

Township of South Fayette

Summary Overview of Application Process for reviews conducted by the Planning Commission and the Board of Commissioners.

Provided for information only – see Township Code for actual requirements

1. PROCESS OVERVIEW

The Subdivision/Land Development process in the Township of South Fayette can be a confusing maze of regulations -- applications, submission deadlines, meetings, and zoning and subdivision requirements. The Township realizes the complexity of the review process, and has prepared this document to alleviate the confusion and to help guide the applicant throughout this process.

The first question is: “Am I required to file a subdivision/land development application?” The answer lies in the Township subdivision and land development ordinance. A land development is defined as:

The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:

- (1) A group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots, regardless of the number of occupants or tenure; or
- (2) The division or allocation of land or space between or among two (2) or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups or other features; or
- (3) A subdivision of land as defined by this chapter; or
- (4) Development in accordance with 53 P.S. '10503 (1.1).

The land development definition includes all residential or commercial lot line additions, deletions, revisions or alterations of any kind.

If the proposal requires a subdivision/land development application, the first step is to determine whether the project is feasible under current zoning, land development and building code regulations. The Township has ten different zoning districts, each with its own standards and regulations. Those standards are described in the Subdivision and Land Development (Chapter 215 of the Township Code) and the Zoning Ordinance (Chapter 240 of the Township Code). Both are available at the municipal offices. There are uses in some zoning districts that are permitted by right. Those uses only require the approval of the Municipal Code Enforcement Officer if the application for uses meet all applicable setback, density and lot size requirements.

Once the prospective applicant reviews municipal regulations, the following questions should be addressed:

- Is the proposed use allowed in the zoning district?
- Is there enough acreage to meet the area, width and setback requirements?
- Is there enough land to meet parking requirements?
- What traffic, engineering or stormwater issues may occur with the proposed development?

- Is the proposed use a “use by right” or a “conditional use” according to the ordinance?

These are a few of the many issues that should be dealt with before any application for subdivision/land development is submitted.

2. SUBDIVISION/LAND DEVELOPMENT APPLICATION PROCESS

The township has several steps to subdivision/land development approval:

a) *Preliminary Meetings*

Township Staff
Advisory/Planning Commission

b) *Formal Application Process*

Scheduling Application Before Planning Commission
Completeness Review

c) *Planning Commission Review and Recommendation*

d) *Board Review and Approval*

e) *Post-Approval Procedures*

Bonding
Developer’s Agreements
Recording of Plans
Building Permits

a) *Preliminary Meetings*

Although it is not required, the Township strongly recommends a prospective applicant meets with the staff and, if desired, the Planning Commission, to discuss subdivision and land development proposals before a formal application is submitted.

- *Township Staff*

The Township strongly recommends a preliminary meeting with members of the Township’s staff to discuss any questions or issues with the proposed development, and to explain the application process.

- *Advisory/Planning Commission*

The prospective applicant may also ask the Township to schedule an advisory with the Planning Commission. The purpose of the meeting is to afford the applicant advice and assistance in order to save time and money, suggest professional assistance, if needed, and answer any questions the applicant may have in filing applications or other required items. The applicant should be prepared to discuss details of the proposed application and use, and existing features of the area.

b) *Formal Application Process*

- *Scheduling Applications Before the Planning Commission*

After a preliminary meeting with the Township and/or advisory before the Planning Commission, the applicant may be ready to submit applications for subdivision, land development and/or conditional use (if applicable). In order to be placed on the Planning Commission agenda, a **complete** application is required no later than 15 business days before the next meeting. That does not mean that an applicant will be scheduled before the Planning Commission if an application is submitted 15 business days before the Planning Commission meeting. The township staff conducts a completeness review of all applications to ensure the required elements of an application are submitted to commence a formal review.

- *Completeness Review*

Submission of all application materials must be made no later than 15 business days before the Planning Commission to be placed on the agenda. Only complete applications will be placed on the Planning Commission Agenda. An applicant is encouraged to submit their plans as soon as possible. As noted in Table 1 of this document, the Township provides both a required submission date and a recommended submission date. It is the Township's policy to conduct a completeness review of all applications. This review will ensure all materials and documentation are submitted for formal review. The completeness review shall be conducted within five business days of submission. A general rule for applicants is to submit application no later than five (5) days before the submission deadline so the department can conduct the completeness review, determine if there are any deficiencies, and allow the applicant to address the deficiencies. If the application is found to be incomplete, the applicant will be notified in writing regarding any deficiencies and must resubmit with a complete application before the next applicable submission date. Therefore, an applicant submitting on the required deadline may be determined to be an incomplete application and returned to the applicant. This would cause a delay for the applicant of at least one month.

