

Subdivision and Land Development Ordinance

Executive Summary of Changes

In accordance with the Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247, as reenacted and amended; Article II Planning Agencies Section 209.1.(b)(2) the planning agency at the request of the governing body may prepare, recommend and administer subdivision and land development and planned residential development regulations, as set forth in this act.

Previously amended and adopted on March 1, 2006, the Venango County Subdivision and Land Development Ordinance has once again been revised. While many changes have been minor such as adding new definitions not previously called out, renumbering sections to be fluid as number were accidentally skipped, or even correctly calling out DEP Chapters for Organized Camps and Campgrounds – Chapter 19 not Chapter 191 as stated in our current ordinance, there are also changes that are more significant and are as follows.

This new rewrite now has the Stormwater Management Facilities listed as Appendix A. Previously, stormwater requirements were called out in the body of the ordinance located in Article 5 – Improvements. This is largely due to the implementation of the DEP required Ccounty Stormwater Management Plan per the Stormwater Management Act of 1978 (Act 167). Once this plan was adopted, each municipality was given 6 months to adopt or amend and implement such ordinances and regulations. Therefore, the previous stormwater requirements are now the model plan adopted through DEP.

Article 2 – Definition of Terms: has greatly increased. This is to help the developer and or land owner with some of the terms that are commonly used when subdividing property or developing a site. Additional changes include the more fluid reading of the subdivision and land development requirements. In the current SALDO, requirements are listed in Article 3 and many of these are again repeated in Article 6 which also includes additional requirements, in particular for major land developments.

304 - The draft ordinance now requires submission of minor and major land developments as well as major subdivisions to be submitted a minimum of 15 working days prior to the planning commission board meeting. The current SALDO only requires 10 working days prior. While this may allow for time for the planning commission to review the plans as well as the consulting engineer, it does not allow for sufficient time for the developer to respond to any deficiency found in the plans in order for them to be reviewed at the planning commission meeting. Section 304 B of the draft ordinance also calls out what shall be considered a submitted or filed application.

306 B.4 The draft ordinance requests three (3) copies of all reports, deed covenants, notifications, and permits required for the plan. It also requests two (2) cd/dvd's to be submitted of the plans and documents. This is due to the file constraints of the commission.

306.F In the current and draft ordinance, approval can be given with conditions. The draft ordinance requires the applicant to accept the conditions in writing within 15 days of the commission's decision.

306.G Approval Pending Receipt of Additional Information – When a preliminary plan is given conditional approval, the applicant now has 45 days to meet the conditions or ask for an extension in writing. Failure to meet the conditions or to request an extension deems the plan automatically disapproved.

306I Deemed Approved – previously omitted from the current SALDO. The Municipalities Planning Code section 508(3) requires a decision to be communicated in writing per the ordinance otherwise the plan shall be deemed approved.

307 Final Plans (K) recording – previously the owner of the property was the responsible party for ensuring the plans were recorded at the register and recorder's office. The draft ordinance now states the planning commission shall record the plans within 90 days of the approval date. This is greatly due to that fact that there are various plans that were approved over the years that were never recorded by the owner or developer.

404 Final subdivision and Land development plans (D.20) require a Traffic Impact Study (TIS) when the project / development meets the warrant requirements of the latest PennDOT TIS Guidelines.

502 Streets, roads, intersections (C) Street intersections now call out design speed and sight distance per AASHTO.

506 Lots: A. Area and Width Requirements

Lot size and widths have been increased in most cases for residential lots. This now aligns the draft SALDO with the requirements of DEP for On-Lot sewer requirements.

Residential lots with public water and sewer have no changes to the lot size and width requirements. This is a 75 min lot width and 10,000 sq. ft area.

506. A.1 Residential lots with private wells and septic tanks now require a 200' width minimum at the building line and a minimum lot size of 1 acre(43,560 sq. ft). The previous lot size was 40,000 sq.ft. and the minimum width was 100'. These requirements could pose an issue when testing the size of a lot for available perkable sites for sewer, and then still allowing the required distance away for a water well.

1.b residential lots with public water and on lot sewer are now 1 acre min. area and 200' minimum width. Previously the requirement was a 20,000 sq. ft lot and 100' min. width at the building line.

d. also added this is for residential lots with private water but public sewer. The minimum width requirement is 125' and 1 acre min. lot.

Article 6 Mobile Home Parks and Recreational vehicle parks

The draft SALDO now has added the following sections for mobile home parks:

Section C: site location

Section D: Foundations and Stands

Section E: Grading Requirements

Section F: Parking Standards

Section G: yard requirements

Section H: landscaping

Section I: viewed as a major land development

This is of course an executive summary. The current Subdivision and Land Development Ordinance can be found on the County's Website under the Planning Department links. Copies of the draft ordinance can also be found on our website. Copies have also been placed at the Commissioner's Office, Oil City Library and the City of Franklin's Library.

Should you have any questions, please feel free to contact the Venango County Regional Planning Commission office located in the basement of the Venango County Courthouse, or call our office at 814-432-9689.

Venango County Regional Planning Commission