

SUBDIVISION AND LAND DEVELOPMENT APPLICATION GUIDELINES

I. APPLICATION APPROVAL PROCESS

A. Preapplication Requirements

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

At the staff conference, a preliminary determination may be made as to whether a proposed subdivision meets the definition of **SIMPLE SUBDIVISION** and/or **SIMPLE LAND DEVELOPMENT**, which are defined as follows:

LAND DEVELOPMENT, SIMPLE - A LAND DEVELOPMENT involving a revision in a previously recorded plan approved by the TOWNSHIP which has minimal site and traffic impact, does not create any increase in the number of lots, does not involve any new STREETS or EASEMENTS of access, does not adversely affect the DEVELOPMENT of the remainder of the parcel or adjoining property, and which is not in conflict with any provisions of this Chapter or the ZONING CODE.

SUBDIVISION, SIMPLE – A SUBDIVISION involving resubdivision of a previously recorded plan approved by the TOWNSHIP, or UNBUILDABLE LOT where the LOTS have different zoning districts, which does not create any increase in the number of lots, does not involve any new STREET or EASEMENT of access or the extension or creation of any PUBLIC or PRIVATE IMPROVEMENTS, which does not adversely affect the DEVELOPMENT of the remainder of the parcel or adjoining property, and which is not in conflict with any provisions of this Chapter or the ZONING CODE.

If the project meets either of the above definitions, refer to those guidelines.

In all cases (except Simple Subdivision and/or Simple Land Development), 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 and upon receipt of a written request on the Planning Commission Filing Deadline (see Calendar), agenda time will be scheduled at the next regular Planning Commission meeting for the applicant to discuss the feasibility of the proposed development. The preapplication conference is intended to be an open-ended exchange of ideas and the applicant is not required to present detailed plans.

The preapplication conference is required by ordinance prior to the formal submission of any preliminary application except a Simple Subdivision and/or Simple Land Development.

B. Application Submission

All applications must be submitted 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

All applications except Simple Subdivision and/or Simple Land Development must be submitted on the **Planning Commission Filing Deadline** (see calendar attached). **This 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.

Applications for Simple Subdivision and/or Simple Land Development approval may be submitted at any time. These applications are processed administratively and are not referred to the Planning Commission for review.

The regular monthly meeting of the Planning Commission is usually held on the third Thursday of the month. See the Calendar for the **Planning Commission Filing Deadlines** and meeting dates or call the Department of Planning and Community Development at 412.831.9000.

Application submissions shall not be considered complete unless accompanied by the required fee and escrow. The required number of copies of all items enumerated in Section II, Application Content, MUST be submitted in order for an application to be properly filed. Incomplete applications will be held, except for the fee and escrow which will be returned to the applicant within five (5) working days together with a letter stating the deficiencies and the fact that the application was not accepted. The developer must reapply submitting the fee, escrow and missing materials on any subsequent filing date.

C. Preliminary Approval

Preliminary applications must be acted upon by the Planning Commission within forty-five (45) days of the filing date. The Planning Commission must make a written recommendation to the Board of Township Commissioners within the forty-five (45) days.

The Board of Commissioners must act on an application for Preliminary Approval within ninety (90) days of submission of the application.

The Township Manager is authorized to act on preliminary approval of Simple Subdivisions and/or Simple Land Developments within ninety (90) days of submission of the application. No Planning Commission review or Board of Commissioner action is required.

D. Final Approval

1. Approval for Recording

The Planning Commission must act upon a Final Application within thirty (30) days of the filing and make a written recommendation to the Board of Commissioners.

The Board of Commissioners must act on a Final Application within thirty (30) days of the Planning Commission's recommendation.

The Township Manager is authorized to act on final approval of Simple Subdivisions and/or Simple Land Developments within sixty (60) days of submission of the application. No Planning Commission review or Board of Commissioner action is required.

