

## TITLE THREE - PLANNING

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### ARTICLE 1365 Planning Commission

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#### CROSS REFERENCES

- Appointment, Organization, Powers of Planning Commission-See 3rd Class 4001 et seq. (53 P.S. §39001)
- Recommendations to Council - See 3rd Class §4003 (53 P.S. §39003)
- Planning Agency Defined - See Pennsylvania Municipalities Planning Code §107(15) (53 P.S. §10107(15))
- Planning Agencies - See PMPC §201 et seq. (53 P.S. §10201 et seq.)
- Powers and Duties - See PMPC §209 (53 P.S. §10209)

[EDITOR'S NOTE: The Planning Commission is officially known as the Allentown City Planning Commission. The Bureau of City Planning in the Department of Community Development is the administrative agency of the Allentown City Planning Commission and operates under its supervision. Council, by Ordinance No. 12369, passed July 18, 1979 enacted Subdivision Regulations which are enforced within the City and its three-mile jurisdictional limit by the City Planning Commission. The Subdivision Regulations are codified as Title Five of this Part Thirteen - Zoning Code.]

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#### 1365.01 MEMBERS; APPOINTMENT

The Planning Commission shall consist of seven (7) residents of the City to be appointed by the Mayor with the advice and consent of Council, who shall serve for four (4) years or until their successors are duly appointed and qualified. The terms shall be staggered so that no more than two (2) members' terms shall expire during any calendar year. (12069 §1 5/1/74; 13251 §1 4/7/94)

#### 1365.02 EXISTING MEMBERS; FILLING A VACANCY

The members of any existing Planning Commission established under former laws shall continue in office until the end of the term for which they are appointed. Their successors shall be appointed as provided by Section 1365.01. If a vacancy occurs otherwise than by expiration of term, it shall be filled by appointment for the unexpired term by the Mayor with the advice and consent of Council. (12069 §2 5/1/74)

#### 1365.03 COMPENSATION

The members of the Planning Commission are to serve in their respective capacities and perform the duties of such office without compensation. (12069 §3 5/1/74)

#### 1365.04 ELECTION OF OFFICERS; RULES AND REGULATIONS

The Commission shall elect its own chairman and vice-chairman and create and fill such other offices as it may determine. Officers shall serve annual terms and may succeed themselves. The Commission may make and alter bylaws and

rules and regulations to govern its procedures consistent with the ordinances of the City. The commission shall keep a full record of its business and shall submit written reports of its activities at the Mayor's request. (12069 §4 5/1/74)

### **1365.05 POWERS AND DUTIES**

The Planning Commission, at the request of the Mayor, shall have the power and be required to:

1. Make recommendation as to any proposed comprehensive plan or change thereof for the development of the City and present it for the consideration of the Mayor and Council;
2. Maintain and keep on file records of its action. All records and files of the commission shall be maintained in the office of the Bureau of Planning;
3. Make recommendations to the Mayor and Council concerning the adoption or amendment of an official map;
4. Make recommendations to the Mayor and Council on proposed amendments to the Zoning Ordinance;
5. Prepare, recommend and administer subdivisions and land development, planned residential development regulations, as set forth in the applicable City Ordinance;
6. Make recommendations to the Mayor and City Council concerning proposed amendments to the City Building Code and Housing Code;
7. Do such other act or make such studies as may be necessary to fulfill the duties and obligations imposed by this article;
8. Prepare and present to the Mayor and Council an environmental study;
9. Promote public interest in, and understanding of, the comprehensive plan and planning;
10. Make recommendations to governmental, civic, and private agencies and individuals as to the effectiveness of the proposals of such agencies and individuals;
11. Hold public hearings and meetings;
12. Request from other departments and agencies of the City such available information as relates to the work of the Commission;
13. In the performance of its functions, enter upon any land to make examinations with the consent of the owner. (12069 §5 5/1/74)
14. Hear requests for variances from the duties imposed on property owners by Section 907.13 of the Codified Ordinances relating to the installation of sidewalks. (12296 §2 3/1/78)

### **1365.06 INCREASING MEMBERSHIP**

In order to effectuate the expansion of the Commission from five to seven members, the Mayor, subject to the advice and consent of Council, is hereby authorized to appoint two additional members to the Commission, for specific terms of not more than four (4) years nor less than one (1) year as the Mayor may direct. The Mayor shall determine the length of such initial appointive terms of the newly added memberships so as to avoid excessive turnover on the committee by reason of the termination of at term or terms of existing members. After the initial appointment of the expanding memberships have terminated, any new appointment or reappointment of the membership shall be for a term of four (4) years as set forth in Section 1365.01.

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### **ARTICLE 1367 MASTER PLAN**

EDITOR'S NOTE: There are no sections in Article 1367. This article has been established to provide a place for cross references and any future legislation. The Zoning Code (Ordinance 6235, as amended) is based on the Allentown General City Plan of 1945.

CROSS REFERENCES

Comprehensive Plan - See Pennsylvania Municipalities Planning Code §301 et seq.  
(53 P.S. §10301 et seq.)  
Official Map - See PMPC §401 et seq. (53 P.S. §10401 et seq.)  
Statement of Community Development Objectives - See PMPC §606  
(53 P.S. §10606)

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**ARTICLE 1369  
REQUIREMENTS FOR DEVELOPERS**

1369.01 Definition  
1369.02 Obligations of Developer  
1369.03 Acceptance by City  
1369.99 Penalty

**1369.01 DEFINITION**

For purposes of this article, a tract of land to be developed or being developed for residential purposes is one on which can be erected five (5) or more dwelling units or containing one or more acres. (9962 §1 11/7/62)

**1369.02 OBLIGATIONS OF DEVELOPER**

The developer, builder or owner of such tract as described in Section 1305.01 shall install all water and sewer mains, permanent streets, curbs and sidewalks in accordance with City specifications and inspections at no cost to the City. (9962 §2 11/7/62)

**1369.03 ACCEPTANCE BY CITY**

Upon completion of the improvements as set forth above, the City shall accept ownership thereof and thenceforth assume the maintenance and repair thereof. (9962 §3 11/7/62)

**1369.99 PENALTY**

Any person, owner, developer or builder violating any of the provisions of this article shall be fined not more than Three Hundred (\$300.00) Dollars or imprisoned not more than ninety (90) days, or both. (11995 §1 2/21/73)