

PERRY COUNTY PLANNING COMMISSION

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SUBDIVISION FACTS AND FREQUENTLY ASKED QUESTIONS

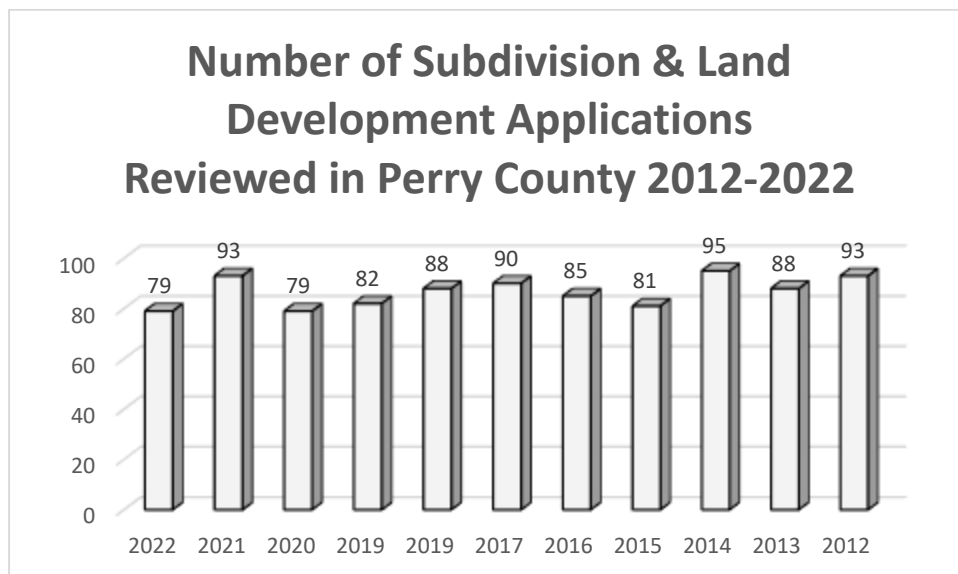
Subdivision Definition

“The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: Provided, however, That the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.”¹

Important Items to Consider

- Whether the municipality has an adopted zoning ordinance.
- If a subdivision plan spans municipal lines all municipalities must be involved in the review process.
- All facilities available to the proposed subdivision or, required to connect to the municipal systems.
- Environmental limiting factors such as floodplain, wetlands, natural areas and steep slope.
- Applications for subdivision are required to be submitted to the municipal entity with the regulating ordinance first.
- Vehicular access to all lots.

Perry County Subdivision and Land Development Trends



¹ Pennsylvania Municipalities Planning Code, § 107a. (Act 247, as reenacted and amended)

Questions and Answers

Q. If I am selling a lot to be added to my neighbor's property is this a subdivision?

A. Yes, the moment a lot line is proposed to be changed constitutes a subdivision of land.

Q. I enjoy drafting, can I lay my subdivision out on a sheet of paper and submit it?

A. No. You must use a PA licensed surveyor to prepare the subdivision plan and certify its accuracy.

Q. What gets reviewed with a subdivision plan?

A. Procedure, lot compliance, design, improvements, facilities (on-lot or municipal), access, stormwater, environmental considerations

Q. What are some of the environmental limiting factors considered during this process?

A. Floodplain, Wetlands, Steep Slope, and Natural Areas. You may find much of this information on the Perry County GIS website. <http://gis.perryco.org/perrywebmapping/>

Q. Can subdivision requirements vary from municipality to municipality?

A. Yes, despite many involved in the process wanting uniform regulation.

Q. What is the difference between a minor and a major subdivision?

A. Typically based on resulting lot total, such a distinction would determine whether a preliminary plan would be necessary. This can vary by municipality and established thresholds.

Q. Where can I find your application for subdivision?

A. A digital copy can be accessed from our website at the following location.

<http://www.tcrpc-pa.org/Perry-County/Documents/Application%20for%20Perry%20County%20Subdivision%20and%20Land%20Development%20Review.pdf>

Q. Where can I view the county's fee schedule for subdivision? Would this apply to all areas of the county?

A. The County's fee schedule can be accessed at the following location. <http://www.tcrpc-pa.org/Perry-County/Documents/14-11-PCPCFeeSchedule.pdf> Applicants should also check with their borough or township regarding the application fee.

Q. Who is responsible for the subdivision if there are multiple owners connected to the property?

A. All legal title holders of the property being subdivided should sign the application and certify ownership of the lands.

Q. Do I have to attend the planning commission meeting or, can I send a representative?

A. You may send a representative to answer questions and act on your behalf.

Q. When my subdivision application is delivered and formally accepted, how long will the review take?

A. Up to a maximum 90-day timeframe.

Q. If a time extension were necessary for a review, who would grant extensions to the review period?

A. The applicant, as specified in the municipal ordinance.

Q. What are some of the environmental limiting factors considered during this process?

A. Floodplain, Wetlands, Steep Slope, and Natural Areas

Q. When is a driveway considered a street?

A. This varies from municipality to municipality. Sometimes it is listed as three lots, three dwellings or, whichever situation presents itself first.

Q. When might I be required to post financial security, and what is acceptable.

A. Financial security may be required for improvements. Escrow accounts, performance and maintenance bonds and irrevocable letters of credit are all acceptable forms of financial security.

Q. If my deed currently describes several lots; do I have to subdivide to sell any?

A. No, provided the deed does not contain any wording to suggest the lots were ever consolidated.

Q. Once the plan is approved what is next?

A. The 90-day recording period commences the day the plan is approved and

Q. The municipal zoning officer told me I need to request a variance, can this prevent me from receiving subdivision approval.

A. Yes, a variance to a municipal zoning ordinance is not a certainty. Like building permits, subdivision plan approvals are also tied to the final allowances of a municipal zoning ordinance where one exists.

Q. If I have a land development concept who should I contact to initiate this process?

A. Anyone wanting to initiate the land development process should speak with a planning commission representative for initial guidance.

Q. Would it be best if I were to provide a sketch plan of my project?

A. Yes, although it is not a requirement of the land development review process.

Q. Who approves a subdivision?

A. The governing body of a municipality, unless the authority has been delegated elsewhere.

Q. If I do not agree with the final decision on my subdivision do I have any recourse?

A. Yes, you may appeal a decision to the Court of Common Pleas. Some ordinances may also give the applicant an opportunity to return to the plan approving board to request reconsideration with relevant information and a time extension. Any associated time constraints should be taken into account.