

HEIDELBERG TOWNSHIP, LEBANON COUNTY, PENNSYLVANIA

ORDINANCE No. \_\_\_\_\_

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF HEIDELBERG TOWNSHIP, IN THE COUNTY OF LEBANON, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE TO CLARIFY THE ORDINANCE TEXT RELATED TO MINOR SUBDIVISION PLANS AND TO ADD PROVISIONS FOR LOT ADD-ON, CENTERLINE SEPARATION AND LOT LINE RELOCATION PLANS.**

WHEREAS, after determining that a clarification addition is needed to the Subdivision and Land Development Ordinance related to the proposed subdivision of land for purposes of lot additions, centerline separations and/or the relocation of lot lines and after a public hearing to consider the issue, and consideration of all of the comments, testimony, and information provided to the Board of Supervisors by the public, the Heidelberg Township Planning Commission, and the Lebanon County Planning Department, the Board of Supervisors has determined that it is in the public interest to amend the Subdivision and Land Development Ordinance to make this clarification and addition.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Heidelberg, and it is hereby enacted and ordained as follows:

**Section 1.** The Subdivision and Land Development Ordinance of Heidelberg Township (herein "Ordinance") Chapter 2, Definitions, Section 202, Specified Terms, is hereby amended as set forth below by deleting the following definition:

NATURAL SUBDIVISION

**Section 2.** The Subdivision and Land Development Ordinance of Heidelberg Township (herein "Ordinance") Chapter 2, Definitions, Section 202, Specified Terms, is hereby amended as set forth below by adding the following new definitions:

PLAN, CENTERLINE SEPARATION – A complete and exact subdivision plan which creates two (2) lots by using a street centerline or stream centerline as the common boundary, and which meets the minimum dimensional and density requirements as included in the Heidelberg Township Zoning Ordinance for the Zoning District(s) in which the lot or tract is located.

PLAN, LOT ADD-ON – A complete and exact subdivision plan; the sole purpose of which is to increase the lot area of an existing lot or tract.

PLAN, LOT LINE CHANGE – A complete and exact subdivision plan; the sole purpose of which is to amend a lot line, shared in common by two or more

previously subdivided and recorded lots or tracts, for purposes of minor adjustments or error corrections of previously subdivided lots or tracts.

**Section 3.** The Ordinance Chapter 3, Procedures, shall be amended by revising the second paragraph of Section 303 A. to read as follows:

Dedication or establishment of an unimproved right-of-way or easement shall be a minor subdivision, centerline separation or replatting, resubdivision or revision of five (5) lots or less shall also be considered a minor subdivision. Multi-family, commercial, industrial and mobile home park development, shall be a major, not minor subdivision, or land development, regardless of the number of lots or units created.

**Section 4.** The Ordinance Chapter 3, Procedures, shall be amended by adding a new Section 306, Lot Add-On/Lot Line Change/Centerline Separation Plan, which shall provide as follows:

**SECTION 306.                    LOT    ADD-ON/LOT    LINE    CHANGE/CENTERLINE  
SEPARATION PLAN**

- A. Plan Requirements - Lot Add-On/Lot Line Change/Centerline Separation Plans shall only be permitted when:
1. No resultant tract of land associated with the plan shall be smaller than the minimum or larger than the maximum lot size permitted by the Zoning Ordinance.
  2. Drainage easements and rights-of-way are not altered.
  3. Access to the affected tracts of land is not changed.
  4. Street alignments are not changed.
  5. Any on-lot facilities (well, septic systems, stormwater management controls) and their associated lot line setbacks and isolation distances shall not be impacted.
  6. Except for centerline separation plans, no new lots are created.
  7. In the case of lot line change plans, both impacted tracts of land shall be resultant from the same original recorded subdivision plan.
- B. Deed Required – A copy of the deed(s) to be recorded for the impacted tracts of land shall be submitted prior to recording of the plan. The deed shall provide descriptions of the impacted tracts which reflect the proposed changes to the tracts.

- C. Plan Submission and Recording Procedures – In every case where a proposal conforms to the requirements of this Section, the application and recording procedures shall comply with Section 303 of this Ordinance.

**Section 5.** The Ordinance Chapter 4, Plans and Plats: Required Information, shall be amended as follows:

A. Section 402 C.2.f. shall be amended to delete the last sentence of the paragraph.

B. Section 402 C.2.h. shall be deleted in its entirety.

C. Section 402 C.3.d. shall be amended to delete the last sentence of the paragraph.

D. Section 402 F. shall be added and shall read as follows:

F. Lot Add-On/Lot Line Change/Centerline Separation Plan Information

1. Plans shall include the information identified in Sections 402 A., 402 B.; 402 C.1.; 402 C.2.; 402 C.3.a. through c.; 402 C.3.j.; 402 C.5.; 402 C.6.; 402 D. and 402 E. of this Ordinance.

2. In the case of Centerline Separation Plans, the applicant shall also supply evidence of approval of a Sewage Planning Module in accordance with the requirements of Section 508 A.1. of this Ordinance.

**Section 6.** The Ordinance shall be amended to delete references to “land development plans” and “developer/land developer” in the following sections:

A. Table of Contents – Section 402

B. Section 303 C.

C. Section 303 D.

D. Section 303 E.

E. Section 402 – Title and first paragraph

F. Section 402 C.1.

G. Section 402 C.2.e.

H. Section 402 D. - First paragraph

**Section 7.** All other sections, parts and provisions of the Subdivision and Land Development Ordinance of Heidelberg Township shall remain in full force and effect as previously enacted and amended.

**Section 8.** In the event any provision, section, sentence, clause, or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality, or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Ordinance, it being the intent of the Board of Supervisors that the remainder of the Ordinance shall remain in full force and effect.

**Section 9.** This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of Heidelberg Township as provided by law.

Duly ORDAINED and ENACTED this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by the Board of Supervisors of the Township of Heidelberg, Lebanon County, Pennsylvania, in lawful session duly assembled.

ATTEST:

Township of Heidelberg  
Lebanon County, Pennsylvania

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Chairman