

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

AN ORDINANCE SETTING FORTH RULES, REGULATIONS, AND STANDARDS REGULATING SUBDIVISION AND LAND DEVELOPMENT WITHIN THE TOWNSHIP OF DISTRICT, BERKS COUNTY, PENNSYLVANIA, PURSUANT TO THE AUTHORITY GRANTED IN ARTICLE V OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, ACT 247 OF 1968, AS AMENDED AND REENACTED BY ACT 170 OF 1988, AND ESTABLISHING THE PROCEDURE TO BE FOLLOWED BY THE DISTRICT TOWNSHIP PLANNING COMMISSION AND THE DISTRICT TOWNSHIP BOARD OF SUPERVISORS IN THE APPLICATION AND ADMINISTRATION OF SAID RULES, REGULATIONS AND STANDARDS, AND PROVIDING PENALTIES AND REMEDIES FOR THE VIOLATION THEREOF.

BE AND IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of District Township, Berks County, Pennsylvania, as follows:

ARTICLE I

TITLE - AUTHORITY

SECTION 101 SHORT TITLE

This Ordinance shall be known, and may be cited as the “District Township Subdivision and Land Development Ordinance of 1999”.

SECTION 102 PURPOSE

These regulations are adopted to protect and promote the health, safety, morals, and general welfare of the people and residents of District Township:

- A. To ensure conformance of subdivision and land development plans with the Comprehensive Plan, Zoning Ordinance, Act 537 Plan, and other ordinances and public improvement plans, and to ensure coordination of intergovernmental improvement plans and programs.
- B. To protect soils, steep slopes, vegetation, water resources, water quality, air quality, drainageways, and other ecological elements through the proper use of land.
- C. To provide for the harmonious, orderly and environmentally sound development of the Township.
- D. To encourage preservation of adequate open spaces for recreation, light and air and maintenance of the natural amenities characteristic of the Township and its residential, commercial, agricultural, industrial, and public areas.
- E. To coordinate proposed streets and other improvements with existing or proposed streets, parks or other features of the comprehensive plan and to provide for drainage, water supply, sewage disposal, and other appropriate utility services.

- F. To require sites suitable for building purposes and human habitation in keeping with the standards of quality existing in the Township and to alleviate peril from fire, flood, erosion, excessive noise, smoke, or other menace.
- G. To provide for design standards and appropriate improvements and assuring prompt installation of said improvements.
- H. To assure equitable and just processing of subdivision/land development plans by providing uniform procedures and standards for the observance of both the subdivider/developer and Township officials.

SECTION 103 AUTHORITY AND JURISDICTION.

No land development or subdivision of any lot, tract or parcel of land shall be made and 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.

- A. The authority for the control and regulation of subdivision and land development within the Township shall be as follows:
 - 1. Approval by the District Township Supervisors. The District Township Supervisors shall be vested with the authority to approve or disapprove all subdivision and land development plans.
 - 2. Review by the District Township Planning Commission. Plans for subdivision and land development shall be submitted to the District Township Planning Commission for review and report. Said submission shall take place before approval of any plans by the Township Supervisors.
 - 3. Review by the County Planning Commission. Plans for subdivision and land development located within District Township shall be submitted to the Berks County Planning Commission for review and report. Said submission shall take place before approval of any plans by the Township. However, if a report is not received from the County Planning Commission within thirty (30) days after submission, the Township may proceed without the report.

SECTION 104 COMPATIBILITY WITH OTHER PERMIT AND ORDINANCE REQUIREMENTS

Permits and approvals issued pursuant to this Ordinance do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act or ordinance. If more stringent requirements concerning regulation of storm water or erosion and sedimentation control are contained in the other code, rule, act or ordinance, the more stringent regulation shall apply.