

SOUTH LEBANON TOWNSHIP

SUBDIVISION LAND USE ORDINANCE

ORDINANCE NO. 164

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CHAPTER 1 - PURPOSE AND AUTHORITY

An ordinance providing for the control of the subdivision and development of land and the approval of plats and replats of land within the jurisdiction of South Lebanon Township Board of Supervisors, as a part of the master plan for South Lebanon Township, Lebanon County, Pennsylvania.

Now, therefore, be it ordained by the South Lebanon Township Board of Supervisors, Lebanon County, Pennsylvania, under authority of Article V and VII of the "Pennsylvania Municipalities Planning Code", of the Act of the 1968 General Assembly No. 247; as amended.

SECTION 1.01 TITLE

These regulations, rules and standards for planning, subdividing, and developing land within South Lebanon Township, including procedures for the application and administration, and penalties for the violation thereof, shall be known, cited and referred to as the SUBDIVISION LAND USE ORDINANCE for South Lebanon Township.

SECTION 1.02 PURPOSE

The general purpose of this ordinance shall be to guide and regulate the planning, subdividing, and development of land in order to promote and protect the public health, safety, convenience, comfort, prosperity, and general welfare of the residents of South Lebanon Township.

SECTION 1.03 OBJECTIVES

It is intended that the provisions of these regulations shall be applied to achieve the following objectives:

- a) Orderly development of the land to obtain harmonious and stable neighborhoods; and
- b) Safe and convenient vehicular and pedestrian circulation; and
- c) Adequate and economical provisions for utilities and public services to conserve the public funds; and
- d) Ample public open spaces for schools, recreational and other public purpose; and
- e) Accurate surveying of land, preparing and recording of plats; and
- f) Discouraging of premature, uneconomical, or scattered subdivision; and

- g) Maximize conservation of all forms of energy; and
- h) Storm water management, by reducing stream erosion and maintaining natural storm water runoff characteristics; and
- i) Coordination of land development in accordance with the Zoning Code, Comprehensive Plan, and other plans of the Municipality and County.

SECTION 1.04 APPLICATION OF REGULATIONS

No subdivision or land development of any lot, tract or parcel of land located within South Lebanon Township shall be effected; no street, sanitary sewer, storm sewer, water main, storm water control facilities, or other facilities in connection therewith shall be laid out, constructed, opened, or dedicated for travel or public use, until a subdivision or land development plan has been approved in the manner prescribed herein, and recorded. Furthermore, no property shall be developed, no building shall be erected and no site improvements shall be completed except in strict accordance with the provisions of this Ordinance.

No lot in a subdivision may be sold or transferred; no permit to erect or alter any building upon land in a subdivision or land development may be issued; and no buildings may be erected in a subdivision or land development, unless and until a final subdivision or land development plat has been approved and recorded, and until construction of any required site improvements in connection therewith has been completed or guaranteed in the manner prescribed herein.

SECTION 1.05 JURISDICTION

The following shall have jurisdiction regarding all subdivision plans within the Township.

A. Lebanon County Planning Department. All proposed subdivision plans shall be submitted first for review and comment to the Lebanon County Planning Department. If a review report on such a plan is not received by the Township within 30 days after submission to the County Planning Department, or within such further time as may have been agreed upon, the Township may proceed without the report.

B. Planning Commission: After review and comment by the Lebanon County Planning Department, all subdivision plans, both Preliminary and Final shall be submitted to the South Lebanon Township Planning Commission for review and approval.

C. Governing Body: After the review and approval of all Subdivision Plans, by the Planning Commission, both Preliminary and Final, the Plans shall be submitted to the Governing Body for final approval. Where the Plans as set forth herein have not been approved by the South Lebanon Township Planning Commission, the plans may be submitted to the Governing Body within 30 days after the rejection by the Planning Commission for their decision as set forth herein.

CHAPTER 2 - DEFINITIONS

SECTION 2.01 GENERAL TERMS

Unless otherwise expressly stated, the following words shall, for the purpose of this Ordinance, have the meaning herein indicated.

Words in the singular include the plural and those in the plural include the singular.

Words in the present tense include the future tense.

The word "shall" is always mandatory; the word "may" is permissive; and the word "should" means a suggested or preferred action.

The words "person" or "subdivider" or "developer" or "owner" include a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

SECTION 2.02 SPECIFIC TERMS

Unless otherwise expressly stated, the following words shall, for the purpose of this Ordinance, have the meaning herein indicated. Undefined terms or words used herein shall have their ordinarily accepted meanings or such meanings as the context of this Ordinance may imply.

ACCELERATED EROSION - the removal of the surface of the land through the combined action of man's activities and the natural processes at a rate greater than would occur because of the natural process alone.

APPLICANT - a land owner or developer, as hereinafter defined, who has filed an application for development, including his heirs, successors and assigns.

ACT 247 - see "Pennsylvania Municipalities Planning Code".

BUILDING (SETBACK) LINE - a line established by municipal zoning codes or the subdivision regulations which defines the required minimum distance between any building and the adjacent public right-of-way.

CARTWAY - the portion of the street right-of-way, paved or unpaved, intended for vehicular use. The shoulder is not considered part of the cartway.

COMMON OPEN SPACE - a parcel or parcels of land or an area of water, or a combination of land and the water within a development site, designed and intended for the use or enjoyment of residents of the development, not including streets, off-street parking areas, and areas set aside for public facilities.

