

Building Construction and Development in Norristown:  
A User's Guide to the Land Development and Building Permit Process

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Introduction

Constructing new commercial or residential space can be a complicated process. Depending on the size and circumstances of the development, there may be multiple approvals needed before construction can even begin.

This user's guide is intended to provide an overview of the process so that you, the developer, contractor or property-owner, will have a better sense of what to expect and how to get through the approval process as quickly and painlessly as possible.

PART I: LAND DEVELOPMENT

Getting Started on Your Development Project

Whether you are planning to build two houses or an entire development full of houses, a new commercial building or a shopping center, your plans will go through a series of reviews to ensure that they are consistent with local and state laws. We call this the "Land Development Process," and it is governed, in part, by the state Municipalities Planning Code (MPC). You can review the MPC on line by going to <http://mpc.landuselawinpa.com/>. A copy of the MPC is also available for review or purchase at the Norristown Planning Department by calling 610-270-0450 and making an appointment.

a) The best way to start off any development is to first discuss your proposed project with the Director of Planning and Economic Development. Please call 610-270-0450 to make an appointment.

b) Pre-Application Meeting

Next, discuss your proposed project with Norristown staff. This pre-application meeting is an informal session to help you better understand the process and get some initial feed-

back from staff. There may be certain laws or other restrictions that will limit your ability to get the project done as you had envisioned. There may be certain requirements that you had not thought of. The pre-application meeting is the time to get these and other issues on the table – before you spend a lot of money on formal designs and plan documents.

The pre-application meeting will include the following Norristown staff members:

- The Planning Director
- The Code Enforcement Director
- The Fire Marshal
- The Building Inspector
- The Municipal Engineer
- Public Works Director
- Fire Chief
- County Planner

As you develop plans for your project, each of these individuals – as well as others - will review and ultimately help approve your project. Most of all, they are here to help you design a project that meets all state and local laws, ordinances and standards.

At the pre-application meeting staff will, at a minimum, cover the following topics:

- Potential zoning issues.
- The building and fire codes that will be applicable to your project.
- The point of contact for your project through each phase.
- Potential historic district/ design review board issues.
- Staff will help you identify any particular challenges that may be associated with your project.

But remember: This is your meeting. Ask questions, seek advice and get comments. We are here to help.

At the conclusion of the meeting, you will get a copy of a sign-in sheet with contact information for all the participants. Minutes of the meeting will also be prepared and forwarded to you.

### So You Want to Keep Moving Forward....

After the pre-application meeting, if you still want to keep moving forward, you will need to submit a preliminary land development plan to the Planning Department. Contact the Planning Department at 610-270-0450 for details on what the plan should include. You will also be required to complete an application and pay a small fee for an initial zoning determination – this is the first step in the process.

### Zoning

Zoning laws in Pennsylvania deal with a variety of issues, but principally how a property is used. For example, is your development intended for retail business, and, if so, is retail allowed in that section of the community? Parking requirements are also contained in local zoning ordinances. Will your development provide enough parking? Another key issue is how close your new building is to the property line. Depending on where in Norristown you are building, the required “set-back” will vary. The Planning Department staff will review your application and plans to see whether it meets the requirements of the zoning ordinance.

The zoning review will be completed and you will be notified of the outcome within a maximum of 30 days of submitting the application. If your plans don’t conflict with the zoning ordinance, you can go to the next step of the process. If they do conflict, Planning Department staff may offer suggestions on how you might want to change your project to conform to zoning.

You and the Planning Department staff may conclude that there is no reasonable way to change the project to conform to the zoning ordinance. This happens from time to time. In these cases developers are advised that they can appear before the zoning hearing board (ZHB) to request relief from the zoning ordinance. If you choose to go before the ZHB, you will complete an application form and staff will advise you of the time and place of the meeting.

A fee is required at the time of the application to pay for costs associated with the hearing, including the costs of a stenographer and the required public notice.

At the hearing you will be provided an opportunity to present your case to the ZHB. You may be asked questions by the board. Most often the ZHB will render a decision the

night of the hearing. The official decision of the ZHB will be available 45 days following the hearing.

### Should I Hire an Attorney?

Though it is not required, many developers hire an attorney not only to represent them before the ZHB, but to guide them through the entire process. Depending on your level of experience, this may be the right choice for you.

### I Got My Zoning Approval - Now What?

So you have your zoning approval from the Planning Department or the Zoning Hearing Board. You are now ready to get deeper into the land development process.

