

ORDINANCE NO. 15001

FILE OF CITY COUNCIL

BILL NO. 29 - 2012

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MAY 2, 2012

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AN ORDINANCE

Amending Article 1375 of the Codified Ordinances of the City of Allentown entitled Land Development and Subdivision by authorizing the submission of Preliminary/Final Subdivision and Land Development Plans.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That the following amendments are made to Article 1375.01:

**1375.01 GENERAL PROCEDURE**

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. (13014 §14 11/7/90)

A. Required Approval

Whenever any development and/or subdivision of land is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of a structure in such proposed development shall be granted, the owner, or his authorized agent, shall apply for and secure approval of such proposed development. (13014 §3 11/7/90)

- (1) Preliminary/Final Plan Submission Authorized. At the election of the applicant, an application for a combined preliminary/final plan approval may be made. In such an instance, the application will be reviewed pursuant to both the preliminary and final plan requirements contained herein.

B. Plans

Plans shall be prepared by a registered professional engineer, registered surveyor or architect as defined herein except final Utility Plans which shall be prepared by a registered professional engineer, unless this requirement is waived by the City Engineer for minor extensions. Surveys shall be certified by a person duly authorized to do so by the Commonwealth of Pennsylvania. (12779 §3 7/15/87)

C. Consultation

Before preparing a Plan for a land development, the applicant should discuss with the Planning Director, the City Engineer, and all other interested parties the procedure for adoption of a land

development plan and the requirements as to general layout of streets and for reservation of land, street improvements, drainage, sewerage, fire protection, and similar matters, as well as the availability to existing services. (12779 §3 7/15/87)

D. Classification

If the plan is classified as a major subdivision and/or land development subject to the requirements of these regulations, the Planning Director and City Engineer shall approve or disapprove the sketch plan, if submitted. Preliminary and Final or Preliminary/Final subdivision and/or land development plans shall be approved or disapproved by the Planning Commission. If the plan is classified as a minor subdivision, the developer may proceed directly to Final Plan Application, Article 1375.05, and no Preliminary Plan approval shall be required. (12779 §3 7/15/87)

SECTION TWO: That this Ordinance will take effect ten (10) days after final passage.

SECTION THREE: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

	Yea	Nay
Joe Davis	X	
Jeanette Eichenwald		
Cynthia Y. Mota	X	
Ray O'Connell, VP	X	
Mike Schlossberg	X	
Peter G. Schweyer	X	
Julio A. Guridy, Pres.	X	
TOTAL	6	0

I hereby certify that the foregoing Ordinance was passed by City Council on June 20, 2012 and signed by the Mayor on June 25, 2012.



CITY CLERK

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Planning and Zoning

- **Summary and Facts of the Bill**

The Bill amends the Subdivision and Land Development Ordinance by allowing the submission of combined Preliminary/Final plans.

- **Purpose – Please include the following in your explanation:**
  - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
  - **What are the Benefits of doing this/Down-side of doing this**
  - **How does this Bill related to the City's Vision/Mission/Priorities**

The Bill clarifies a practice that has been in place for a number of years, but not clearly allowed by the ordinance. The ability for developers to submit a combined preliminary and final plan facilitates the development process while not jeopardizing the ability of the staff and planning commission to conduct a thorough and complete review of the plans.

- **Financial Impact – Please include the following in your explanation:**
  - **Cost (Initial and ongoing)**
  - **Benefits (initial and ongoing)**

None. Fees will be charged as if separate applications were being made.

- **Funding Sources – Please include the following in your explanation:**
  - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

n/a

- **Priority status/Deadlines, if any**

As soon as possible. In the meantime, applicants need to request and the Planning Commission grant a waiver to continue this practice.

- **Why should Council unanimously support this bill?**

The Bill is intended to simply clarify and codify a practice that has been in place for a number of years.