COUNTY - Lebanon County, Pennsylvania

DETENTION STRUCTURE - a vegetated pond, swale, or other structure designed to drain completely after storing runoff only for a given storm event and release it at a predetermined rate. Also known as a dry pond.

DEVELOPER - any landowner, agent of such landowner or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

EASEMENT - a right-of-way granted for limited use of land for public or quasi-public purpose.

ENERGY DISSIPATOR - a device used to slow the velocity of storm water particularly at points of concentrated discharge such as pipe outlets.

ENGINEER, TOWNSHIP - a Registered Engineer designated by the Supervisors to perform duties as required by this Ordinance on behalf of the Township.

ENGINEER, REGISTERED - an individual licensed and registered as a Professional Engineer by the Commonwealth of Pennsylvania.

FREEBOARD - the difference between the design flow elevation in the emergency spillway and the top of the settled embankment.

GOVERNING BODY - South Lebanon Township Board of Supervisors.

GRASSED WATERWAY - a natural or man-made drainageway of parabolic or trapezoidal cross-section shaped to required dimensions and vegetated for safe disposal of runoff. (Also known as a swale).

HOLDING POND - a retention or detention pond.

IMPROVEMENTS - physical additions and changes to the land, necessary to produce usable and desirable lots.

LAND DEVELOPMENT - (i) the improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving (a) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or (b) the

division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features; (ii) a subdivision of land.

LANDOWNER - the legal or beneficial owner or owners of land, including the holder of an option or contract to purchase, or lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

LOT - a designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

LOT AREA - the area contained within the property line of a lot or the allocation of land, excluding space within any street right-of-way.

MOBILEHOME - a transportable, single family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

MOBILEHOME LOT - a parcel of land in a mobilehome park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobilehome.

MOBILEHOME PARK - a parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobilehome lots for the placement thereon of mobilehomes.

MUNICIPALITY - South Lebanon Township, Lebanon County, PA.

ON-SITE STORM WATER MANAGEMENT - the control or runoff to allow water falling on a given site to be absorbed or retained on site to the extent that after development the peak rate of discharge leaving the site does not exceed the rate prior to development.

PENNSYLVANIA MUNICIPALITIES PLANNING CODE - adopted as Act 247 of 1968, this act enables municipalities to plan for, and regulate, community development with subdivision and land development ordinances. The code also contains guidelines for subdivision and land development ordinance content. For the purpose of this Ordinance, the Code is referred to as "Act 247" and is intended to include the current code and any further amendments thereto.

PLAN, FINAL - a complete and exact subdivision or land development plan prepared for recording as required by statute, to define property rights, proposed streets and other improvements; a final plat.

PLAN, PRELIMINARY - a tentative subdivision or land development plan showing proposed street and lot layout as a basis for consideration prior to preparation of a final plat.

PLAN, SKETCH - an informal plan, indicating existing features of a tract and the surrounding area and outlining the general layout of a proposed subdivision or land development.

PLANNING COMMISSION - the Planning Commission created by the Board of Supervisors of South Lebanon Township.

PLANNING DEPARTMENT - the Lebanon County Planning Department.

PLAT - the map or plan of a subdivision or land development, whether preliminary or final.

RETENTION STRUCTURE - a pond, swale, or other structure containing a permanent pool of water designed to store runoff for a given storm event.

RIGHT-OF-WAY - the total width of any land reserved or dedicated for use as street, alley, or for any public purpose.

SEDIMENT BASIN - a temporary dam or barrier constructed across a waterway or at other suitable locations to intercept the runoff and to trap and retain the sediment.

SITE IMPROVEMENTS - physical additions or changes to the land that may be necessary to provide usable and desirable lots, including but not limited to, utilities, streets, curbing, sidewalks, street lights and storm water facilities.

STORAGE STRUCTURE - a retention or detention structure.

STORM WATER MANAGEMENT - the control of runoff to allow water falling on a given site to be absorbed or retained on site to the extent that after development the peak rate of discharge leaving the site does not exceed the rate prior to development.

STREET - a strip of land including the entire right-of-way used or intended for use as a means of vehicular and pedestrian circulation, whether public or private. The word "street" includes street, thoroughfare, avenue, boulevard, court, expressway, highway, road, lane, and alley.

STREET, PRIVATE - a strip of private land providing access to abutting properties and not offered for dedication or accepted for municipal ownership and maintenance.

SUBDIVIDER - any landowner, agent of such landowner or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or land development.

SUBDIVISION - the division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot liens for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

SUPERVISORS - The governing body of South Lebanon Township.

SURVEYOR, REGISTERED - an individual licensed and registered as a Professional Land Surveyor by the Commonwealth of Pennsylvania.

SWALE - see GRASSED WATERWAY.

TOWNSHIP - South Lebanon Township, Lebanon County, Pennsylvania.

CHAPTER 3 - PROCEDURES

SECTION 3.01 INTENT

The procedures established in this Chapter are intended to define the steps by which a developer shall design, make an application, record plats, and construct improvements, and by which South Lebanon Township Board of Supervisors may review, make recommendations, approve plans and otherwise administer these regulations and this Ordinance.

For those subdivisions hereinafter classified as minor subdivisions, a sketch plan and abbreviated final plan procedure is established. For all others, which are classified as major subdivisions or land developments, a preliminary plan and final plat procedure is established.

SECTION 3.02 PRE-APPLICATION

South Lebanon Township shall make available to developers copies of this subdivision land use ordinance, the zoning code, and other adopted plans, street maps, and other information which may affect the development of the property under consideration. Applications for approval of a subdivision or land development shall be in accord with these regulations, other codes and plans as adopted and information furnished.

