

Township of Upper St. Clair

CONDITIONAL USE APPLICATION GUIDELINES

A. USES PERMITTED BY CONDITIONAL USE APPROVAL

The Township Zoning Code provides for conditional uses which may be granted by the Board of Commissioners. Application procedures are the same for all conditional uses; however, standards and criteria for each differ. See applicable sections of the Township Code, Chapter 130 “Zoning” which contains criteria and standards and, in some districts, a more specific listing of uses. The full Township Code is available on the website www.twpusc.org

B. APPLICATION PROCEDURES

1. Staff Conference and Optional Preapplication Conference

The applicant will meet with staff prior to application submission to discuss ordinance requirements and feasibility of the proposed development. Depending on the nature of the Conditional Use application, staff may advise a preapplication conference with the Planning Commission. (Please note that proposed "land development", i.e., construction of a new building or expansion of an existing building, requires a preapplication conference.) Staff will provide a Planning Commission Application packet and Guidelines, which are also available on the website.

The preapplication conference is intended to be an open-ended exchange of ideas and the applicant is not required to present detailed plans, however submission of plans or other information is encouraged.

In all cases, a written request for a preapplication conference **MUST** be submitted to the Department of Planning and Community Development by the **Planning Commission Filing Deadline** (see Calendar).

2. Application Submission

A complete application (see Application Content table attached to the Planning Commission application) should be submitted on the **Planning Commission Filing Deadline (see calendar)**. **All applications must be submitted during regular office hours, 7:30 A.M. to 4:00 P.M.; summer hours 7:30 A.M. to 3:30 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 Email: cd@twpusc.org

This deadline is strictly enforced.

Applications are reviewed by staff for completeness prior to scheduling for Planning Commission consideration. **INCOMPLETE OR LATE APPLICATIONS WILL NOT BE ACCEPTED BUT WILL BE RETURNED WITH AN EXPLANATION.** Once applications are accepted for processing, no refunds will be issued.

3. Fees (See Fee Schedule)

Applications will not be considered complete unless accompanied by the required fee and escrow. Two separate checks or money orders made payable to Upper St. Clair Township are required. No cash please.

Escrow fees for professional services: This covers reviews by the Township Attorney, Township Engineer, Township Traffic Engineer, etc. and Court Reporter fees for public hearings. Any balance remaining after completion of the project will be refunded.

Fees for revised applications will 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.

4. Planning Commission Review

The Planning Commission will review complete applications to determine compliance with the requirements of the Township Code and will forward a recommendation to the Board of Commissioners. Applications determined to be incomplete by the Planning Commission will be tabled.

5. Public Notice

After Planning Commission review & recommendation, the Board of Commissioners will schedule a public hearing. 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 notices on the subject property and in area affected.

6. Public Hearings

Per 130.54.3.1.4, the first public hearing must be opened within 60 days of applicant's request. Usually two public hearings are held by the Board of Commissioners. At the first hearing, the applicant is expected to make a brief (not more than 20 minutes) presentation. Public comments are also accepted at the first hearing. Usually at the second hearing, staff testimony is presented.

7. Decision

The hearing must be concluded within 100 days of the first hearing. A decision must be rendered at a public meeting after the close of the public hearing. Reasonable conditions may be attached to the approval.

C. **APPLICATION CONTENT:** See Township Code Chapter 130 and Application Content table attached to Planning Commission application. Applications for Unified Conditional Use/Preliminary and Final Land Development must also include all items required for land development approval. See Subdivision and Land Development Application Guidelines and Township Code Chapter 114.

D. **PLANNING MODULE APPROVAL**

If land development is involved, a Planning Module must be submitted for planning agency review together with the application. No building permit will be issued or plan be released for recording until the planning module is approved by the Pennsylvania Department of Environmental Protection. Please refer to <http://www.dep.state.pa.us>.

E. **OTHER FEES**

If applicable, the Storm Sewer Connection Fee (\$1,500 per acre for nonresidential uses; \$400 per lot for single family) must be paid after Conditional Use Approval is granted and before Zoning Approval for Structural Alteration and Erection of Structures or Zoning Approval for Occupancy and Use will be granted.