At this point you will be asked to submit up to 27 sets of detailed project plans. It is important that you submit a complete set. The review process will not start until a complete set is submitted.

You will also be required to complete the required application materials and pay certain fees. These fees are used to pay for administrative costs and costs associated with professional staff – like the Municipal Engineer and Solicitor – who will review and process your application and plans. The fees are due at the time of application.

### Who Reviews the Project Plans?

Your plans will be reviewed by the following personnel:

- The Planning Department
- The Municipal Engineer
- The Montgomery County Planning Commission Planner
- The Public Works Director
- The Fire Marshal
- The Sewer Authority
- The Code Enforcement Director
- Shade Tree Commission

The plans will be reviewed to see how well they conform to Norristown's Subdivision and Land Development Ordinance (SALDO), as well as applicable sections of the fire

and building codes. Typical issues for review at this stage include storm water management, parking design, landscaping and emergency access.

The Municipal Engineer will gather comments from the Code Enforcement Director, public works director, fire chief and fire marshal and include these in written comments back to you. The Planner from Montgomery County Planning Commission will provide separate written comments. By law, comments must be forwarded to you within 30 days of receipt of your application.

For the purposes of plan review and comment, the Municipal Engineer and the Montgomery County Planner are the point-of-contact. You will be provided with their contact information. It is very important that communication regarding plan review go through these two individuals or the Planning Department. This will help us reduce confusion, duplication of effort, and ultimately get you through the process more quickly.

If the comments from the Engineer or Planner result in a substantial change to the plans, revised plan sets will be required. Forward them to the Norristown Planning Department. They will then be distributed for a second review by the same individuals who performed your initial review.

Any minor changes to the plans do not require a re-submittal to the Norristown Planning Department. They can simply be addressed to the Municipal Engineer and the County Planner who will note these changes in a memorandum to Norristown staff.

#### What if I Disagree with the Comments from the Municipal Engineer and Planner?

This is your time to negotiate, discuss, and get it right. We encourage you to contact the Planning Department, Municipal Engineer and County Planner. Problems and challenges can often be solved by working together.

If there are obstacles that cannot be overcome, you can ask that certain portions of the SALDO be waived. Requests for any waivers must be addressed to the Norristown Planning Commission and, ultimately, approved by the Municipal Council.

#### Norristown Planning Commission

Now that you have worked through the plans with the Planning Department, Municipal Engineer and County Planner, you are ready to go before the Norristown Planning Commission. The Planning Commission is a body of residents that meets the second Tuesday of every month.

The night of the meeting, the planning commission will have copies of your plans, as well as the comments from the Municipal Engineer and the County Planner. You will be

provided with ample time to present your project. The Municipal Engineer and County Planner will then provide the commission with a summary of their comments. The floor will then be open for a dialogue between you and the commission.

At the end of this stage of the process, the planning commission may recommend to Municipal Council that your plan be approved; provided it either conforms to the SALDO and other applicable ordinances, or the planning commission recommends to Municipal Council any necessary waivers from the SALDO and other applicable ordinances.

Remember: the final step in the approval process is Municipal Council. Once the Planning Commission has completed its review, your project must still go before Council. The Planning Commission can recommend to Council that your plan be approved, but Council has the final authority.

While it is possible to get a recommendation from the Planning Commission in one meeting, typically several meetings are required to work through all the issues. The Municipalities Planning Code allows a maximum of 90 days from the date of the filing of your plan for the process to be complete.

#### Historic Districts/Design Review Board – Important – Please Read!

Norristown has two historic districts that cover a large section of Norristown. If your development is in one of these two districts, your project will have to go before the Norristown Historical and Architectural Review Board (HARB) for review.

The HARB's job is to ensure that any changes to the built environment that can be seen from a public street are historically appropriate and consistent with the other buildings in the surrounding neighborhood. For example, a modern glass and steel building would not be appropriate in the context of a Victorian neighborhood.

It will be determined at the pre-application meeting whether your building is located in a historic district. If so, the Code Enforcement Director will provide you with a HARB application to complete.

As part of the HARB application you will need to provide an elevation of any building façade in your project that faces a public street. The HARB members will use this information to evaluate the appropriateness of your building design.

There is no fee required to go before the HARB.

Timing is Everything. Your HARB application will be fast-tracked to the next meeting of the board. This activity will take place at the same time your initial zoning review is being performed by the Planning Department.

Once the HARB recommends that your design be approved, this information will be forwarded to the Planning Commission for their consideration as the project moves forward. Ultimately, Municipal Council will consider the issuing a “certificate of appropriateness” for your project based on the HARB’s recommendation.