Prior to the formal submission of a subdivision or land development plan for review and approval, the subdivider is urged to submit a sketch plan to Lebanon County Planning Department, South Lebanon Township Planning Commission and South Lebanon Township Board of Supervisors for advice on the requirements necessary to achieve conformity to the standards of these regulations, as well as, to alert the subdivider as early as possible to factors which must be considered in the design of a subdivision, such as pertinent elements of any County or Municipal land use, thoroughfare or other community plans. Review of a sketch plan is an informal, advisory process to guide the subdivider in eventual preparation of a formal preliminary or final plan.

Sketch plans and subsequent official minor and major subdivision and land development plans should be accompanied by any letters of transmittal or development details necessary to explain existing or proposed site conditions which are not self-explanatory on the actual sketch, minor or major subdivision or land development plan.

SECTION 3.03 MINOR SUBDIVISION OR LAND DEVELOPMENT

- A. Classification - A division of land to facilitate a lot addition or a land exchange or a division of land which adjoins an existing public street and does not involve the opening, widening, extension or improvement of any street or the installation of any public utility outside the frontage road and does not involve more than five (5) lots or dwelling units (except that subdivision of lots from a property after five (5) or more lots have been previously subdivided is a major subdivision).

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

- B. Application - A final plat complying with the requirements set forth in this Ordinance shall be prepared for each minor subdivision or land development and review of said plat shall be requested from the Lebanon County Planning Department, South Lebanon Township Planning Commission, and South Lebanon Township Board of Supervisors.

When filing an application for approval of a minor subdivision or land development, the subdivider shall submit one (1) mylar or original, one (1) clothback print, and eight (8) blue line paper prints of the proposal on 18" x 24" sheets.

- C. Review - Upon receipt of the minor subdivision or land development plan, the Lebanon County Planning Department shall begin to review the final plan for compliance with the Ordinance. Where applicable, the plan may be forwarded to the County Engineer, Township Engineer, the Soil Conservation Service or other agencies for review and comment. The Lebanon County Planning Department shall review and comment on the final plan as submitted not later than thirty (30) days after such application is filed. Such review and comment shall then be submitted to the South Lebanon Township Planning Commission along with the prints and other pertinent data. With the failure of the Lebanon County Planning Department to render a report and submit it to the South Lebanon Township Planning Commission within the time and in the manner required herein, the South Lebanon Township Planning Commission may proceed without the report

unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the report, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

After the review of all plans by the South Lebanon Township Planning Commission, the plans shall be submitted to the South Lebanon Township Board of Supervisors for final approval. When the plans have not been approved by the South Lebanon Township Planning Commission, the plans may be submitted to the South Lebanon Township Board of Supervisors within thirty (30) days after the rejection by the South Lebanon Township Planning Commission for their decision as set forth herein.

- D. Approval or Disapproval - After an application for approval of a plat of a minor subdivision or land development has been filed with the South Lebanon Township Board of Supervisors, together with all maps, necessary data, and fees, the plan shall be reviewed and processed. The subdivider or developer shall pay required review fees at the time of official submission of the plat and official submission shall not be deemed to have been made until receipt of all the required review fees. The South Lebanon Township Board of Supervisors shall complete the review and either approve or disapprove the plat no later than ninety (90) days after such application submission is filed. The decision shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision.

When the application is approved, it shall be appropriately signed and dated and copies shall be distributed according to Section 3.03(E) of this Ordinance. When the application is disapproved, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite to the provisions of the Ordinance relied upon. A disapproved copy of the subdivision or land development plan shall be retained by the Lebanon County Planning Department, South Lebanon Township Board of Supervisors, and the remaining copies shall be returned to the subdivider, developer and/or his agent.

Failure of the South Lebanon Township Board of Supervisors to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed approval of the application in the terms as presented, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of pre-

resentation of communication of the decision in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect. However, removal or withdrawal of the subdivision or land development plan from the approval process by the subdivider, developer and/or his agent shall be considered withdrawal of plan application, shall not obligate the South Lebanon Township Board of Supervisors to approve or disapprove the plan within the herein described timetable and shall not result in a deemed approval when ninety (90) days have elapsed. Upon knowledge of plan withdrawal, the South Lebanon Township Board of Supervisors shall notify, in writing, the subdivider or land developer that plan withdrawal has disrupted the approval process and no approval or disapproval will be rendered unless the subdivision or land development plan is resubmitted as a new application.

- E. Recording - After approval of a minor subdivision or land development plat by the South Lebanon Township Board of Supervisors, the mylar copy shall be placed on record in the Lebanon County Planning Department office and the clothback print shall be filed and recorded in the office of the County Recorder of Deeds, said recording to occur within ninety (90) days of the final or deemed approval date of the plan or the approval shall be null and void. The Recorder of Deeds shall not accept any plat for recording unless such plat officially notes the approval of the South Lebanon Township Board of Supervisors. Copies of an approved plat shall be sent to the applicant and additional copies may be distributed to the Pennsylvania Department of Transportation, County Emergency Management Agency, County Assessment Office, Metropolitan Edison Company, Pennsylvania Power and Light Company, Bell of Pennsylvania, or other utility or related agency making timely request for copies.

