

Township of Upper St. Clair

PLANNED DEVELOPMENT APPLICATION GUIDELINES

I. USES PERMITTED BY PLANNED DEVELOPMENT APPROVAL PROCESS

Various types of planned developments are authorized by the Township Zoning Code, Chapter 130. Although the approval process is identical, specific requirements for each type of development vary (e.g., permitted uses, density, minimum site size, parking, etc.). For specific criteria, refer to the pertinent sections of the Zoning Code. The full Township Code is available on the Township's website www.twpusc.org.

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

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

II. APPLICATION PROCEDURES

Application procedures are the same for all types of planned developments. The process is governed by Article VI of the Zoning Code and Article VII of the Pennsylvania Municipalities Planning Code.

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 a Planning Commission Application Packet and Guidelines, which are also available on the website at www.twpusc.org.
2. Preapplication Conference: **(required for all Planned Developments)**. Following the staff conference, the applicant must make a written request for a preapplication conference with the Planning Commission by 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, submission of plans and other information is encouraged.

B. Application Submission

Planned Development requires the submission of applications for Tentative Approval and then Final Approval. 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:**

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.

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.

C. Fees

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

Escrow fees for professional services: See Fee Schedule. 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.

D. Tentative Approval

1. Planning Commission Review

The Planning Commission must make a written recommendation to the Board of Commissioners within 30 days of the submission of a complete application.

2. Public Notice

The Board of Commissioners must schedule a public hearing within 60 days of 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 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 60 days of the first hearing. At the first hearing the applicant is expected to make a brief presentation (not more than 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 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 rendered at a public meeting of the Board of Commissioners after the close of the public hearing.

E. Final Approval

1. Planning Commission Review

The Planning Commission will review the application for Final Approval to determine whether or not it meets the criteria of the Zoning Code and all conditions of Tentative Approval. The Commission must forward a written recommendation to the Board of Commissioners within 20 days of the filing of a complete application.

2. Board of Commissioners' Action

The Board of Commissioners must act on an application for Final Approval within 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 90 days of approval by the Board or within 90 days of release of an approved plat following completion of all conditions, whichever comes first.

III. APPLICATION CONTENT

A. See pertinent sections of the Township Code (Chapter 130) and the Application Content table attached to the Planning Commission Application form.

B. 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 to Subdivision & Land Development Guidelines.

C. Planning Module Approval

Planning modules must be submitted for planning agency review together with the application for Tentative Approval. 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>.

D. Security and Other Fees

All performance & maintenance securities must be submitted in a form acceptable to the Township Attorney. See Acceptable Forms of Security Packet. No interest is paid on funds held in the Township's General Fund.

If applicable, 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.