Design Review Board. In addition to the historic districts, your development may also be located in a section of Norristown that requires the project to be reviewed by the Design Review Board (DRB). Where the historic district and DRB district overlap, the HARB will be the only required review. You will not be required to go before two separate boards.

Like the HARB, any requirement to go before the Design Review Board will be identified at the pre-application meeting and the review will be fast-tracked to ensure that the project keeps moving.

Also, like the HARB, the outcome of the DRB review will be forwarded to the planning commission for their consideration.

There is no fee required to go before the DRB.

#### Other Review Bodies

In addition to the planning commission, the HARB and the DRB, you may need approvals from other entities depending on the scope of your project. These include:

- The Norristown Municipal Waste Authority
- The Montgomery County Conservation District
- The PA Department of Environmental Protection
- The PA Department of Transportation

Your design professional should be aware of these and any other bodies you need to contact. These approvals must be in place prior to final approval of your plans by the Municipality.

### Coming to the Finish Line

Your zoning has been approved; your project went before the HARB; the Planning Commission is recommending that your plans be approved. Now it is up to Municipal Council.

Once the Planning Commission is satisfied with your project, you will be given an opportunity to present before the Municipal Council. Under the MPC, the Council has the ultimate authority to approve your plans. Provided the project meets the requirements of the SALDO and all other applicable ordinances, or the necessary waivers have been recommended by the Planning Commission and granted by the Municipal Council, your project will be approved.

Upon approval, you will have 90 days to record the plan with the Montgomery County Recorder of Deeds.

## PART II: CONSTRUCTION

### Introduction

We have taken you through the land development process, in which plans are prepared by you, reviewed and then finally approved. You are now ready to move your project toward construction.

### Public Improvements

If your project has public improvements, such as roads, curbs and sidewalks, you will be required to post financial security with the Municipality in an amount equal to the estimated cost of construction, plus 10% contingency as required by the MPC. The Municipality requires this in case the project does not get completed as planned and it is necessary for the Municipality to make these improvements.

The amount escrowed will be based on an estimate prepared by your engineer and approved by the Municipal Engineer. Financial security can be in the form of an irrevocable standby letter or credit in a form acceptable to the Municipal Solicitor, or cash, and can be posted with the Norristown Planning Department.



## Building Plans and Permits

The land development plans have been approved as part of the land development process, but plans for building construction and design need to be addressed if there is actual building construction as part of your project.

The Municipality employs a third-party plan-review and inspection firm as its Building Inspector in order to fully comply with Act 45, the state-wide building code. Employees of the firm are professionals, possessing all the state-mandated certifications required to review plans, issue permits and inspect work.

All new construction in the Municipality of Norristown is under the current Building Codes. It is the role of the Building Inspector to ensure that building plans, and subsequent construction, conform to all relevant building codes. This is not a Norristown requirement; this is a state requirement.

## Meet the Building Inspector - Submitting Plans

Whether you are moving forward with a large, new development that was just approved by Council, or simply putting an addition on your home, we recommend that you meet first with the Building Inspector. Some discussion early on in the process can save headaches down the road.

The Building Inspector will be your single point of contact. His job will be to coordinate with any other required professional on staff, e.g., the Fire Marshal. At this phase, all communication and coordination between the Municipality and you regarding your project will be through the Building Inspector.

The first step toward construction is to submit your plans for review by the Building Inspector. You will need to submit permit applications for all aspects of the project – three complete sets, including a site plan (four sets if fire suppression or fire alarm is included in the scope of work) - which will vary depending on the scope of the project. If plumbing is needed, you will need to submit a plumbing plan; if electrical is required, you will need to submit an electrical plan; and so on. The Building Inspector can tell you what plans you will need.

The Municipality will not accept incomplete plan sets, because it is difficult to evaluate the entire project in the absence of one or more plans. Working with complete plan sets will also increase the efficiency and speed of the review and, ultimately, save you time and money.

Please note that plans must be sealed by a registered architect or other design professional if the project is commercial in nature OR if any structural elements are altered, removed

or added. Plans must be of sufficient detail and must contain all necessary information to convey the construction materials and methods to be used. For commercial property, by law, the review can take up to 30 business days. For residential property, it can take 15 business days. Often, we can turn around plan reviews more quickly, but these are the state-mandated maximums. If you need an approval in a rush, arrangements can sometimes be made to perform the review on an expedited basis – but there is an extra charge for this service and arrangements must be made prior to submitting plans.

