

CONDITIONAL USE APPLICATION GUIDELINES

A. USES PERMITTED BY CONDITIONAL USE APPROVAL

The Township Zoning Code provides that the following conditional uses 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 Code containing the various criteria and standards and, in some districts, a more specific listing of uses.

B. APPLICATION PROCEDURES

1. Staff Conference and Optional Preapplication Conference

The applicant should 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", for example, construction of a new building, requires a preapplication conference.)

The preapplication conference is intended to be an open-ended exchange of ideas and the applicant is not required to present detailed plans.

In all cases, a written request for a preapplication conference before the Planning Commission **MUST** be submitted to the Department of Planning and Community Development by the **Planning Commission Filing Deadline** (see Calendar). The applicant is encouraged to submit seventeen (17) copies of any maps or other information.

2. Application Submission

Seventeen (17) copies of the formal application should be submitted on the **Planning Commission Filing Deadline** (2 copies only of traffic study). 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. The regular monthly meeting of the Planning Commission is usually held on the third Thursday of the month. Please see the Calendar for exact deadlines and meeting dates or call the Department of Planning and Community Development, 412.831.9000.

3. Staff Review

Application content is outlined in the following section. All applications are reviewed by staff for completeness prior to scheduling for Planning Commission consideration. Incomplete or late applications will be returned to the applicant and will not be scheduled for Planning Commission consideration.

4. Planning Commission Review

The Planning Commission will review applications for Conditional Use Approval to determine compliance with the requirements of the Zoning 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, 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

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

There is no time limit for processing applications for Conditional Use approval. However the whole process usually takes about four months. 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 (Section 130.55) Seventeen (17) copies of all items required, except as otherwise noted.

1. Application form.
2. Application fee - check or money order made payable to Township of Upper St. Clair. No cash please. See Fee Schedule.

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

Professional services (Township Engineer, Township Attorney, Township Traffic Engineer, etc.) for review of applications are charged at actual cost (see Chapter 57, Fees, for rates) and will be deducted from the 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.

3. PLAN - A survey of a lot upon which is shown the location of existing and/or proposed structures; existing contours and proposed grading; location and dimensions of yards; feasibility of proposals for disposition of sanitary waste and storm water; indications of zoning compliance; name of applicant and landowner; area location map; dates of preparation and revisions; and evidence of preparation by an architect, landscape architect or engineer.
4. Environmental Impact Statement (for the Traffic Study, submit only two (2) copies) providing an assessment of the impact of the proposed development on the 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.
5. Landscaping plan. The landscaping plan must be prepared by a registered architect or a registered landscape architect and shall include (1) existing trees over ten (10) inches D.B.H.; (2) a tree and shrub list by size, type, scientific name, root treatment (balled in burlap or bare root) and location; (3) a planting diagram showing the method of planting, staking and mulching; and (4) grass seeding specifications and mixtures.
6. One (1) copy of a map showing the site for which the Conditional Use 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.
7. Complete list of the Lot/Block numbers of all lots adjacent to and all other lots within two hundred (200) feet of the lot for which the Conditional Use is requested, and the names and addresses of the owners thereof from the most current records of the Allegheny County Tax Assessment Office. Use Public Notice Property Owners List form attached to the Planning Commission Application.
8. Drawings or statements by a registered architect or by applicant as to architectural elevations and materials to be used.
9. 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".

10. Security: 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.

Applications must include all items described in Section C, Application Content, to be considered complete. **INCOMPLETE OR LATE APPLICATIONS WILL NOT BE ACCEPTED OR FORWARDED TO THE PLANNING COMMISSION BUT WILL BE RETURNED WITH AN EXPLANATION.** Once applications are accepted for processing, no refunds will be issued.

D. Planning Module Approval

Since planning module approval by the PA Department of Environmental Protection is required prior to issuance of a building permit, and this process can be lengthy, it is recommended that three (3) copies of the planning module be submitted for planning agency review together with the application for conditional use approval. See the attached Sewage Facilities Planning Module Application Mailer.¹

E. Other Fees

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.

Rev 10-07.doc

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].