion of land, used for the purpose of providing a space or spaces for travel trailers, tents or other forms of living accommodations, for camping purposes regardless of whether a fee has been charged for the leasing, renting or occupancy of such space.
2. Organized Camp - Any combination of program and facilities established for the primary purpose of providing an outdoor group living experience for children, youth and adults, with social, recreational and educational objectives.

Major Recreation Subdivisions and Land Developments, including Recreation Camps and Campgrounds, may further be defined to include commercial type developments which may provide either on-lot or off-lot improvements such as sewer and water service, may provide access by existing or proposed public or private streets, may include the formation of a homes association, may include various forms of indoor and outdoor recreation activities such as tennis courts, swimming pools and horseback riding facilities, may include accessory commercial uses such as a general store and lodge facility, and may include lots, parcels or units intended to be sold, leased, rented or otherwise conveyed including overnight, weekly or seasonal accommodations.

B. Minor Recreation Subdivision

The division of a tract of land into five (5) lots or less where the average lot size is greater than ten (10) acres, where each lot, where appropriate, will be served with on-lot sewer and water improvements, and where access is to be provided by existing public streets and/or an existing or proposed private access road or driveway access easement.

902. Major Recreation Subdivision and Land Development

A Major Recreation and Land Development, as defined in Section 901. A. above, and all recreational subdivisions of five (5) lots or less which fail to meet the requirements for qualification as a Minor Recreation Subdivision shall be subject to the following procedures and requirements:

A. Procedure

Whenever any Subdivision or Land Development conforming to the definition of Major Recreation Subdivision and Land Development is proposed, the Applicant shall apply for approval of such proposal in accordance with the following procedures:

1. Pre-submission Conference (optional);
2. Preliminary Plan;
3. Final Plan.

B. Pre-submission Conference

A conference between the Staff and the Applicant prior to the submission of

a formal plan is strongly recommended, but is not required. The Applicant should bring sketch plans or working drawings, if any, for review at such Conference. All information presented shall remain confidential. At the discretion of the Applicant, the Subdivision or Land Development proposal may be presented at a Commission meeting for informal review and comment.

The Staff, at its discretion, may permit Subdivisions of six (6) to ten (10) lots to waive the Preliminary Plan and proceed directly from the Pre-submission Conference to the Final Plan.

C. Preliminary Plan Submission

Subdivisions of six (6) to ten (10) lots which have not been authorized to waive the Preliminary Plan, all Subdivisions of eleven (11) lots or more, and all Land Developments shall submit a Preliminary Plan consistent with the requirements of this Ordinance to the Commission for review and approval. The Preliminary Plan shall be accepted for processing upon receipt of the following from the Applicant:

1. Seven (7) copies of the Preliminary Plan;
2. A completed Application Form;
3. Four (4) copies of a Sewage Disposal Report;
4. Payment of the processing fee.

D. Distribution of Copies

The Staff shall, upon receipt of a properly submitted Preliminary Plan, forward copies to each of the following, as applicable:

1. Governing Body of the Municipality in which the Subdivision is located;
2. Planning Commission of the Municipality;
3. Sewage Enforcement Officer;
4. Agencies or departments of local, state, or federal government, as deemed appropriate by the Staff.

E. Date of Submission for Review

For consideration at the next regularly scheduled meeting of the Commission, the Applicant shall submit his Preliminary Plan and completed Application Form to the Staff not less than twelve (12) calendar days prior to the scheduled meeting.

F. Commission Action on Preliminary Plan

The Commission shall review the Preliminary Plan, render its decision and communicate said decision to the Applicant not later than ninety (90) days after such Application for preliminary approval is accepted or such additional period of time as may be agreed upon by the Commission and the Applicant in writing. The Applicant shall be notified in writing of the action of the Commission within fifteen (15) days following its decision, and if conditionally approved, specify any changes which shall be required before the submission of the Final Plan. If disapproved, the Commission shall specify the defects found and describe the requirements which have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon.

G. Effect of Preliminary Plan Approval

Approval of the Preliminary Plan by the Commission constitutes conditional approval of the proposed subdivision in regard to the general design, the approximate dimensions of the streets and lots and other planned features. The Preliminary Plan approval obligates the Applicant to the general scheme of the Subdivision. However, if the Applicant determines that a significant change to this original submission is desirable, he may modify his plans by submitting a revised Preliminary Plan for review and approval.

Approval of the Preliminary Plan does not authorize the sale of lots or the recording of the Preliminary Plan.