SECTION 3.04 MAJOR SUBDIVISION OR LAND DEVELOPMENT - PRELIMINARY PLAN

- A. Classification - Any subdivision or land development involving more than five (5) lots or dwelling units; or any subdivision or land development on a property after five (5) or more lots or dwelling units have previously been subdivided from that property; or any subdivision or land development proposing the opening, widening, extension or improvement of a street shall be deemed to be a major subdivision or land development. Multi-family, mobilehome park, commercial and industrial development shall be considered major subdivision or land development, regardless of the number of lots or units created.

- B. Application - A preliminary plat complying with the requirements set forth in this Ordinance shall be prepared for each major subdivision or land development and a review requested from the Lebanon County Planning Department, South Lebanon Township Planning Commission, and South Lebanon Township Board of Supervisors.

When filing an application for preliminary approval of a major subdivision or land development, the subdivider shall submit six (6) blue line prints of the proposal. As part of the submission, the subdivider shall also submit six (6) paper prints of the improvement plan (if not contained on initial sheet) containing details of the physical site improvements (roadways, utilities, etc.) proposed for the subdivision or land development. All sheets shall be 18" x 24" or 24" x 36".

- C. Review - Upon receipt of the preliminary plans (and improvement plan, if separate), the Lebanon County Planning Department shall begin to review the plan for compliance with this Ordinance. The preliminary plan shall be examined for suitable relationship to adjoining subdivisions or undeveloped land, feasibility of the program for improvements, and provide an opportunity for advice, suggestions, and adjustments to meet ordinance requirements before the plan becomes rigid. The submission of alternate plans is recommended.

Where applicable, the plan may be forwarded to the County Engineer, Township Engineer, Soil Conservation Service, or other appropriate agency for review and comment. The Lebanon County Planning Department shall review and comment on the preliminary plan as submitted not later than thirty (30) days after such application is filed. Such review and comment shall then be submitted to the South Lebanon Township Planning Commission along with the prints and other pertinent data.

With the failure of the Lebanon County Planning Department to render a report and submit it to the South Lebanon Township Planning Commission within the time and in the manner required herein, the South Lebanon Township Planning Commission may proceed without the report unless the applicant has agreed in writing to an extension of time or changes in the prescribed manner of presentation of communication of the report, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

After the review of preliminary plans by the South Lebanon Township Planning Commission, the plans shall be

submitted to the South Lebanon Township Board of Supervisors for final approval. When the plans have not been approved by the South Lebanon Township Planning Commission, the plans may be submitted to the South Lebanon Township Board of Supervisors within thirty (30) days after the rejection by the South Lebanon Township Planning Commission for their decision as set forth herein.

- D. Approval or Disapproval - After an application for preliminary approval of a plat of a major subdivision or land development has been filed with the South Lebanon Township Board of Supervisors, together with all improvement plans, maps, necessary data and fees, the South Lebanon Township Board of Supervisors shall complete the review and either approve or disapprove the plan in accordance with the procedure outlined in Section 303(D).
- E. Recording - After approval of a preliminary plan for a major subdivision or land development plat by the South Lebanon Township Board of Supervisors, recording of the preliminary plan is not authorized. Approval of the preliminary plan assures the subdivider for a period of five (5) years from the date of approval that:
1. The general layout of streets, lots, and other features are approved and shall be the basis for the preparation of the final plan; and
 2. The general terms and any special conditions under which the approval of the plan was granted will not be changed; and
 3. The subdivider may install improvements in accordance with the approved preliminary plan and other requirements contained in this Ordinance and the South Lebanon Township Zoning Ordinance.

Approval of a preliminary plan does not constitute approval of the final plan, and therefore, does not authorize the recording of the subdivision or land development plan or the sale or transfer of lots. After a period of five (5) years, approval of the preliminary plan shall expire.

SECTION 3.05 MAJOR SUBDIVISION OR LAND DEVELOPMENT - FINAL PLAN

- A. Classification - Any subdivision or land development involving more than five (5) lots or dwelling units;

or any subdivision or land development on a property after five (5) or more lots or dwelling units have previously been subdivided from that property; or any subdivision or land development proposing the opening, widening, extension or improvement of a street shall be deemed to be a major subdivision or land development. Multi-family, mobilehome park, commercial and industrial development shall be considered major subdivision or land development, regardless of the number of lots or units created.

- B. Application - Within five (5) years after the approval of the preliminary plat, a final plat with all necessary supplemental data shall be officially submitted to the Lebanon County Planning Department, South Lebanon Township Planning Commission, South Lebanon Township Board of Supervisors with a request for review. Failure to submit a final plan within five (5) years of the date of an approval of the preliminary plat shall void the preliminary approval, unless extended in writing by the South Lebanon Township Board of Supervisors. Said expired or voided preliminary plan shall not be used as a basis for any development or construction. Any subsequent development shall be preceded by a new preliminary plan.

When filing an application for a final approval of the major subdivision or land development, the subdivider or developer shall submit one (1) mylar copy or original, one (1) clothback print, and eight (8) blue line paper prints of the proposal on 18" x 24" sheets.

The subdivider or developer may apply for final approval of: 1) only a portion, section or phase of the entire subdivision or land development as preliminarily approved; or 2) the entire subdivision or land development.

