

Summary- Indiana County SALDO

Title

This Ordinance shall be known and may be cited as “The Indiana County Subdivision and Land Development Ordinance” or the “SALDO.”

Effectiveness

Applicability

Consistent with the Pennsylvania Municipalities Planning Code (MPC), the provisions of the Indiana County Subdivision and Land Development Ordinance shall serve the same purpose for all municipalities within the County that do not have an independent subdivision and land development ordinance.

Effective Date

This Ordinance shall become effective in 90 days following the date of adoption by the County Board of Commissioners.

Purpose

The basic purpose of the SALDO is to regulate all land development, land redevelopment, subdivision, re-subdivision, consolidation and related planning activities in Indiana County by providing for a uniform routine for the submission of preliminary and final proposals of land development.

Definitions

Land Development – The definition of "land development" is set forth in Pennsylvania Municipalities Planning Code (MPC), Act No. 247 of 1968 as reenacted and amended by Act No. 170 of 1988. These definitions are the following from Section 107 of the MPC.

A. Land Development is any of the following activities:

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

a. 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

b. The division or allocation of land or space, whether initially or cumulatively, 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.

2. A subdivision of land development involving:

a. The division or re-division of a lot, tract or parcel of land by any means into two or more lots, tracts or parcels 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. (See below at Exceptions: item 4.)

3. Land Development in accordance with and inclusive of the provisions of Section 503 “Contents of Subdivision and Land Development Ordinance” of the MPC.

Exceptions to the above are as specified within the Pennsylvania Municipalities Planning Code Section 503(1.1) and within the Ordinance.

Additional important definitions are contained in the Ordinance.

Land Development Application Classes and Categories

Land Development Classes.

Applications for Subdivision and Land Development are divided into six (6) Classes of Applications with differing submission and review requirements. The Classes are as follows:

- 1. Class I – Survey Correction, Plat Adjustment and Lot Consolidation**
- 2. Class II – Court-Ordered Transfers, Settlements, Easements, Takings and Enforcements**
- 3. Class III – Limited Subdivision**
- 4. Class IV – Extensive Subdivision**
- 5. Class V – Land Development without Building**
- 6. Class VI – Land Development with Building**

Application Requirements

Applications for land development will be processed and administered by the Indiana County Office of Planning & Development (ICOPD) and the Indiana County Planning Commission in accordance with the Ordinance and the Pennsylvania Municipalities Planning Code. The process will include a Voluntary Pre-Application Conference as well as Preliminary and/or Final Review Application Review Processes and Requirements. All requirements are included in the Ordinance and ICOPD will provide a SALDO Applicant Workbook (SAW) as well as other documents such as checklists in order help facilitate the application process.

Management

Management of this Ordinance is the responsibility of the Indiana County Planning Commission and the ICOPD. The ICOPD staff assists the PC and provides day to day support in the execution of this Ordinance.

Fees and Bonds

From time to time the County Board of Commissioners shall establish, by resolution, a collection procedure and a Schedule of Fees to be paid hereunder by the landowner or developer or any party to a Land Development at the time of filing for a pre-application conference, a preliminary plan review or a final plan review and for public hearings. Said Schedule of Fees shall be posted in the ICOPD offices and shall be available for inspection upon request. No preliminary plan or final plan shall be approved unless and until all fees and charges are paid in full.

Bonding shall be applicable to Land Development as specified by the Ordinance and other relevant Ordinances of Indiana County.

Indiana County, any Municipality or agency may require security from a developer, owner, lessee, contractor or other person or party related to a Land Development in Indiana County. The definitions in Part 2 of the Ordinance identify the commonly used bonds with development projects. In Part 4 of the Ordinance there are specific instructions regarding securities for public and private improvements.

The Planning Commission may require bonds for any Class of Land Development or component thereof. Usually, bonds related to construction and development may include forms of earth moving, earth retention, slope stability, and landscaping, for example.

Enforcement Remedies, Violations and Penalties

Enforcement Authority

The Indiana County Planning Commission and the ICOPD shall have the duty and authority to enforce the provisions of the Ordinance, as specified or implied therein. The County may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from development of real property in violation of the Ordinance. The County may institute and maintain appropriate actions by law or in equity to restrain, correct, or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure, or premises or tract. The description by metes and bounds in the instrument of transfer or other documents used in the process of sale or transfer of property shall not exempt the seller or transferor from such penalties or from the remedies therein provided. Penalties will be enforced in accordance with the Municipalities Planning Code.