H. Time Limitation and Extensions

The Preliminary Plan approval shall expire within five (5) years after being granted unless an extension is requested by the Applicant and approved by the Commission. Any request for extensions must be submitted to the Commission thirty (30) days prior to any prevailing expiration date. Extensions may be granted for one (1) or more six (6) month periods upon a finding by the Commission that such extension is warranted.

If the Applicant does not submit a Final Plan for all or a portion of the Preliminary Plan within five (5) years after the approval of said Preliminary Plan is granted, or after expiration of the final extension period, the approval of the Preliminary Plan is automatically void.

1. Preliminary Plan Requirements

The following materials and information shall be submitted with an Application for review and approval of a Preliminary Plan in the form of a map or series of maps drawn to a scale of one hundred (100) feet to the inch, fifty (50) feet to the inch, or other suitable scale if approved by the Staff, on a sheet size of from 18 x 24 to 42 x 48 inches.

The Preliminary Plan shall include the following:

1. Title Block including name of Subdivision, Municipality, and date of Plan;
2. Name and address of the owner of the property;
3. North Point for the Subdivision Plan;
4. Graphic scale as well as written scale;
5. Name and address of the registered Professional Land Surveyor and Professional Engineer, where applicable, responsible for the Plan;
6. Deed book and page number of tract or tracts being subdivided;
7. Tract boundaries showing approximate distance and bearings;
8. The names, deed book and page numbers of owners of all abutting unplotted land and the names, plat book and page numbers of all abutting recorded Subdivisions;
9. All existing property lines with approximate bearings and distances;
10. All existing streets, easements, and rights-of-way on or adjacent to the tract, including name, right-of-way width, cartway width, and, in the case of easements, the purpose for which the easements may have been established;

11. All existing buildings, sewers, water lines, culverts, natural gas lines, petroleum or petroleum products lines, electric and telephone lines, fire hydrants, and other significant man-made features on or adjacent to the tract;
12. Approximate location of sinkholes and existing watercourses and the general locations of swamps, tree masses, and other significant natural features;
13. Floodplain lines determined pursuant to Article XI;
14. Location, width, approximate grade (where appropriate), and purpose of all proposed streets, alleys, rights-of-way and easements;
15. Proposed lot lines with approximate dimensions to the nearest foot and bearings to the nearest degree including a numbering system to identify each lot; and approximate area per lot proposed;
16. Public Buildings, playgrounds, and parcels of land that are to be dedicated and reserved for public use;
17. An indication of the general location of proposed water lines, sanitary sewers and storm water collection and retention facilities, including but not limited to catchbasins and lines. The preliminary size of each line should be shown as well as the locations of or distances to any existing line to be connected to, with the size of such existing line to be indicated;
18. Site data to include proposed use, number of lots, total acreage of lots/parcels, number of acres in total tract, number and type of dwelling units and/or structures and present zoning classification, including minimum lot area required;
19. Existing and proposed (where required) contours of vertical interval of five (5) feet, or, at such intervals as may be necessary for satisfactory study and planning of the tract, as determined by the Staff. Contour elevations shall be tied to the latest U.S. Geological Survey datum;

20. Location map, at a scale not smaller than two thousand (2,000) feet to the inch, showing the proposed Subdivision or Land Development and adjoining areas sufficient to denote the proposed location (Also include North Point).

J. Unsubdivided Portions

Where the Preliminary Plan submitted covers only a part of the Applicant's entire holding, a sketch of the prospective future street, sewer (including sanitary and storm sewer), and water systems of the unsubmitted part shall be furnished upon the request of the Staff. The street, sewer and water system of the submitted part will be considered with regard to connections with future streets, sewer and water in the part not submitted.

K. Final Plan Submission

A Final Plan consistent with the requirements of this Ordinance shall be submitted to the Commission for review and approval. The Final Plan shall be accepted for processing upon receipt of the following from the Applicant:

1. Seven (7) copies of the Final Plan;
2. Seven (7) copies of Supporting Data as specified under Section 902. P.
3. A completed Application Form;
4. Four (4) copies of a Sewage Disposal Report if not previously submitted as part of a Preliminary Plan requirement;
5. Payment of the processing fee.

L. Distribution of Copies

Copies shall be distributed by the Commission pursuant to Section 902. D. hereof.

M. Date of Submission for Review

For consideration at the next regularly scheduled meeting of the Commission, the Applicant shall submit his Final Plan and other related documents to the Staff not less than twelve (12) calendar days prior to the scheduled meeting.