- C. Review - Upon receipt of the final plan, the Lebanon County Planning Department shall begin to review the plan for compliance with this Ordinance. The final plan shall be examined for conformity to the preliminary plan for design and detail of required site improvements and for adherence to other standards of this Ordinance. The plan shall also be examined to determine if the required site improvements have been installed or, in lieu thereof, a bond or financial security has been submitted. Where applicable, the plan may be forwarded to the County Engineer, the Township Engineer, the Soil Conservation Service or other agencies for review and comment. The Lebanon County Planning Department shall review and comment on the final plan as submitted not later than thirty (30) days after such application is filed. Such review and comment shall then be submitted to

the South Lebanon Township Planning Commission along with the prints and other pertinent data.

With the failure of the Lebanon County Planning Department to render a report and submit it to the South Lebanon Township Planning Commission within the time and in the manner required herein, the South Lebanon Township Planning Commission may proceed without the report unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the report, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

After the review of all plans by the South Lebanon Township Planning Commission, the plans shall be submitted to the South Lebanon Township Board of Supervisors for final approval. When the plans have not been approved by the South Lebanon Township Planning Commission, the plans may be submitted to the South Lebanon Township Board of Supervisors within thirty (30) days after the rejection by the South Lebanon Township Planning Commission for their decision as set forth herein.

- D. Approval or Disapproval - After an application for final approval of a plat of a major subdivision or land development has been filed with the South Lebanon Township Board of Supervisors, approval or disapproval shall be granted in accordance with Section 3.03(D) of this Ordinance.

However, no plat shall be finally approved unless the streets on such plat have been improved as may be required by ordinance, and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, landscaping, water mains, sanitary sewers, storm sewers, storm water management facilities, and other site improvements as may be required by this Ordinance and any applicable municipal requirements have been installed in accordance with such requirements. In lieu of the completion of any site improvements required as a condition for the final approval of a plat, a financial security shall be deposited by the subdivider/developer with the municipality in an amount to cover the costs of any site improvements which may be required by ordinance. Such financial security shall provide for and secure to the public, the completion of any site improvements which may be required for the subdivision or land development. Financial improvement guarantees shall further be subject to the requirements of Chapter 5, Section 5.18 of this Ordinance and Section 5.09 - 5.11 of Act 247.

- E. Recording - After approval of a final plat for a major subdivision or land development by the South Lebanon Township Board of Supervisors, the plat shall be recorded and copies distributed in the manner prescribed in Chapter 3, Section 3.03(E) of this Ordinance.

Recording shall entitle the subdivider to sell, transfer or develop the land shown on the plat in accordance with the approved plat, subject to any condition attached thereto. Where final plans are approved for only a portion, section or phase of the entire subdivision or land development, sale, transfer or development may proceed only on that approved portion, section or phase.

When a final plat has been approved, no subsequent change or amendment in zoning, subdivision or other governing ordinance shall be applied to affect adversely the right of the subdivider or land developer to commence and complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from such approval. Where final approval is preceded by preliminary approval, the aforesaid five-year period shall be counted from the date of the preliminary approval.

When the subdivider or land developer has failed to substantially complete development of the approved plan within five (5) years of the aforesaid approval date and when changes in a zoning, subdivision, or other governing ordinance have occurred which affect the design of the approved plat, the subdivision or land development shall be subject to the changes in the zoning, subdivision, or other governing ordinance. The South Lebanon Township Board of Supervisors shall notify, in writing, the subdivider or land developer that approval has expired and submission and approval of a revised preliminary and/or final plan (as necessary to detail changes), illustrating compliance with the revised ordinance, is required prior to further development or lot transfer.

CHAPTER 4 - PLANS AND PLATS: REQUIRED INFORMATION

SECTION 4.01 INTENT

Plans, maps, data and plats shall be prepared and furnished by the developer as required herein to assure accurate surveying, to provide adequate information for designing and preparing plans, and to facilitate review, approval and recording of plats. Plans and maps shall be neat, legible, uncluttered and easily readable to provide clear documentation of all data.

SECTION 4.02 MINOR SUBDIVISIONS

The subdivider or land developer shall furnish, as part of an application for approval of a minor subdivision or land development plan, the following information on the required 18" x 24" final plan sheets:

A. Title Block

1. Identification of the plan as a final plan; and
2. Name of the development, if any; and
3. Name, address and phone number of the record owner(s), subdivider(s), developer(s), and authorized agent(s); and
4. Name of the municipality; and
5. Written and graphic scale of plan; and
6. Name, address and phone number of plan preparer; and
7. Date of plan preparation and date of subsequent revisions; and
8. Deed reference or source of title.

B. Signature Blocks

Space for date, signature and type of formal action by each of the following:

1. Lebanon County Planning Department
2. South Lebanon Township Board of Supervisors
3. South Lebanon Township Planning Commission

4. Engineer, where applicable
5. Other officials, where required elsewhere by this Ordinance or other municipal ordinances.

C. Maps and Data

1. Location drawing or map section, at a scale of 1" = 800', showing the location of the proposed subdivision in relation to named streets, boundaries, previous subdivisions, and the like.

The proposed subdivision or land development area shall be identified by a tone or pattern differentiation and residual land of the subdivider shall be outlined.

The location drawing shall also contain a reference to north and, where possible, be depicted in northerly alignment with the property drawing.

