



Waiver of Preliminary Plan Filing Requirements

1- Administrative Waiver of the Preliminary Plan Filing Requirements

A. No Impact Subdivision and Land Development

A modification to waive the preliminary and final plan filing requirements may be granted by the Chief Planner for no impact subdivision and land development as per § 265-20, where it is determined by the City of Lancaster Bureau of Planning that the proposed subdivision or land development does not exceed the thresholds listed in § 265-20A and B.

B. Subdivision and/or Land Development NOT exceeding the thresholds of § 265-22

Upon submission of a written request and/or sketch plan application, the Chief Planner shall have the authority to waive the requirement of a preliminary plan submission for subdivision or land development plans meeting criteria set forth below. The applicant shall provide written justification for the modification request and applicable fee in accordance with § 265-12. Upon determination that the purpose of the preliminary plan submission is not being circumvented, the Chief Planner, with the concurrence of the City Engineer, shall waive the preliminary plan submission requirement for the following:

1. Subdivisions containing 10 or fewer lots.
2. Land developments containing 10 or fewer nonresidential units of occupancy.
3. Conversion of an existing nonresidential building into not more than 40 residential units. However, the preliminary plan submission requirement shall not be waived by the Chief Planner if the subdivision or land development will generate 50 or more added vehicle trips (inbound plus outbound) during the site's peak traffic hour.
4. A plan where no change in the location of existing access drives or the installation of new access drives is proposed unless the access drive has first received approval of the Traffic Commission.
5. Projects that will not generate additional sewage flow requiring approval of a planning module by the DEP.
6. Projects that will not cause a change to the City's Official Map or require an action of the City Council concerning air rights, lease or other agreements.
7. Projects that meet the requirements of the Stormwater Management Ordinance.
8. The project is not a flexible residential development, as defined and as regulated by the City of Lancaster Zoning Ordinance.
9. The project is not proposed to be developed in phases.
10. The project has received zoning approval.

11. The applicant has received a certificate of appropriateness pursuant to the Historic District Ordinance or the Heritage Conservation District Ordinance, City Code Chapter 155.

C. Subdivision and/or land development plans exceeding the thresholds of § 265-22

For projects exceeding the thresholds stated above for waiving preliminary plan filing requirements, a preliminary plan may be skipped, or a preliminary/ final plan may be filed in lieu of a separate preliminary plan, provided that:

- 1- A project is developed in one phase.
- 2- A sketch plan has first been submitted and reviewed by the City staff in accordance with § 265-17 or by the Commission in accordance with § 265-18.
- 3- The applicant addresses concerns to the satisfaction of the City.

2- A waiver request with the Planning Commission of the preliminary plan filing requirements.

Should the applicant fail or choose not to address issues raised by staff, the applicant shall forfeit the right to proceed to final plan and the application shall be filed with the Planning Commission as a preliminary plan or the applicant may file a waiver request with the Commission seeking relief of the preliminary plan filing requirements.