

PLANNED DEVELOPMENT APPLICATION GUIDELINES

I. USES PERMITTED BY PLANNED DEVELOPMENT APPROVAL PROCESS

Various types of planned developments are authorized by the Township Zoning Code. Although the approval process is identical, specific requirements for each type of development vary (e.g., permitted uses, density, minimum site size, parking, etc.). Refer to the pertinent section of the Zoning Code for specific criteria.

Nonresidential planned developments are authorized as Conditional Uses, which must follow the application procedures set forth in the Zoning Code for Planned Residential Developments. (See Subsection 130.37.)

Planned Office Center Development is limited to professional offices and business services in combination with certain uses only. See Subsection 130.13.2.2.1.1.

II. APPLICATION PROCEDURES

Application procedures are the same for all types of planned developments authorized by the Township Zoning Code. The process is governed by Article VI of the Township Zoning Code and Article VII of the Pennsylvania Municipalities Planning Code which has been incorporated in the Township Zoning Code as Addendum A.

A. Preapplication Requirements

1. **Staff Conference:** Prior to application submission, the applicant will meet with staff to discuss code requirements and feasibility of the proposed development. Staff will provide application forms, guidelines for application submission, copies of pertinent ordinances, outline of application process, and dates for application submission.

In all cases, arrangements to appear before the Planning Commission **MUST** be made with the Department of Planning and Community Development.

2. **Preapplication Conference:** Following the staff conference, the applicant **MUST** make a written request for a preapplication conference with the Planning Commission on the **Planning Commission Filing Deadline** (see Calendar). The preapplication conference is intended to be an open-ended exchange of ideas and the applicant is not required to present any detailed plans. However, the applicant is encouraged to submit seventeen (17) copies of any maps or other information.

The preapplication conference is **REQUIRED** by Code prior to the formal submission of any Planned Development application.

B. Application Submission

Planned Development requires the submission of applications for Tentative Approval and then Final Approval. Seventeen (17) complete copies (except as otherwise noted) of each application **are required to be submitted on the Planning Commission Filing Deadline** (see Calendar). **The deadline is STRICTLY enforced.** Late applications may be held for the next regular meeting of the Commission or will be returned to the developer for resubmission at the discretion of the Township. Please see the Calendar of deadlines and meeting dates or call the Department of Planning and Community Development at 412.831.9000.

All applications must be submitted during regular office hours (8:00 A.M. to 4:00 P.M.) to:

Department of Planning and Community Development
Township of Upper St. Clair
1820 McLaughlin Run Road
Upper St. Clair, PA 15241 Phone: 412.831.9000

Applications for Final Approval **MUST be submitted within one (1) year** of the date that Tentative Approval is granted by the Board of Commissioners unless extended by the Board of Commissioners upon written request from the developer submitted prior to the deadline. If the developer fails to file within the required time, Tentative Approval shall be deemed to be revoked.

Application content is set forth in Section III of these Guidelines.

C. Fees

Application submissions shall not be considered complete unless accompanied by the **required fee and escrow.** Make check or money order payable to Upper St. Clair Township. No cash please. See Fee Schedule.

Escrow fees for professional services [Ord. 1970 – 4/2/2007] See Fee Schedule.

Professional services (Township Attorney, Township Engineer, Township Traffic Engineer, etc.) for review of application are charged at actual cost and will be deducted from escrow.

Fees for revised applications shall be determined by the Township Manager based on estimated actual cost of review by the Township staff. This fee applies to applications when revisions are initiated by the developer or submitted to complete an application.

D. Staff Review

All applications are reviewed by staff for completeness prior to scheduling for Planning Commission consideration. ALL ITEMS ENUMERATED IN SECTION III, APPLICATION CONTENT, MUST BE SUBMITTED BY THE FILING DEADLINE IN ORDER FOR AN APPLICATION TO BE PROPERLY FILED. Incomplete or late applications will not be forwarded to the Planning Commission, but will be returned to the applicant.

E. Tentative Approval

1. Planning Commission Review

Complete applications are forwarded for Planning Commission consideration. The Planning Commission must make a recommendation to the Board of Commissioners within thirty (30) days of the submission of a completed application.