2. Property drawing of the parcel which is to be subdivided. Residual land shall be shown to the extent necessary to assure compliance with all applicable standards. The lot, tract or parcel drawing shall include:
 - a. Bearings and dimensions for all property lines; corporation lines; center and right-of-way lines of streets; easements and other rights-of-way; natural and artificial water courses, streams and flood plain boundaries; wetlands; and other boundary lines with distances, radii arcs, chords and tangents of all deflection angles, nearest second and error of closure of not more than one (1) foot in 10,000 feet.
 - b. Proposed lot, tract, or parcel lines in prominent, solid lines. Lot, tract, or parcel lines proposed for removal shall be shown in dashed or broken lines.
 - c. Location and identification of all control points (iron pins, monuments, etc.) to which all dimensions, angles and bearings are to be referred.
 - d. Lot numbers or letters in progressive order to identify each lot or tract. Numbers

shall be utilized only for lots, tracts or parcels which are eligible for independent or individual use, whereas letters shall be utilized for lot additions, land exchanges and transfer of lots or parcels which are not eligible for individual use or development. Lot numbers or letters from previous plans shall be encircled by a dashed or broken line circle while currently proposed lot numbers or letters shall be encircled by a solid line circle.

- e. Square footage and acreage of all lots or parcels involved in the subdivision or land development, exclusive of land dedicated for public right-of-way.
 - f. The location, size and use of all existing buildings. Proposed buildings shall be shown to the extent necessary to demonstrate compliance with other ordinance criteria.
 - g. The building setback line prescribed in the applicable zoning code.
3. Streets, utilities, topography and natural features on the proposed subdivision and within 100 feet of the boundaries, in accordance with the following:
- a. Layout, right-of-way, pavement width and name of all roads and streets.
 - b. Size and location of all existing and proposed utilities including easements.
 - c. Existing and proposed on-lot well and sewage disposal system locations, as well as soil probe and percolation test locations for sewage disposal systems.
 - d. The topography and drainage of all proposed development sites shall be depicted. Contour intervals shall be a maximum of five (5) feet, except that development areas with a grade of less than 5% shall be depicted utilizing two (2) foot contour intervals. Lot additions and currently developed sites shall be required to stipulate only lot corner elevations or general topographic information.

- e. Streams, ponds, waterways, flood plains, quarries, sinkholes and other significant topographical, physical or natural features.
4. Storm water management facilities, where required by Ordinance.
5. North arrow and graphic and written scale. The scale shall not exceed 50' to the inch. Deed reference and source of title to the land being subdivided shall be included, as shown by the County Recorder of Deeds.
6. Name of all surrounding property owners.

D. Plan Notes and Conditions

All necessary or recommended supplementary subdivision or land development plan notes or conditions shall be prominently lettered on the plan. This shall include, but not be limited to:

1. Total number of lots or dwelling units proposed by the plan.
2. Applicable zoning standards for front, rear and side yard setbacks, minimum lot area, minimum lot width and zoning district.
3. Statement of intended use for all lots except those intended for single family detached dwellings.
4. Statement of deed restrictions or covenants which may be a condition of sale of the property.
5. Other specifics or clarifications necessary to complete the plan.

E. Certifications and Dedications

1. A certificate of ownership shall be signed by the property owner(s) verifying ownership and acceptance of the plan.
2. A statement shall be signed by the owner(s) offering land for dedication to public use for all appropriate streets, rights-of-way, easements, parks, and the like.
3. A certification statement by the plan pre-

parer (registered surveyor, engineer, or landscape architect) verifying the plan accuracy.

4. Seal of the registered surveyor, engineer or landscape architect responsible for plan preparation. Any plan establishing property boundaries shall be prepared and sealed by a registered surveyor.

SECTION 4.03 MAJOR SUBDIVISION - PRELIMINARY PLAN

The subdivider or land developer shall furnish, as part of an application for preliminary approval of a major subdivision or land development plan, the following information on the required preliminary plan sheets.

A. Title Block

All information required in Chapter 4, Section 4.02A of this Ordinance.

B. Signature Blocks

All information required in Chapter 4, Section 4.02B of this Ordinance.

C. Maps and Data

All information required in Chapter 4, Section 4.02, Subsection C, Paragraphs 1, 4, 5 and 6 of this Ordinance. Information required in Paragraphs 2 and 3 shall also be supplied as specified, except that:

1. Lots shall be depicted, but individual bearings and dimensions are not required. Lot areas may be approximated.
2. Topographic information shall be completed at two (2) foot contour intervals. It shall show approximate direction and gradient of ground slope on immediately adjacent land; indicate subsurface condition of tract if not typical; show water courses, marshes, sinkholes, wetlands, wooded areas, isolated preservable trees and other significant features.
3. Street and utility information shall be detailed. Street profiles, cross sections and grades shall be specified, detailing cartway,

curb, and shoulder design where applicable. Location, size, profiles, elevations and cross sections shall be submitted for all sanitary sewers, water lines, storm sewers, sidewalks, street lights, storm water management facilities and other proposed site improvements.

D. Plan Notes and Conditions

All information required in Chapter 4, Section 4.02(D) of this Ordinance.

E. Certifications and Dedications

All information required in Chapter 4, Section 4.02(E) of this Ordinance.

SECTION 4.04 MAJOR SUBDIVISION - FINAL PLAN

The subdivider or land developer shall furnish, as part of an application for final approval of a major subdivision or land development plan, the following information on the required 18" x 24" final plan sheet(s):

A. Title Block

All information required in Chapter 4, Section 4.02(A) of this Ordinance.

B. Signature Blocks

All information required in Chapter 4, Section 4.02(B) of this Ordinance.

C. Maps and Data

The plan shall include only the phase or section of the subdivision or land development proposed for immediate recording and development. All information required in Chapter 4, Section 4.02(C) of this Ordinance shall be supplied.

