

ARTICLE



ARTICLE I

TITLE, AUTHORITY, EFFECT, PURPOSE AND JURISDICTION

101. Long Title

An Ordinance establishing rules, regulations and standards for regulating Subdivisions and Land Development within the County of Centre, Commonwealth of Pennsylvania; setting forth the powers, duties and procedures to be followed by the Centre County Planning Commission in administering this Ordinance; and setting forth the penalties for violation thereof.

102. Short Title

This Ordinance shall be known as and may be cited as the "Centre County Subdivision and Land Development Ordinance."

103. Authority

The Centre County Board of Commissioners are vested by law with the regulation of Subdivisions and Land Development located within the County limits by the Pennsylvania Municipalities Planning Code, Act 247 of 1968, P.L. 805 (53 P.S. 10101, et seq.), as amended (the "Planning Code"). Subdivision and Land Development is defined in the Planning Code as:

"Subdivision," the division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for Agricultural Purposes into parcels of more than ten acres, not involving any new street or easement of access or residential dwellings shall be exempted.

"Land Development," (i) the improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving (a) a group of two or more buildings, or (b) the division or allocation of land or space between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features; (ii) a Subdivision of land.

104. Authority of the Centre County Planning Commission

The Centre County Planning Commission shall have the authority to review, approve or disapprove all Subdivisions and Land Development plans within the County. The responsibilities of the Commission may be delegated to the Staff, with the right of appeal of any Staff action to the Commission.

105. Effect of This Ordinance

Pursuant to the provisions of the Planning Code, no Subdivision or Land Development of any lot, tract or parcel of land shall be made, no street, sanitary sewer, storm sewer, water main or other improvements in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Ordinance.

106. Purpose

This Ordinance has been designed and adopted to provide uniform standards and procedures for the regulation and control of Subdivisions and Land Development within Centre County. In addition to the provisions as contained in the Preamble Statement of this Ordinance it shall further be the purpose of these regulations and controls to provide for the safe and coordinated development of the County by:

- A. Assuring that sites are suitable for building purposes and human habitation, and where sites are not suitable, the limitations shall be noted on the Plan;
- B. Coordinating proposed streets and other proposed public improvements with those existing;
- C. Assuring that areas of unique natural value and areas of a sensitive or fragile character shall be protected from the adverse effects of development;
- D. Assuring that adequate easements or rights-of-way are provided for access, drainage facilities, public utilities and other public purposes in general;
- E. Assuring that reservations, if any, by the developer of any area designated for use as public grounds shall be suitable in size and location for their designated uses;

F. Filing an accurate and legible plan with the Recorder of Deeds for future public reference;

G. Complying with and/or conforming to other State, Federal, County and/or local municipal codes and ordinances including all applicable comprehensive plans.

It is intended that the coordination of County-wide development will be of mutual long-range benefit to the developer, to the buyer, to the County and local officials and to the general public through the protection and promotion of public health, safety, morals and general welfare.

107. Jurisdiction

All applications for Subdivisions and/or Land Developments located within a Municipality within Centre County shall be submitted to the Centre County Planning Commission for review and recommendation or for approval or disapproval.

A. Municipalities having adopted a Subdivision and Land Development Ordinance:

Plans of Subdivisions and Land Developments located within a Municipality having a Subdivision and Land Development Ordinance in effect, shall be forwarded, upon receipt by the Municipality, to the Centre County Planning Commission for review and report together with a fee, where applicable, sufficient to cover the costs of the review and report, which fee shall be paid by the Applicant. Such Municipalities shall not approve such plans until the Commission report is received or until the expiration of forty-five days from the submission of the plan to the Commission or within such further time as may be agreed upon between the Commission and the Municipality. Municipalities which have adopted or do hereafter adopt Subdivision and Land Development regulations or ordinances are required to file an official, certified copy thereof with the Commission.

B. Municipalities without a Subdivision and Land Development Ordinance:

All plans and plats of proposed Subdivisions and Land Developments located in Municipalities within the County not having a Subdivision and Land Development Ordinance in effect and not having a certified copy of such ordinance filed with the County, shall be submitted for approval to the Centre County Planning Commission. Such Commission approval is in addition to review and approval, where applicable, by the Municipality in which the Subdivision or Land Development is situated. Any recommendations

pertaining thereto which are received by the Commission will be carefully considered before approval or disapproval.