2. Public Notice

The Board of Commissioners must schedule a public hearing within sixty (60) days of the submission of the application. The regular meeting of the Board of Commissioners is the first Monday of the month at 7:30 P.M. Public notice is given as follows:

- a. by advertising for two successive weeks in a newspaper of general circulation, the first advertisement being not more than 30 or less than 7 days before the hearing;
- b. by mailing a notice thereof by certified mail to the following: owner of the subject lot or his agent, the lot owners whose lots are adjacent to the subject lot, all other lot owners whose lots are within two hundred (200) feet of the subject lot and to any person who has made a timely request for notice.
- c. by posting a notice on the subject property.

3. Public Hearings

Usually two hearings are held, but all hearings must be concluded within sixty (60) days of the first hearing. At the first hearing the applicant is expected to make a brief presentation (not more than twenty (20) minutes). Public comments are also accepted at the first hearing. Usually at the second hearing staff testimony is presented.

4. Decision

The Board of Commissioners must render a written decision, including Findings of Fact and Conclusions of Law, within sixty (60) days of the conclusion of the public hearings. The Board of Commissioners may attach reasonable conditions to the granting of Tentative Approval. Decisions are usually rendered at the next regular Board of Commissioners meeting after the close of the public hearing.

F. Final Approval

1. Planning Commission Review

The Planning Commission will examine the application for Final Approval to determine whether or not it meets the criteria of the Zoning Code and all the conditions attached to Tentative Approval have been met. The Commission must forward a written recommendation to the Board of Commissioners within twenty (20) days of the filing of the application.

2. Board of Commissioners' Action

The Board of Commissioners must act on an application for Final Approval within forty-five (45) days of application submission. A public hearing on the Final Application is not required provided the application conforms to the plan given Tentative Approval.

In the event that the final application submitted contains variations from the plan granted Tentative Approval, the Board of Commissioners may refuse to grant Final Approval if the variations are judged not to be in the public interest. In the event of refusal, the developer may 1) refile the application without the objected variations, or 2) file a written request that a public hearing be held on the Final Application as submitted.

The Municipal Engineer will review the estimates submitted as the basis for calculating the amount of performance security. The amount of security agreed upon by the Township and the developer, according to procedures prescribed in Section 509 of the Municipalities Planning Code, must be submitted prior to release of the plan for recording.

Final Development Plans **MUST** be recorded within ninety (90) days of approval by the Board or within ninety (90) days of release of an approved plat following completion of all conditions, whichever comes first.

III. APPLICATION CONTENT

A. Application for Tentative Approval

Seventeen (17) complete sets are required, except for Traffic Study (2 copies, see A.4.) and Block/Lot Map (1 copy, see A.8). The application requirements are set forth in Section 130.36.2. of the Township Zoning Code.

1. Completed application form supplied by the Township;
2. Preliminary development plan including:

- a. Plan consisting of a survey of the lot on which is shown
 - (1) location of existing and/or proposed structures;
 - (2) existing and proposed contours at intervals not to exceed two feet based on USGS datum;
 - (3) locations and dimensions of yards;
 - (4) proposals for disposition of sanitary waste and stormwater;
 - (5) indications of zoning compliance;
 - (6) name of applicant and landowner;
 - (7) area location map;
 - (8) dates of preparation and revisions;
 - (9) evidence of preparation by registered architect, landscape architect or engineer;
 - b. name of planned development;
 - c. all covenants relating to use;
 - d. location, size, height and bulk of buildings and other structures;
 - e. intensity of use or dwelling use density;
 - f. parking areas;
 - g. location and size of common areas;
 - h. uses submitted for tentative approval in accordance with Article VI of USC Code, Chapter 130, and the Municipalities Planning Code.
3. Requested modifications to the Zoning requirements otherwise applicable to the site, including:
- a. supplemental materials necessary to clarify required modifications;
 - b. a written statement by the developer setting forth the reasons a Planned Development would be in the public interest and consistent with the Comprehensive Plan or with the statement of Community Development Objectives;
 - c. if development is to occur over a period of years, a schedule showing the proposed times for filing of Applications for Final Approval of all sections of the Planned Development.
4. Environmental Impact Statement including an assessment of impact on natural environment (geology, topography, soils, hydrology, vegetation, wildlife, wetlands, and air quality) and cultural environment (lot use, utilities, traffic impact, population, economics, services, historic assets, and general character of the neighborhood). the assessment of traffic impact shall include a complete traffic analysis prepared and sealed by a professional traffic engineer identifying the impact of the proposed development on existing traffic and circulation patterns and proposing solutions to problems which may arise as a consequence of the proposed development. See Guidelines for Environmental