D. Plan Notes and Conditions

All information required in Chapter 4, Section 4.02(D) of this Ordinance.

E. Certification and Dedications

All information required in Chapter 4, Section 4.02(E) of this Ordinance.

CHAPTER 5

REQUIRED IMPROVEMENTS AND DESIGN STANDARDS

SECTION 5.01 INTENT

The design standards established in this Chapter are intended to be fundamental requirements to be applied with professional skill in the subdividing and planning of land so as to produce attractive and harmonious neighborhoods, convenient and safe streets, and economical layouts of residential and other land development. The design standards are further intended to encourage and promote flexibility and ingenuity in the layout and design of subdivisions and land developments, in accordance with modern and evolving principles of site planning and development.

It is also the intent of this Chapter to require subdividers and developers to follow all applicable codes, regulations, and standards adopted by South Lebanon Township and Lebanon County relative to improvements to the subdivision or development sites. In all cases, the codes, regulations and standards of the municipality shall be followed and the improvements shall be approved by the South Lebanon Township Board of Supervisors before the final plan is approved. All improvements as specified in this Chapter or in applicable municipal ordinances shall be installed before the final plat is approved or, in lieu thereof, a guarantee of installation shall be provided by the subdivider or developer prior to final plat approval. The guarantee shall assure the South Lebanon Township Board of Supervisors that the required improvements will be installed in accordance with the subdivision or land development plan.

During the design and approval of subdivision and land development plans, the Lebanon County Planning Department, South Lebanon Township Planning Commission, South Lebanon Township Board of Supervisors, and the developer shall give primary consideration to all thoroughfare plans, water plans, sewer plans, community facility plans, and official maps as may be in effect in South Lebanon Township.

SECTION 5.02 GENERAL STANDARDS

In addition to the standards contained elsewhere in these regulations, the following general standards shall be observed.

- A. Existing utilities and improvements shall be utilized wherever possible. New roads and extended utility services shall be discouraged if existing services and facilities may be utilized. Scattered urban development shall be avoided.

- B. Development designs shall minimize street lengths necessary to serve developed properties.
- C. Side lot lines should be substantially at right angles or radial to street lines, unless the purpose of lot line orientation is to obtain greater solar access.
- D. Depth of residential lots should be not less than one (1) nor more than two and a half (2 1/2) times the lot width.
- E. Every lot shall abut a street. Lot frontage or access shall be physically accessible by standard vehicle in existing condition or the South Lebanon Township Board of Supervisors shall require illustration of the site improvements planned and necessary to alter steep banks, flood plain, visibility limitations, and the like, to a condition that will facilitate safe and adequate access. The South Lebanon Township Board of Supervisors may also require that lots be arranged to reserve a right-of-way for street access and utility access to future lots.
- F. Double or reverse frontage lots may be preferred or required when lot access to an adjoining street is not permitted or separation from the street is desired because of topographic, orientation, aesthetic, congestion, safety or high noise level considerations.
- G. Adequate easements or rights-of-way shall be required for drainage and utilities. Easements shall be a minimum of twenty (20) feet in width and, whenever possible, shall be centered on side or rear lot lines. No structure or buildings shall be erected within such easements.
- H. Additional lot areas beyond minimum size may be required:
 - 1. On slopes in excess of 15%.
 - 2. To control erosion or storm water runoff.
 - 3. To provide sufficient area for sewage disposal.
- I. Lots shall be suitably shaped to encourage and facilitate use and maintenance of all portions of the lot. Accordingly, lots shall be square or

generally rectangular in shape. Lot configurations which result in flag lots and L-shaped, T-shaped, triangular or otherwise inappropriately shaped lots shall be avoided.

- J. Site design and development shall include reasonable efforts to save existing trees and vegetation.
- K. The standards of this Ordinance shall apply to all lots being subdivided or developed and residual land which is created by the subdivision or land development activity.
- L. Subdivision of property with existing dwellings or development shall be regulated by the following:
 - 1. Each dwelling or use shall be serviced by separate utility connections. Shared sewage systems are not permitted.
 - 2. Each dwelling or use subdivided shall be on sufficient land area to satisfy minimum lot area and yard setback requirements. Where adequate land area is not available to satisfy minimum standards, subdivision may be permitted when:
 - a. Each dwelling or principal building is in good structural condition.
 - b. Mobile homes are not involved.
 - c. An equitable distribution of land is proposed between the existing uses or buildings.
- M. Lot additions, land exchanges, agricultural use only lands, and any other specific or special purpose subdivision or land development shall include prominent plan notes to avoid misinterpretation of the intent of the subdivision or land development plan. Applicable deed restrictions may be required.
- N. Deeds filed subsequent to subdivision or land development approval shall accurately and correctly describe the property therein. Deeds shall be in complete compliance with all plan notes and conditions.

Recording a deed which omits or contradicts the information on an approved subdivision or land develop-

ment plan shall be in a violation of this Ordinance.

SECTION 5.03 ENERGY CONSERVATION STANDARDS

Conservation of energy shall be an important principle in the design of subdivisions and land developments. Plans shall facilitate the energy efficient placement of homes and buildings on lots. Whenever the following criteria are found to be appropriate to a site, development design shall be in accordance with the standards contained herein.