### Correction Notices

Sometimes plans are submitted that contain errors. The plan may not be consistent in all respects with the applicable code. In other cases, the plan may simply not include everything that is required to be shown. In either case, if your plan needs more work the Building Inspector will forward you a correction notice letting you know what is wrong. You will need to resubmit a corrected plan. Once the plan is correct, it can be approved.

In some cases plans may be approved “as noted” or “as corrected” without resubmitting another set of plans. In these cases, the notes or corrections will be made on the plans by the Municipality. These notes and corrections MUST be followed.

Note that all correction notices for your project, i.e., building, mechanical, plumbing, etc, will be forwarded to you at the same time.

### What if I Don't Agree with the Correction Notice?

If you feel that the Building Inspector has not applied the code correctly or there is some alternative method that can meet the intent of the code, you may file an appeal to the Code Appeals Board. The Appeals Board is composed of experienced professionals who will listen to both you and the Building Inspector and render a decision, usually the same day. An application to the Code Appeals Board is available from the Code Enforcement Department. A fee is associated with the application and hearing. If you have any questions, please contact the Code Enforcement Director.

### Issuing Permits

Once your plans are approved, the Building Inspector will issue your permits. You must keep your permit on the construction site at all times.

### Inspections

At key points during construction it will be your obligation to call the Building Inspector to allow him to inspect the work. Inspections are done to ensure that the work being

performed is consistent with the approved plans and code. For this reason, you are required to keep an approved set of plans at the construction site at all times.

Below is a partial list of key points during construction when the Building Inspector should be called:

1. Setback. Performed after the lot has been staked out to ensure that the structure is laid out within the building envelope.
2. Footing. Performed after excavation, all forms are in place with all required rebar in place and properly supported, all debris removed from footing excavations, bottom of footings solid and capable of design support, depth pins at the edge of the footing, layout conforms to approved plan (no 'jumps' in footing at line of garage unless designed as such).
3. Foundation Poured Concrete: Performed after forms are completed, all required rebar is in place. No debris in forms, all penetrations properly formed.
4. CMU. Performed at the beginning to determine compliance with proper mortar head and bed joints.
5. Backfill. Performed after foundation walls are complete or forms are stripped for proper height, anchor bolt placement, damp/water proofing, perimeter drain, parging, and insulation, per design of approved plan. Also confirm that first floor deck is in place or walls are properly braced or no more than 4' of backfill.
6. Framing – Rough. Performed after entire structure is framed to determine compliance with code and design, anchor bolts/straps in place and compliant, jack studs, load bearing supports, proper fastening, braced wall lines, narrow wall bracing, roof tie-downs, foundation straps, sheathing - wall and roof, window and door installation per mfr's instructions and fire blocking.
7. Roofing. Performed at the same time as Rough Framing and includes underlayment, flashing, dripedge, roof and soffit venting, shingles, and vent boots.
8. Plumbing – Rough. Performed at the same time as Rough Framing and includes laterals and services (sewer and water), water supply (test witness), drain-waste-vent (test witness), gas piping (test witness).
9. Mechanical — Rough. Performed at the same time as Rough Framing and includes ductwork, return air, combustion air, appliance location and utility feeds.
10. Electrical — Rough. (shall be done BEFORE rough framing inspection) Record name of Inspecting agency and date of rough inspection.
11. Energy Conservation. Insulation, tyvek (building wrap), window/door flashing, NFRC ratings for all fenestration - record to confirm compliance.
12. Drywall. Performed as the lay-up begins, to check fastening and fit; before tape and spackle.
13. Final. Perform final review of all systems: plumbing, mechanical, electrical, check total building, basement insulation, Energy Conservation sticker in electric panel, and finish, confirm that grading (and landscaping) conforms to approved land plan.

It is very important to understand that if work proceeds without the required inspections, the Building Inspector may require that certain new construction be removed in order to properly evaluate the work. This includes drywall, plumbing, concrete, etc. So, please make sure you are communicating frequently with the Building Inspector to ensure that the right inspections are done at the right time.

#### Final Inspection – Certificate of Occupancy

Once the final inspection is completed and your construction is approved, the Building Inspector will issue a Certificate of Occupancy. This allows you or others to occupy the building or space. Do not occupy the building, or allow it to be occupied, without the certificate.

#### Help, I Feel Frustrated!

If for any reason you feel the process of getting your project built is not working, and you can't seem to get things resolved with the staff at Municipal Hall, please contact the Municipal Administrator's office at 640-270-0421.