

## **55-108. RIGHTS CONFERRED BY PRELIMINARY APPROVAL.**

A The following rights shall be conferred upon the developer for a period of three (3) years after the date of preliminary approval:

(1) That the general terms and conditions on which preliminary approval was granted shall not be changed, including but not limited to use requirements; layout and design standards for streets, curbs and sidewalks; lot size; yard dimensions and off-tract improvements; except that nothing herein shall be construed to prevent the Township from modifying, by ordinance, such general terms and conditions of preliminary approval as relate to public health and safety.

(2) That the developer shall submit for final approval on or before the expiration date, unless extended as set forth herein below, of preliminary approval the whole or a section or sections of the preliminary plat. A failure to do so will deem the preliminary

approval null and void and of no further force or effect. **[Amended 8-4-03 by Ord. No. 2003-20]**

(3) That the developer may apply for and the municipal agency may grant extensions on such preliminary approval for additional periods of at least one (1) year, but not to exceed a total extension of two (2) years, provided that if the design standards have been revised by ordinance, such revised standards may govern.

B. In the case of a subdivision or site plan for an area of fifty (50) acres or more, the municipal agency may grant the rights referred to in subsection A(1), (2) and (3) above for such period of time longer than three (3) years as shall be determined by the municipal agency to be reasonable, taking into consideration the number of dwelling units and nonresidential floor area permissible under preliminary approval, economic conditions and the comprehensiveness of the development. The developer may thereafter apply for and the municipal agency may thereafter grant an extension to preliminary approval for such additional period of time as shall be determined by the municipal agency to be reasonable, taking into consideration the number of dwelling units and nonresidential floor area permissible under preliminary approval, the potential number of dwelling units and nonresidential floor area of the section or sections awaiting final approval, economic conditions and the comprehensiveness of the development, provided that if the design standards have been revised, such revised standards may govern.