



E-FLASH

February 15, 2023

Hello Berks County!

We would like to welcome all newly elected officials as well as municipal employees. Within this Eflash are several reminders on how coordination works with the Berks County Planning Commission and you the municipalities.

Please take a few minutes to review the items below and contact us at **610-478-6300** if you need any further assistance. Thank you

SUBDIVISION AND LAND DEVELOPMENT

Article V of the Pennsylvania Municipalities Planning Code, Act of 1968, P.L.805, No 247 as reenacted and amended states:

(plan submission) Section 502

(b) "Applications for subdivision and land development located within a municipality having adopted a subdivision and land development ordinance shall be forwarded upon receipt by the municipalities to the county planning agency for review and report together with a fee sufficient to cover the costs of the review and report which fee shall be paid by the applicant."

(recording plan) Section 513

(a) "Upon the approval of a final plat, the developer shall within 90 days of such final approval or 90 days after the date of delivery of an approved plat signed by the governing body, following completion of conditions imposed on such approval, whichever is later, record such plat in the office of the recorder of deeds of the county in which the municipality is located. Whenever such plat approval is required by a municipality, the recorder of deeds of the county shall not accept any plat for recording, unless such plat officially notes the approval of the governing body and review by the county planning agency, if one exists."

The Berks County Planning Commission works from the latest date noted on the plan for the 90-day timeframe for recording the plan. If conditions are imposed for plan approval, the plan should note when the conditions were met by the developer or a letter on municipal letterhead should be provided noting the date when the conditions of the plan approval were met so the letter can be added with the recorded document.

Berks County Referral-Land Subdivision & Land Development Review Application

The Berks County Planning Commission has updated the County Referral-Land Subdivision & Land Development Review Application. The form is now an electronic fillable form available on the Berks County Planning Commission's website, under the Land Use tab or can be printed for completion. The form must be submitted to the municipality via hard copy as the Berks County Planning Commission will not accept electronic plan and form submission.



BEGINNING IN MARCH, the Planning Commission will begin sending review correspondence via email unless specifically requested via regular mail. The correspondence include, zoning amendment and subdivision land development reviews, letters of consistency for grant applications as well as Act 67, 68 & 102 forms.



ZONING AMENDMENT PROCESS

Per the Pennsylvania Municipalities Planning Code

Ordinance Amendments :

Section 609. (e) Enactment of Zoning

If a county planning agency has been created for the county in which the municipality proposing the amendment is located, then at least 30 days prior to the public hearing on the amendment by the local governing body, the municipality shall submit the proposed amendment to the county planning agency for recommendations.

Section 609. (g) Enactment of Zoning Ordinance Amendments: Within 30 days after enactment, a copy of the amendment to the zoning ordinance shall be forwarded to the county planning agency.

Zoning Amendments for review and after enactment can be submitted via standard mail to:

Berks County Planning Commission
633 Court Street, 14th Floor, Reading, PA 19601
or via email to: planning@countyofberks.com

Section 304. Legal Status of County Comprehensive Plans Within Municipalities

(a) Following the adoption of a comprehensive plan or any part thereof by a county, pursuant to the procedures in section 302, any proposed action of the governing body of a municipality, its departments, agencies and appointed authorities within the county shall be submitted to the county planning agency for its recommendations if the proposed action relates to:

- (1) the location, opening, vacation, extension, widening, narrowing or enlargement of any street, public ground, pierhouse or watercourse
- (2) the location, erection, demolition, removal or sale of any public structures located within the municipality;
- (3) the adoption, amendment or repeal of any comprehensive plan, official amp, subdivision or land ordinance, zoning ordinance or provisions for planned residential development; or
- (4) the construction, extension or abandonment of any water line, sewer line or sewage treatment facility.

(b) The recommendation of the planning agency shall be made to the governing body of the municipality within 45 days and the proposed action shall not be taken until such recommendation is made. If, however, the planning agency fails to act within 45 days, the governing body shall proceed without its recommendation.

*** In March our office will be reaching out to you all to update your Municipal Contact Information Sheets**

please stay tuned!