N. Submission by Sections

The Final Plan submission may cover only a portion of the entire proposed Subdivision or Land Development as shown on the approved Preliminary Plan. In such cases, the Applicant must submit a tentative schedule for the development of the balance of the Subdivision or Land Development. Final Plan submission requirements and procedures must be followed for each subsequent section prior to recording and sale or transfer of lots or development within such sections.

O. Commission Action on Final Plan

The Commission shall review the Final Plan, render its decision and communicate said decision to the Applicant not later than ninety (90) days after such Application for final approval is accepted or such additional period of time as may be agreed upon by the Commission and the Applicant in writing. The Applicant shall be notified in writing of the action of the Commission within fifteen (15) days following its decision, and if conditionally approved, specify any changes which shall be required before execution of the Final Plan. If disapproved, the Commission shall specify the defects found and describe the requirements which have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon.

P. Final Plan Requirements

The following materials shall be submitted to the Commission with an Application for approval of a Final Plan: The Final Plan shall conform in all important details with the Preliminary Plan as previously approved, except that the Final Plan may cover only a portion of the total Subdivision shown on the Preliminary Plan. Any conditions specified in the approval of the Preliminary Plan shall be incorporated on the Final Plans. Seven (7) copies of the Subdivision Plan in the form of a map or series of maps drawn to a scale of one hundred (100) feet to the inch, fifty (50) feet to the inch, or other suitable scale if approved by the Staff, on a sheet size of from 18 x 24 to 42 x 48 inches.

The Final Plan shall include the following:

1. Title block, including name of Subdivision or Land Development, Municipality and date of Plan;
2. Name and address of the owner of the property;

3. North Point for Subdivision or Land Development Plan;
4. Graphic scale as well as written scale;
5. Name and address of the registered Professional Land Surveyor, and Professional Engineer, where applicable, responsible for the Plan;
6. Deed book and page number of tract or tracts being subdivided;
7. Tract boundaries showing accurate distance and bearings;
8. The names, deed book and page numbers of owners of all abutting unplotted land and the names, plat book and page numbers of all abutting recorded Subdivisions;
9. All existing property lines with accurate bearings and distances;
10. All existing streets, easements, and rights-of-way on or adjacent to the tract, including name, right-of-way width, cartway width, and in the case of easements, the purpose for which the easements may have been established;
11. All existing building, sewers, water lines, culverts, natural gas lines, petroleum or petroleum products lines, electric and telephone lines, fire hydrants, and other significant man-made features on or adjacent to the tract, with appropriate dimensions and sizes;
12. Accurate locations of sinkholes and existing watercourses and the general locations of swamps, tree masses, and other significant natural features;
13. Floodplain lines determined pursuant to Article XI;
14. Accurate location, width, and grade (where appropriate) and purpose of all proposed streets, alleys, rights-of-way and easements;
15. Complete curve data including radius, delta angle, tangent, arc, and chord;
16. Lot lines with dimensions to the nearest hundredth foot and bearings to the nearest degree and minute, including a numbering system to identify each lot;

17. Public buildings, playgrounds, and parcels of ground that are to be dedicated or reserved for public use;
18. An indication of the exact location of proposed water lines, sanitary sewers and storm water collection and retention facilities, including but not limited to catchbasins and lines. The final size of each line must be shown as well as the locations of or distances to any existing line to be connected to, with the size of such existing line to be indicated;
19. Site data to include proposed use, number of lots, total acreage of lot/parcels, number of acres in total tract, number and type of dwelling units and/or structures, and the present zoning classification, including minimum lot area required;
20. Existing and proposed (where required) contours at vertical interval of five (5) feet, or at such intervals as may be necessary for satisfactory study and planning of the tract, as determined by the Staff. Contour elevations shall be tied to the latest U.S. Geological Survey datum;
21. Location map, at a scale not smaller than two thousand (2,000) feet to the inch, showing the proposed development and adjoining areas sufficient to denote the proposed Subdivision or Land Development location (Also include North Point);
22. Accurate location of all soil log test pits;
23. Location and material of all permanent monuments and lot markers;
24. Setback lines on all lots and parcels, dimensions between buildings, and other sites not less than the minimum fixed by the Ordinance;
25. Any pedestrian ways or sidewalks that may be provided or may be required by the Commission.

Q. Additional Supplemental Requirements

1. Supporting Data

The Final Plan shall be accompanied by the following material where applicable: