

FILE OF THE CITY CLERK

ADMINISTRATION ORDINANCE NO. 15 - 2015

ADMINISTRATION BILL NO. 15 - 2015

INTRODUCED – NOVEMBER 10, 2015

ADOPTED BY COUNCIL – NOVEMBER 24, 2015

AN ORDINANCE OF THE COUNCIL OF THE CITY OF LANCASTER AMENDING CHAPTER 265 OF THE CODE OF THE CITY OF LANCASTER TO ADOPT A NEW CITY OF LANCASTER SUBDIVISION AND LAND DEVELOPMENT ORDINANCE WHICH ESTABLISHES PROCEDURES FOR THE REVIEW AND APPROVAL OF SUBDIVISION AND LAND DEVELOPMENT PLANS, PROVIDES FOR THE MODIFICATION OF ORDINANCE PROVISIONS, INCLUDES PROVISIONS CONSISTENT WITH THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE ADDRESSING APPROVAL OF PLANS AND THE RIGHTS OF APPLICANTS FOLLOWING PLAN FILING, SETS FORTH DESIGN AND IMPROVEMENT STANDARDS FOR PUBLIC AND PRIVATE IMPROVEMENTS, REQUIRES TRAFFIC, FLOODPLAIN AND OTHER IMPACT STUDIES OR REPORTS FOR DEVELOPMENTS MEETING CERTAIN THRESHOLDS, REQUIRES PARKS OR RECREATIONAL FACILITIES FOR RESIDENTIAL DEVELOPMENTS EXCEEDING A SPECIFIC THRESHOLD, REQUIRES IMPROVEMENT CONSTRUCTION ASSURANCES, PROVIDES FOR ENFORCEMENT OF VIOLATIONS; PROVIDES FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDES FOR THE SEVERABILITY OF THE ORDINANCE; PROVIDES FOR THE EFFECT DATE OF THE ORDINANCE; AND INCLUDES A SAVINGS CLAUSE.

WHEREAS, the Pennsylvania Municipalities Planning Code (MPC) empowers the governing bodies of cities of the third class to enact, amend and repeal subdivision and land development ordinances for purposes including but not limited to promoting and protecting public health, safety, and general welfare, preserving natural and historic resources, guiding types and locations of streets, promoting energy conservation, promoting small business development and a business-friendly environment, and encouraging the revitalization of established urban centers; and

WHEREAS, on April 10, 2007, Lancaster City Council adopted *Growing Together, A Comprehensive Plan for Central Lancaster County, Pennsylvania* and reaffirmed the 1993 City of Lancaster Comprehensive Plan; and

WHEREAS, the Subdivision and Land Development Ordinance is one of the principal City ordinances able to promote implementation of the Comprehensive Plan; and

WHEREAS, City staff with input from the Lancaster City Planning Commission undertook a comprehensive review of the existing 1997 Subdivision and Land Development Ordinance and has determined that the numerous changes needed to implement the Comprehensive Plan, as well as the City's Green Infrastructure Plan and City goals promoting walkability and sustainability, necessitate the development and adoption of a new Subdivision and Land Development Ordinance; and

WHEREAS, at its public meeting of October 21, 2015, the Lancaster City Planning Commission recommended to the Lancaster City Council adoption of the new Subdivision and Land Ordinance; and

WHEREAS, the Lancaster City Council deems it necessary to adopt the proposed new Subdivision and Land Development Ordinance in order to ensure consistency with the Comprehensive Plan, to promote sustainable development through adaptive reuse of existing buildings and green infrastructure; and to promote and facilitate community and economic development that continues the revitalization of our urban environment.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lancaster as follows:

Section 1. Ordinance No. 15 – 1997, as amended, and as codified as Chapter 265-Subdivision and Land Development, of the Code of the City of Lancaster, shall be deleted and/or repealed in its entirety and replaced and substituted with the attached Subdivision and Land Development Ordinance for the City of Lancaster to be codified as Chapter 265 of the Code of the City of Lancaster-Subdivision and Land Development, Sections 265-1 through 265-59, inclusive.

Section 2. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of the City that such remainder shall remain in full force and effect.

Section 3. This Ordinance becomes effective within the time provided by law.

Section 4. All ordinances or parts of ordinances in conflict with or inconsistent with this Subdivision and Land Development Ordinance or amendment thereto are hereby repealed to the extent of inconsistency to give this Ordinance full force and effect, subject to the provisions of Section 265-9-Repealer in the attached newly adopted Subdivision and Land Development Ordinance

DULY ORDAINED AND ENACTED this 24th day of November, 2015, by the Council of the City of Lancaster, Lancaster County, Pennsylvania, in lawful session duly assembled.

ATTEST:

CITY OF LANCASTER

By: _____

Bernard W. Harris, Jr., City Clerk

J. Richard Gray, Mayor