

# SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

BRIAR CREEK TOWNSHIP  
COLUMBIA COUNTY, PENNSYLVANIA

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## PREFACE: HOW TO USE THIS ORDINANCE

If you are a prospective subdivider or developer, you will initially be interested in the following articles: Article 3, which tells you how to proceed; Article 5, which tells you what information you should show on your plans; and Articles 6 and 7, which tell you what standards you should use for designing your subdivision or development.

The Purpose of the Sketch Plan: If you want to subdivide or develop a tract, you should discuss your intentions with the Administrative Assistant to the Planning Commission to make sure that all parties are talking along the same lines. The Administrator will guide you as to procedures and contacts with agencies and will advise you about other laws with which you will have to comply. Most important, he will tell you that, if you provide a sketch plan (it is not required), you should follow the provisions of Section 302 and 502 of the Subdivision and Land Development Ordinance.

The sketch plan is the basis for informal review and discussion with the Planning Commission. It allows potential problems to be "ironed out" before you expend a great amount of time and money on detailed plans.

If you decide to submit a sketch plan, two (2) copies of the plan and application should be delivered to the Administrative Assistant for the regular meeting of the Planning Commission, at which meeting it is accepted.

After the Planning Commission reviews the sketch plan with you, it may suggest changes or it may tell you to proceed with a formal application. This determination will be relayed to you in a written notice from the Planning Commission within fifteen (15) days after the meeting at which the plan was reviewed.

The preliminary plan application should contain fifteen (15) copies of the plan and two (2) copies of the application form along with the fees required by Section 910. It must also be accompanied by three (3) copies of construction plans for the public improvements, if applicable, and copies of deed restrictions, if any. The Administrator will refer copies of this plan to various review agencies and officials after he receives the application, which should be delivered for the next regularly scheduled meeting of the Planning Commission.

The official date of filing of the application is the date at which the Planning Commission receives a completed application. The community has ninety (90) days from this date to make a decision on your application.

During this ninety-day period various agencies, officials, and the local Planning Commission will review the plan. The County Planning Commission has thirty (30) days to review and comment on the plan, and the Township cannot render a decision on the preliminary plan until it has received the comments of the County Planning Commission or until the 30-day period has expired. The Township Planning Commission may, if it wishes, hold a public hearing on the plan before making its decision. In any event, its deliberations must be made at a public meeting before the end of the 90-day period. (If it does not make its decision on the plan before the end of this period, the plan is approved by default.)

The Township Planning Commission may approve, conditionally approve, or disapprove the plan. It will then communicate its decision in writing to you no later than fifteen (15) days following the decision.

If your preliminary plan is disapproved, you will have to repeat the application process. If it is conditionally approved, all conditions must be met with the final plan submission. If it is approved, you may proceed to the submission of the final plan.

The final plan application should contain fifteen (15) copies of the final plan drawings and two (2) copies of the application form along with all fees required by Section 910. Any additional or revised construction drawings and covenants, if applicable, should also accompany this application. The Administrator may refer copies of this plan to various agencies and officials after he receives this application.

The official date of filing of the application is the date at which the Planning Commission receives it. The community has ninety (90) days from this date to make a decision on your final plan application. (Under certain specific circumstances the review period can be longer.)

Several important things should be kept in mind in regard to the final plan applications for subdivisions or developments. The final plan can include all or only a portion (phrase) of the preliminary plan already approved. The final plan's required improvements and design standards must conform to those enumerated in Article 6, 7, and 8 of this Ordinance. The final plan cannot be approved unless either of two conditions is met with regard to public improvements: either the public improvements (roads, for example) must be constructed by the developer and approved prior to final plan approval or a financial security for the later construction and approval of the public improvements must be placed with the Township Board of Supervisors prior to final plan approval. (See Article 4.)

During the 90-day review period various agencies, officials and the local Planning Commission will review the final plan. If the plan is submitted to the County Planning Commission again, the County has thirty (30) days to review and comment on the plan, and the Township cannot render its decision until it has reviewed the comments of the County Planning Commission or until the 30-day period has expired. The Township Planning Commission may, if it wishes, hold a public hearing on the plan before making its decision. In any event, its deliberations must be made at a public meeting before the end of the 90-day period. (If it does not make its decision on the plan before the end of this period, the plan is approved by default.)

The Township Planning Commission may approve or disapprove the plan. It will then communicate its decision in writing to you no later than fifteen (15) days following the decision.

If your final plan is disapproved, you will have to repeat the application process. If your plan is approved, you must file a copy of it with the County Recorder of Deeds (and supply the Township with a copy of the Recorder's certificate) before you sell any lots or begin development.