- c) **Planning Commission Review and Recommendation**

Once an application is determined to be complete, the application is scheduled for review before the Township's Planning Commission. The Township will review the application to determine if the proposal meets provisions in the Subdivision/Land Development and Zoning ordinances. During the review process, copies of the application materials are sent to the Township Engineer, South Fayette Township Municipal Sanitary Authority, Allegheny County Planning Department and, if applicable, to the Fire Department and Parks and Recreation Board. These referral agencies will note any deficiencies or outstanding issues with the application. All the issues will be compiled into a staff report issued to the Planning Commission.

During its review, the Planning Commission can recommend the following:

- Approval of the application "as is". In this case, no changes will be required before Board reviews the application.
- Approval conditioned upon the resolution of a list of outstanding issues. The issues must be satisfactorily resolved before it can be reviewed and considered by Board.
- Table the application to a future Planning Commission until additional or revised information can be submitted.
- Denial of the application if they do not meet municipal ordinances.

In all cases, the applicant is informed of the decision by the Township

d) Board of Commissioners Review and Approval

After the Planning Commission makes its recommendation, the application will be scheduled before Council. The applicant shall revise their plan as necessary and resubmit no later than nine calendar days before the next Council meeting to be placed on the Council's voting agenda. The department will complete a second review and report, and the application will be forwarded to Council for its review. At this time, any conditional use application will be considered and a public hearing will be scheduled before Board.

At the Workshop meeting, the Board will review the application and discuss outstanding issues. If the Board determines the applicant has adequately addressed the issues, the Board will place the application on the next Voting Meeting agenda.

The Board has the same decision options as the Planning Commission; however, its approval or decision is final and concludes the subdivision/land development review process. The applicant will be notified in writing of the decision by the department. If the plan requires a final approve as outlined in the Township's Subdivision regulation, the applicant will follow the same procedure minus the Planning Commissioner Advisory meeting as outlined above.

e) Post-Approval Procedures

After all the recommendation and approvals are in place, the applicant must finalize any agreements, documents, cost estimates, and/or other conditions of approval.

- *Bonding*

In order to guarantee a subdivision or land development means the standards approved by the Board, a bond for all improvements shall be submitted in advance. The applicant must estimate the amount of money it will take to complete all the site improvements for the project. The Township Engineer will review the estimates. Once approved, the applicant is required to submit a bond for the 110 percent of the approved amount. Once the Township is satisfied the development and improvements are completed, the bond will be released.

- *Developer's Agreement*

Bonding, as well as other development guidelines and regulations, is outlined in a Developer's agreement, which ensures all development regulations will be followed.

- *Recording the Plans*

After the Developer's Agreement has been signed and bonding has been secured, the applicant will submit plans to the Township for signatures and seals by the Board and the Planning Commission. Once signed, the plans will need to be recorded at the Allegheny County Recorder of Deeds. One set of plans must be returned to the municipality. A copy of the recorded plans must be received within 90 days of final approval of a plat, or the date of approval of the governing body in noted on the plat, whichever is later.

Summary of Subdivisions and Site Plan Applications

<i>ACTION</i>	<i>DATE/TIME</i>	<i>RESULT</i>
Submission of Application	Deadline: 15 working days before Planning Commission meeting	Application accepted for Completeness Review
Staff Review for Completeness	Within 5 working days of Application Submission	Notification sent to Applicant Processing Project or Returned for Non-Completeness
Staff Review	Period Starting with Application Processing and the First Planning Commission Meeting	Staff and Engineering Review; Plans sent to County and SFMSA
Review Letters	Sent (via email or fax) no later than the Tuesday before the Planning Commission Meeting	Review comments identifying issues to be addressed at the Planning Commission Meeting
Planning Commission Meeting	Fourth Thursday of the Month (BEGINNING OF 90 DAY CLOCK FOR THE BOARD OF COMMISSIONER'S DECISION)	Presentation of the Project to the Planning Commission; Answer Questions, Address Issues of Staff Review Letters
Planning Commission Motion (at Meeting)	If the project is tabled the normal tabling action is until the first meeting of the following month, except for receipt/review of minor revisions as determined by the Planning Commission	Possible Motions: <ul style="list-style-type: none"> • Recommend Approval • Recommend Approval with Conditions • Recommend Tabling to a Future Voting Meeting, Pending Receipt of Requested Revisions • Recommend Denial
Commissioners Workshop	Second Wednesday of the month after the Planning Commission recommendation (not including the week of the recommendation)	Presentation to Commissioners on the Project. Present an overview of the project. Address any outstanding issues and discuss recommendations of the Commissions. Address questions of Board.
Commissioners Voting Meeting	Wednesday following the Workshop, except where the Board decides additional time is needed to review the plan and/or seek revisions. (BEGINNING OF 90-DAY CLOCK FOR RECORDING OF PLAN AT COUNTY)	Plan is either: <ul style="list-style-type: none"> • Approved • Approved with conditions • Tabled to a Specified Date • Denied