

Franklin Township Subdivision and Land Development Ordinance

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

An ordinance establishing rules, regulations and standards governing the subdivision and land development within Franklin Township, York County, Pennsylvania, pursuant to the authority granted in the Pennsylvania Municipalities Planning Code (53 P.S. §10101, et seq.) as may be enacted and amended from time to time, setting forth the procedures to be followed by the Franklin Township Planning Commission and the Board of Supervisors applying and administering these rules, regulations, and standards and providing penalties for the violation thereof.

Be it enacted and ordained by the Franklin Township Board of Supervisors, York County, Pennsylvania as follows:

ARTICLE I SHORT TITLE, PURPOSE, AUTHORITY AND JURISDICTION

100. Short Title.

This Ordinance shall be known and cited as the "Franklin Township Subdivision and Land Development Ordinance".

101. Purpose.

The purposes of this Subdivision and Land Development Ordinance are to provide for the harmonious development of the Township by:

- A. Assisting in the orderly and efficient integration of land developments within the Township.
- B. Facilitating the provision of public facilities including roadways, walkways, street lighting, water supply, storm and sanitary sewage facilities, recreation sites, open spaces, and other improvements for the public health, safety, and welfare.
- C. Providing coordination of inter-municipal public improvement plans and programs.
- D. Securing the protection of water resources and drainage ways and other environmental resources.
- E. Facilitating the efficient movement of traffic.
- F. Securing equitable handling of all land development plans by providing uniform standards and procedures.
- G. Promoting greater health, safety, and welfare of the citizens of the Township in general.
- H. Securing adequate sites for recreation, conservation, scenic, and other open space purposes.
- I. Regulating the subdivision and/or development of land within any designated floodplain zone in order to promote the general health, safety, and welfare of the community.

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- J. Requiring that each subdivision lot in flood-prone areas include a safe building site with adequate access; and those public facilities, which serve such uses, be designed and installed to minimize flood damage.

102. Authority and Jurisdiction.

- A. The authority of the Township Supervisors to adopt this Ordinance regulating subdivision and land development within Franklin Township is granted by Article V of the Pennsylvania Municipalities Planning Code (53 P.S. §10501, et seq.).
- B. No subdivision or land development 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. The authority for the control and regulation of subdivision and land development within the Township shall be as follows:
 - 1. Approval by the Township Board of Supervisors: The Franklin Township Board of Supervisors (hereinafter referred to as the “Board of Supervisors”), shall be vested with the authority to approve or disapprove all subdivision and/or land development plans.
 - 2. Review by the Township Planning Commission: All applications for subdivision and/or land development approval within Franklin Township shall be forwarded upon receipt to the Franklin Township Planning Commission (hereinafter referred to as the “Planning Commission”) for review and report. Such action shall occur at the Preliminary and Final Plan stages.
 - 3. Review by the County Planning Commission: All applications for subdivision and/or land development approval within Franklin Township shall be forwarded upon receipt to the York County Planning Commission for review and report. Such action shall occur at the Preliminary and Final Plan stages, and the Township shall not take action on said plans until the County report is received or until the expiration of thirty (30) days from the date the plans were forwarded to the County.

103. Interpretation.

The provisions of this Ordinance shall be interpreted to be the minimum requirements to meet the purposes of the Ordinance. Where the provisions of this Ordinance conflict or are inconsistent with the provisions of any other ordinance, regulation, or requirement, the more restrictive provisions shall apply. Where other ordinances, regulations, or requirements are referenced (either literally or implicitly), the most recent version or edition, as may be amended, shall be adhered to.

104. Municipal Liability.

The grant of a permit or approval of a subdivision and/or land development plan shall not constitute a representation, guarantee, or warranty of any kind nor shall it impose liability of any kind upon the municipality, its officials, or employees.