

## **ARTICLE I**

### **APPLICABILITY, AUTHORITY, TITLE, PURPOSE**

#### **SECTION 101. APPLICABILITY**

The following Land Development Ordinance shall be in full force and effect including definitions, plan requirements and processing procedures, design standards, improvements and construction requirements, and conditions of acceptance of public improvements by East Pennsboro Township.

- A. No lot in a subdivision may be sold; no permit to erect or alter any building in a land development may be issued; and no building may be erected or altered in a land development, unless and until a final plan has been approved by the Board of Commissioners and recorded. No Final Plan shall be signed by the Board of Commissioners for recording in the Office of the Cumberland County Recorder of Deeds unless financial security is accepted by the Board of Commissioners and/or the improvements required by this Ordinance have been properly installed.
- B. Unit or condominium land development of real property is included within the meaning of land development as defined herein, and must comply with these regulations.

#### **SECTION 102. SHORT TITLE.**

This ordinance shall be known as "The East Pennsboro Township Land Development Ordinance."

#### **SECTION 103. LEGAL AUTHORITY**

This ordinance is adopted pursuant to provisions of the "Pennsylvania Municipalities Planning Code" (Act 247) effective January 1, 1969, as amended.

- A. The East Pennsboro Township Board of Commissioners shall have the authority to approve or disapprove all preliminary and final land development plan applications as required herein.
- B. The East Pennsboro Township Planning Commission is hereby designated as the agency which shall review and make recommendations on all land development plan applications as required herein, prior to action on same by the Board of Commissioners.

#### **SECTION 104. PURPOSE**

The purpose of this land development ordinance is to provide for harmonious development of the municipality and county by:

- A. Assuring the orderly and efficient integration of subdivisions into the development of East Pennsboro Township;
- B. Assuring sites proposed for development are suitable for building purposes and human habitation;
- C. Assuring that land developments are coordinated and in conformance with inter,

and intra-municipal public improvement plans and programs;

- D. Assuring the efficient and safe movement of traffic;
- E. Assuring the protection of water resources and natural drainage systems;
- F. Assuring the sound management of storm water run-off;
- G. Assuring equitable handling of all land development plans by providing uniform standards and procedures;
- H. Assuring the greater health, safety and welfare of the citizens of the East Pennsboro Township;
- I. Assuring the efficient and orderly extension of community services and facilities at minimum cost and maximum convenience;
- J. Regulating the subdivision and development of land within any flood hazard area or flood plain district in order to promote the health, safety and welfare of the citizens of this and other municipalities;
- K. Requiring that each lot in flood prone areas includes a safe building site with adequate access, and that public utilities which serve such uses be designed and installed to minimize flood damage;
- L. Assuring that any area reserved by the developer for use as public grounds be suitable in size and location for designated uses;
- M. Guiding the future growth and development of East Pennsboro Township in accordance with an adopted Comprehensive plan;
- N. Assuring that documents prepared as part of a land ownership transfer fully and accurately describe the parcel of land being subdivided and the new parcel(s) thus created.

#### **SECTION 105. CUMBERLAND COUNTY REVIEW OF PLANS**

Applications for land development located within East Pennsboro Township will be forwarded upon receipt, with the appropriate review fee, to the Cumberland County Planning Commission for review and report. The Township Board of Commissioners will not approve such applications until the county review report is received or until the expiration of thirty (30) days from the date the application was forwarded to the County Planning Commission. As evidence of their review and report, officials of the County Planning Commission shall sign final plans which have been formally approved by the municipality before such plans are presented for recording.

#### **SECTION 106. INTERPRETATION**

- A. The provisions of this Ordinance shall be held to be the minimum requirements for the promotion of public health, safety, comfort, convenience, and greater welfare;
- B. In any case where a provision of this Ordinance is found to conflict with the provision of a zoning, building, fire, safety or health ordinance or code of this municipality or law, rule or regulation of the Commonwealth of Pennsylvania, the

provisions which establish the higher standard for the promotion and protection of the health and safety of the people shall prevail. In addition, should the Pennsylvania Municipalities Planning Code, Act 247, be amended to establish mandatory requirements or provisions which would be inconsistent herewith, those mandatory requirements or provisions shall be deemed to be incorporated herein by reference thereto without further amendment of this ordinance.