

ARTICLE 2

PURPOSE, AUTHORITY, APPLICATION AND INTERPRETATION

Section 201. PURPOSE

This Ordinance has been designed and adopted to provide uniform standards and procedures for the regulation of subdivision and land development within Dauphin County.

The purpose of such regulations is to provide for the harmonious development of Dauphin County by:

1. Assuring sites are suitable for building purposes and human habitation
2. Coordinating proposed streets and other proposed public improvements
3. Assuring that adequate easements and rights-of-way are provided for drainage facilities, public utilities, streets, and other public improvements
4. Assuring equitable and uniform handling of subdivision and land development plat applications
5. Assuring coordination of intra, and inter-municipal public improvement plans and programs;
6. Assuring the efficient and orderly extension of community facilities and services at minimum cost and maximum convenience
7. 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
8. Guiding the future growth and development of Dauphin County in accordance with the adopted Dauphin County Comprehensive Plan
9. 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
10. Assuring the greater health, safety, convenience and welfare to the citizens of Dauphin County
11. Ensuring the protection of water resources and drainageways
12. Ensuring the efficient movement of traffic
13. Ensuring the equitable handling of all subdivision and land development plans by providing uniform standards and procedures

Section 202. AUTHORITY AND JURISDICTION OF THE COUNTY COMMISSIONERS.

1. This Subdivision and Land Development Ordinance has been enacted by the Dauphin County Board of Commissioners in accordance with the provision of the Pennsylvania Municipalities Planning Code.
2. The Dauphin County Board of Commissioners hereby designates the Dauphin County Planning Commission as the agency to which all subdivision and land development plans must be submitted for either review or approval as required by this Ordinance.

Section 203. CITIES, BOROUGHES AND TOWNSHIPS WITH SUBDIVISION AND LAND DEVELOPMENT ORDINANCES

Cities, boroughs and townships which have adopted subdivision and land development ordinances are exempt from these regulations, except for the following requirements: applications for a subdivision and land development must be forwarded upon receipt by the municipality to the Dauphin County Planning Commission for review and report, together with a fee sufficient to cover the cost of the review and report. The fee shall be paid by the applicant, and the municipality shall not approve such application until the county report is received, or until the expiration of thirty (30) days from the date the application was forwarded to the County Planning Commission

1. The Planning Commission shall accept for review the Preliminary Plat and later the Final Plat, with separate fees for each application at each stage of processing the proposed subdivision or land development.
2. In the case where a minor subdivision is permitted by a municipality to be filed as a final plat, the Dauphin County Planning Commission shall also accept such a plat with its fee for review.
3. Appropriate officials of the Dauphin County Planning Commission shall sign final plats prepared for final recording indicating that the plat was reviewed.

Section 204. CITIES, BOROUGHES AND TOWNSHIPS WITHOUT SUBDIVISION AND LAND DEVELOPMENT ORDINANCES.

In cities, boroughs and townships which have not adopted a subdivision and land development ordinance, the subdivision and land development plans must be approved by the Dauphin County Planning Commission as complying with all requirements of this Ordinance before recording. The Planning Commission approval is in addition to, and does not supersede, local approvals as may be required by any other ordinances, resolutions or regulations of a municipality.

Applications for a subdivision and land development must be submitted to the Dauphin County Planning Commission, together with a fee sufficient to cover the cost of the review. The fee shall be paid by the applicant.

1. The Dauphin County Planning Commission shall accept for review the Preliminary Plat and later the Final Plat, with separate fees for each application at each stage of processing the proposed subdivision or land development.
2. The Dauphin County Planning Commission shall have the authority to approve or disapprove all preliminary and final subdivision or land development plat applications as required herein.
3. Appropriate officials of the Dauphin County Planning Commission shall sign final plats prepared for final recording indicating that the plat was approved.

Section 205. APPLICATION OF REGULATIONS

1. No subdivision or land development of any lot, tract, or parcel of land located in Dauphin County shall be effected; no street, sanitary sewer, storm sewer, water main, or other facilities 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 thereon unless and until a Final Subdivision or Land Development Plat has undergone review and report by the Dauphin County Planning Commission (where municipality has its own subdivision and land development ordinance) or been approved by the Dauphin County Planning Commission (where a municipality has no subdivision and land development ordinance) and publicly recorded in the manner prescribed herein.
2. No lot in a subdivision may be sold; no permit to erect or alter any building upon land in a subdivision or land development may be issued; and no building may be erected or altered in a subdivision or land development, unless and until a Final Subdivision or Land Development Plat has undergone review and report by the Dauphin County Planning Commission (where municipality has its own subdivision and land development ordinance) or been approved by the Dauphin County Planning Commission (where a municipality has no subdivision and land development ordinance) and recorded, and until the improvements required in connection therewith have been either constructed or guaranteed in a manner prescribed herein.
3. Unit or condominium subdivision of real property is included within the meaning of subdivision and land development as defined herein, and must comply with these regulations. Such compliance shall include, but not be limited to, the filing of Preliminary and Final Plats, payment of established fees and charges, location of each structure and clear definition of each unit, public easements, common areas, improvements, and all easements appurtenant to each unit.
 - A. Preliminary and final plat shall indicate the location of each structure and clearly define each unit, and shall indicate public easements, common areas, and

improvements, all easements appurtenant to each unit and improvements to public right-of-way.

4. All subdivision and land development plats are subject to all applicable zoning regulations.

Section 206. INTERPRETATION

When interpreting and applying this Ordinance, applicants shall be held to the minimum requirements for the promotion of public health, safety, comfort, convenience and greater welfare. Where the provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance, or regulation (i.e. State enabling statutes, local zoning, or building codes, etc.), the provisions of this Ordinance shall prevail. Where the provisions of any statute, other ordinance, or regulation impose greater restrictions than those of this Ordinance, the provisions of such statute, ordinance, or regulation shall prevail.