Impact Statements. **Submit only 2 copies of Traffic Study.**

5. Location and size of common open space and form of organization proposed to own and maintain common areas.
6. Nature of applicant's interest in site proposed to be developed. Section 707 of the Zoning Addendum A provides that the application for Tentative Approval shall be filed by or on behalf of the landowner. If the applicant is not the landowner, evidence of authorization by the landowner is required.
7. Location, layout, widths and percent grades of all proposed public or private improvements and proposed method of connecting proposed public or private improvements to the existing public improvements.
8. A map showing the site for which the Planned Development is requested and indicating and identifying with Lot/Block numbers all lots within two hundred (200) feet of the site. The base map is to be obtained from the Allegheny County Tax Assessment Office.
One (1) copy.
9. Complete list of the Lot/Block numbers of all lots adjacent to and all lots otherwise within two hundred (200) feet of the lot for which the Planned Development is requested and the names and addresses of the owners thereof from the most current records of the Allegheny County Tax Assessment Office. Refer to the Public Notice Property Owners List form provided with the Planning Commission Application packet.
10. Application fee.
11. Escrow fee for professional services.

B. Application for Final Approval

Seventeen (17) complete sets are required, except as noted on the Application Content table (attached to the Planning Commission Application Form). The application for Final Approval must include all of the following items enumerated in Section 130.36.3.1. of the Township Zoning Code:

1. Final drawings prepared by registered architect, landscape architect, or engineer for:
 - (a) All structures and buildings, except single family detached dwellings;
 - (b) All signs, exterior illumination and outside storage areas;
 - (c) All public and private improvements;
 - (d) Landscaping; and
 - (e) Grading.

2. A final development plan for recording which shows:
 - (a) All public improvements, including street names;
 - (b) Proposed lot lines, nonresidential uses, and common areas or elements;
 - (c) Vehicular and pedestrian circulation features;
 - (d) Watercourses, easements and rights-of-way;
 - (e) Spaces for proper execution by all entities necessary for recording.
3. A development schedule.
4. Deed restrictions and instruments of dedication to preserve character of common areas if applicable.
5. By-laws of association or non-profit corporation or declaration of condominium by-laws and related documents, if applicable.
6. Instruments dedicating all public and private rights-of-way, easements and other public lots.
7. Title insurance policy or attorney's certificate of title.
8. Tax receipts.
9. Evidence of construction financing commitment.
10. The applicant also must show compliance with all conditions set forth by the Board of Commissioners of the Township in the decision granting Tentative Approval.
11. Application fee.
12. Escrow fee for professional services.
13. Performance security estimate of the cost of installation of private and public improvements to be guaranteed by one of the methods specified in Section 130.36.3.1.10. of the Zoning Code.

C. Applications Involving Subdivision

Applications for planned development which involve the subdivision of land must also supply the same information as is required for subdivisions and must meet all the requirements of Chapter 114 of the Code of the Township which are not specifically modified by Article VI of the Zoning Code or by the Board of Commissioners. Please refer also to Subdivision Application Guidelines, Application Content.

D. Planning Module Approval

Although it is not a requirement of applications not involving subdivisions, it is recommended that planning modules be submitted for planning agency review together with the application for tentative approval. No building permit will be issued or planned residential plan be released for recording until the planning module is approved by the Pennsylvania Department of Environmental Protection.¹

E. Security and Fees Required

All performance securities must be submitted in a form acceptable to the Township Attorney. Examples of types of performance securities include: performance bond, irrevocable letter of credit, certified check, assignment of time certificate of deposit. Refer to Acceptable Forms of Security or contact the Department of Planning and Community Development for standard forms or approval of alternate types of security. No interest is paid on funds held in the Township's General Fund.

The Storm Sewer Connection Fee (\$400 per residential lot or unit or \$1,500 per acre in nonresidential use) is also due the Township prior to final approval for recording by the Board of Commissioners.

Escrow fees for professional services [Ord. 1970 – 4/2/2007] see Fee Schedule).

Fees for professional services (Township Engineer, Township Attorney, Township Traffic Engineer, etc.) for plan application review are charged at actual cost (See Chapter 57, Fees, for rates) and will be deducted from escrow.

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¹ Required for developments generating 800 gallons or more per day and for any subdivision where a new lot is created [per Emily Shade, DEP 12-06-94].