



# LAND USE QUESTIONNAIRE

(Must be completed for **low, medium and high volume driveway applications only.**)

**Engineering District** \_\_\_\_\_

(The Pennsylvania Municipalities Planning Code (Act 247 of 1968 as amended by Acts 67 and 68 of 2000), 53 P.S. §10101 et seq., requires state agencies such as the Department of Transportation to amend their permit review process. The Department of Transportation shall consider, and under certain conditions may rely upon, comprehensive planning and zoning ordinances in their decision-making process on applications related to infrastructure or facilities. All low, medium, and high volume driveway Highway Occupancy Permit applicants are required to answer the following six questions. When completing the questionnaire, applicants are encouraged to obtain assistance from the municipality and/or county. This questionnaire does not apply to Highway Occupancy Permit applications for projects located in the City of Pittsburgh or the County of Philadelphia (these municipalities are not subject to these requirements).

- 1. Does the county where your project is located have a comprehensive plan? .....  YES  NO
- 2. Does the municipality where your project is located have a comprehensive plan? .....  YES  NO
- 3. Does the municipality or county where your project is located have a zoning ordinance? .....  YES  NO
- 4. Has the municipality where your project is located adopted a joint municipal zoning ordinance? .....  YES  NO
- 5. Has the municipality where your project is located entered into a cooperative implementation agreement? ....  YES  NO
- 6. Is your project a permitted use by right, as specifically authorized in the applicable zoning ordinance, or have you obtained formal zoning approval? .....  YES  NO

If YES, please respond:

a. If the project is a permitted use by right, what is the zoning classification for this property? \_\_\_\_\_  
(Attach a copy of the applicable section(s) of the zoning ordinance and map.)

OR

b. If formal zoning approval(s) was required, what approval(s) did you obtain?  
(Check all that apply and attach copy of zoning approval.)

- Variance
- Curative Amendment
- Rezoning
- Special Exception
- Conditional Use

Under and subject to all the conditions, restrictions and regulations prescribed by the Pennsylvania Department of Transportation (see in particular 67 Pa Code, Chapter 441), the applicant certifies that this questionnaire, information and documentation therein or required by the Department is accurate, pursuant to 18 Pa. C.S. § 4904 relating to false swearing to authorities.

The Applicant is (an individual) (a partnership) (a corporation incorporated under the laws of \_\_\_\_\_ <sup>A</sup>)

Signed On: \_\_\_\_\_ <sup>B</sup> Name of Applicant: \_\_\_\_\_ <sup>C</sup>

Witness or Attest: \_\_\_\_\_ <sup>D</sup> By: \_\_\_\_\_ <sup>E</sup>

Title: \_\_\_\_\_ Title: \_\_\_\_\_

## APPLICATION INSTRUCTIONS

**Engineering District** – PennDOT District where the project is located.

**Questions (answers may be obtained by contacting the municipality and/or county planning offices as indicated.)**

1. Does the county have a comprehensive plan?  
Contact the county planning commission of the county where the project is located.
  2. Does the municipality have a comprehensive plan?  
Contact the municipality where the project is located.
  3. Does the municipality or county have a zoning ordinance?  
Contact the municipality or county planning commission where the project is located.
  4. Has the municipality adopted a joint municipal zoning ordinance?  
Contact the municipality where the project is located.
  5. Has the municipality entered into a cooperative implementation agreement?  
Counties and municipalities may enter into cooperative implementation agreements for the purpose of developing, adopting and implementing a joint comprehensive plan. Contact the municipality or county planning office where the project is located.
  6. Is the project a **permitted use** by right, specifically authorized in the applicable zoning ordinance?  
Does the **use** of the project meet all zoning requirements? If not, indicate the appropriate formal zoning approval that has been obtained for the proposed use of the property. A copy of the applicable section(s) of the zoning ordinance or a copy of proof of zoning approval must be obtained from the municipality and attached to this questionnaire.
- A. **Applicant's Status** – Underline the correct status and add State if incorporated.
- B. **Signed On** – Date application was signed.
- C. **Name of Applicant** – List legal name of applicant (e.g., corporation name). The District Permit Office may require proof of ownership.
- D. **Witness or Attest** – This signature is required. Any person other than the applicant may sign this section. Title of individual is to be printed below signature.
- E. **By** – Signature of property owner or designated corporation representative authorized to bind the corporation. Title of individual is to be printed below signature.

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## USEFUL DEFINITIONS

- County Comprehensive Plan** – A land use and growth management plan prepared by the county planning commission and adopted by the county commissioners which establishes broad goals and criteria for municipalities to use in preparation of their comprehensive plan and land use regulation.
- Municipal Comprehensive Plan** – A general policy guide for the physical development of a municipality.
- Zoning Ordinance** – Ordinance that provides certain standards for development through both text and a map that divides all land within a municipality into districts, and creates regulations that apply generally to the municipality as a whole as well as specifically to individual districts.
- Joint Municipal Zoning Ordinance** – A zoning ordinance shared between two or more municipalities based on an adopted joint municipal comprehensive plan.
- Cooperative Implementation Agreement** – An agreement between the county and municipalities to implement multimunicipal comprehensive plans.
- Use by Right** – Use of a property is specifically authorized by the zoning ordinance.
- Variance** – Relief granted by the zoning hearing board from specific zoning regulations.
- Special Exception** – Use is permitted within a zoning district through approval of the zoning hearing board.
- Curative Amendment** – A challenge to the validity of a zoning ordinance or map in which the landowner proposes an amendment.
- Conditional Use** – Use is permitted within a zoning district through approval of the governing body.
- Rezoning** – The zoning classification for a tract of land is changed by the governing body.