Final Approval for recording requires submission of a performance security to guarantee completion of Public Improvements and payment of the Storm Sewer Connection Fee (\$400/lot). The Township 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. See Acceptable Forms of Security.

The developer has twenty-four (24) months in which to complete the public improvements in the plan. Upon completion, a written request for inspection and acceptance of the public improvements must be submitted to the Township Engineer. An 18-month Maintenance Bond must be posted prior to the acceptance of the public improvements by the Board of Commissioners. Final plat **MUST BE RECORDED BY THE APPLICANT WITHIN 90 DAYS OF APPROVAL BY THE BOARD OF COMMISSIONERS OR NINETY (90) DAYS AFTER THE DATE OF DELIVERY OF AN APPROVED PLAT FOLLOWING COMPLETION OF CONDITIONS IMPOSED FOR SUCH APPROVAL, WHICHEVER IS LATER.**

2. Final Approval without Final Plat Approval

Section 114.13.2 of the Subdivision Ordinance authorizes the Planning Commission to grant final plan approval without final plat approval to permit the developer to proceed with the public improvements at his own risk, without posting bond.

Developer must give seventy-two (72) hours' notice to the Township Engineer by certified mail prior to beginning construction of public improvements.

Final approval for recording will not be granted by the Board of Commissioners until the developer notifies the Township in writing that the public improvements are completed and requests inspection and approval. The written notice must be accompanied by the final plat and as-built plans and profiles of public improvements.

The Board of Commissioners must take action within thirty (30) days of the submission of the final plat, as-built plans and notice of completion of public improvements.

Approval of the final plat for recording by the Board of Commissioners is subject to the inspection and approval of the public improvements, and payment of the Storm Sewer Connection fee (\$400/lot). **Final Plats MUST BE RECORDED BY THE APPLICANT WITHIN 90 DAYS OF APPROVAL BY THE BOARD OF COMMISSIONERS OR NINETY (90) DAYS AFTER THE DATE OF DELIVERY OF AN APPROVED PLAT FOLLOWING COMPLETION OF CONDITIONS IMPOSED FOR SUCH APPROVAL, WHICHEVER IS LATER.**

After recording of the final plat, the developer must follow requirements for acceptance of public improvements.

3. Release of Performance Security, Approval of Improvements and Acceptance of Public Improvements.

Please refer to "Guidelines for Approval of Improvements, Release of Performance Security and Acceptance of Public Improvements" for procedures and application content.

II. APPLICATION CONTENT

A. Preapplication Conference with the Planning Commission

1. Letter requesting a preapplication conference, identifying the property, the name of the property owner and the nature of the proposed project.
2. Sketch plan, recommended but optional.

B. Preliminary Application (114.21)

See the attached Preliminary Subdivision and Land Development Plan Checklist (revised 7/18/06). All preliminary applications must include 17 copies of items, except as otherwise noted. For Simple Subdivisions see separate Simple Subdivision Approval Checklist.

The Preliminary Application shall be for all the land intended to be subdivided and shall serve as a "master plan" for the area. The Township Subdivision Code authorizes the submission of Final Applications in stages; however, any Final Application which does not conform to the previously approved Preliminary Application will require complete resubmission of the Preliminary Application in accordance with all requirements outlined in the Code.

C. Final Application (114.22)

See attached Final Subdivision and Land Development Plan Checklist (revised 7/18/06). All final applications must include seventeen (17) copies of items, except as otherwise noted. For Simple Subdivisions and/or Simple Land Developments see separate Simple Subdivision and/or Simple Land Development Approval Checklist.

D. 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. See “Acceptable Forms of Security” or contact the Department of Planning and Community Development. No interest is paid on funds held in the Township's General Fund.

The Storm Sewer Connection Fee (\$400\lot) 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 Traffic Engineer, Township Attorney, etc.) for plan application review are charged at actual cost (See Chapter 57, Fees, for rates) and will be deducted from escrow.