

## Subdivision Ordinance Toolkit Fact Sheet

### **Introduction**

Most communities in Pennsylvania utilize a subdivision and land development ordinance for land use control and administration. Over 90 percent of PA municipalities either have their own ordinances or rely on a county ordinance to assist with regulating the land use measures which help define the character and make-up of their community. The primary goal of the subdivision and land development ordinance is to provide adequate areas for development and public use, while striking a balance between the provision of public improvements and private land use interests.

A subdivision and land development ordinance differs from a zoning ordinance in that it does not control use of land or buildings and does not define zones or districts within a municipality. A subdivision and land development ordinance's design standards apply uniformly throughout a municipality.

The authority for municipalities to have such ordinances is from the Pennsylvania Municipalities Planning Code (PAMPC) Act 247 as reenacted and amended. All locally developed codes are to be in coordination and not in conflict with the PAMPC.

### **Benefits**

- Protecting the municipality from problems and costs inherited from unplanned and poorly designed development
- Ensuring a decent quality of life for citizens by promoting healthy walkability, preventing stormwater damage, protecting from excesses of noise, lighting, or other pollution, and ensuring accessibility for fire and police services
- Attracting investment in homes and businesses seeking a quality built and natural environment.
- Ensuring the soil meets the minimum requirements for home site development and sewage disposal, along with verifying the proper steps are taken to prevent soil erosion and sedimentation
- Verifying that each lot will connect to a public road or have access to a right-of-way with the proper maintenance responsibility
- Ensuring the sources of public water are identified and easements are being provided to reach the land
- Serving as a mechanism to community building and orderly development

### **Drawbacks**

- May be perceived as a regulatory barrier to overall unrestricted use of one's land and property.
- Applicants seeking to subdivide land may face additional costs (surveying, engineering and other technical trades) to meet ordinance provisions.
- The review process can be time consuming although the MPC has a strict time period allowed to municipalities for approval of a plan (90 days), complex plans often take longer period due to the granting of review extensions.

## **Practical Tips**

- Establish a workgroup, preferably a municipal planning commission, to begin to assemble the draft Subdivision ordinance.
- Seek outside assistance in developing and modifying ordinances in relation to the stated community goals and objectives. Within the Tri-County Regional Planning Commission, the LPA Program exists for this purpose. Your municipal engineer and solicitor are also worth considering.
- Keep the public informed as the ordinance development process proceeds by inviting community members to participate in the process by seeking their opinions and ideas in development of the ordinance components.
- At the onset of ordinance development, seek out a grant to help offset funding expenses.

## **Resources**

- [Pennsylvania Municipalities Planning Code](#)
- [Subdivision and Land Development in Pennsylvania \(Series #8\)](#)
- [PA DCED “The Library”](#)
- [TCRPC Model Subdivision and Land Development Ordinance](#)
- [Land Use Planning in Pennsylvania](#)
- [The Subdivision and Land Development \(Chapter 9\)](#)
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