A. Orientation

1. Lots shall be designed for energy efficient siting of buildings with respect to slopes and existing trees.
2. Southerly exposures should be utilized for development. North slopes, especially those over 10% slope, should be avoided because the long shadows created severely restrict solar access.
3. New lots and new residences shall be oriented to make maximum effective use of passive solar energy. The long axis (depth) of each lot should run North-South, with a possible East-West variation of 22-1/2 degrees. Lot design should provide for lots of adequate width, depth, and slope for solar orientation. Lot layout should facilitate solar access by at least 75% of the proposed dwellings or buildings within a development.
4. The largest yard setback should be stipulated on the south side of proposed buildings. Buildings should be situated to the North end of the lot to permit maximum on-lot control of solar skyspace.

B. Streets

1. Streets should be oriented along an East-West axis, with maximum North-South deviations of 30 degrees. This should be required to the maximum extent possible, although size, configuration or orientation of the property; nature of the surrounding development; circulation patterns; existing physical features such as topography and vegetation (trees);

and improved design potential may be considered to determine the feasibility of this requirement for a given site.

2. Street system shall be designed to reduce overall lengths and facilitate traffic flow (minimum number of intersections).

C. Vegetation and Wind

1. Site design shall emphasize the preservation of all beneficial natural features of the site, such as existing slope, naturally wooded areas, and water courses. The site design should also avoid requiring removal of large isolated trees and desirable woods and other vegetation, particularly those existing plant materials which serve as wind barriers and aid in energy conservation.
2. Developments shall be designed to maximize wind buffering and/or breeze channelization capabilities of vegetation, topography and structure layouts. Wind breaks and buffers should utilize evergreens to protect north and northwesterly exposure. Cooling breezes from the southwest should be channelled past buildings. Deciduous trees shall be located in areas which will enable them to shade buildings from the summer sun, but still allow penetration of the winter sun.

SECTION 5.04 TOPOGRAPHY

Subdivisions shall be planned to take advantage of the topography of land in order to: utilize the natural contours, economize in the construction of drainage facilities, reduce the amount of grading, and minimize destruction of trees and topsoil. The natural features and other distinctive characteristics of the site shall be integrated into the plan to create functional variations in the neighborhoods.

Additionally, environmental safeguards may be mandated on slopes in excess of 15%. On steep slopes (in excess of 15%), site and lot design shall be adjusted, where necessary, to mitigate the detrimental effects of development on steeper slopes. The following topographic considerations shall be utilized in design of subdivisions and land developments:

- A. Streets - Land which is relatively flat or of very gentle slopes should be planned so that the streets follow the natural drainage courses and as many lots as possible shall be above the street grade. On more irregular topography, streets shall be designed to avoid extensive cuts and fills and follow the ridges or be planned approximately parallel to contour lines, and adjusted, however, so that lots on one (1) side of the street will not be excessively below the street grade.
- B. Natural Drainage - Subdivisions shall be designed, particularly on land of very gentle slopes, to take every advantage of natural grades so that all the land can be drained without excessive grading. Unless water courses or drainage ways are enclosed, the plan shall be adjusted so that rear lot lines shall be approximately parallel to the natural or straightened course, and only where such plan is not possible, should side lot lines be arranged parallel to an open drainage course. Easements for drainage ways and low-lying land which are subject to flooding may be included as part of a lot but shall not be used as building sites or included in calculating the required lot area or width.
- C. Natural Features - Natural features, irregularities, changes in level, brooks, lakes, hilltops, and other focal points within the site, and distant views outside the subdivision shall be integrated in the design to obtain variations and interest in each neighborhood and more attractive building sites. Trees, topsoil, and other natural resources shall be preserved and utilized in the development of the subdivision.
- D. Driveways - Private driveways shall be designed to furnish safe and convenient access, with reasonable clear sight distance at intersection with street. Steep slopes shall be traversed diagonally to minimize grades. Driveway grades shall not exceed 15% slope. The South Lebanon Township Board of Supervisors may require paving of driveways exceeding 10% slope to minimize erosion.

SECTION 5.05 GRADING

The developer shall grade each subdivision or land

development to establish street grades, floor elevations of buildings, and lot grades in proper relation to each other and to existing topography. However, grading shall be kept to a minimum to avoid loss of topsoil and erosion potential. Lots shall be graded to secure drainage away from buildings. The grading shall facilitate collection of storm water in designated areas and avoid concentration of water in the sewage system location.

The grading of the roadway shall extend the full width of the cartway, shoulder and swale area, if applicable. Where possible, grass strips or channels between the curb or shoulder and right-of-way line should be graded at 3:1 slope; however, when unusual topographic conditions exist, good engineering practice shall prevail.

SECTION 5.06 LOT SIZES AND STANDARDS

The minimum lot size and lot width requirements established by the South Lebanon Township Zoning Ordinance shall be utilized as minimum subdivision standards. All lots shall satisfy the municipal zoning standard for lot width and lot size at the time of subdivision. Additionally, the building setback lines established by the municipal zoning ordinance shall be applicable and shall be noted on each subdivision or land development plan. Additionally, each subdivision or land development plan shall satisfy all other applicable zoning standards, unless variance thereto has been granted.

SECTION 5.07 SEWAGE DISPOSAL

Sewage disposal facilities shall be designed and constructed to meet the needs of the proposed subdivision or land development. Sewage disposal facilities shall meet all requirements of the Pennsylvania Department of Environmental Resources and South Lebanon Township. The following requirements specify the design and installation standards for subsurface sewage disposal and public and private sewerage systems.

- A. Subsurface Sewage Disposal - All subdivisions and land developments proposing subsurface sewage disposal shall be designed and submitted in compliance with the prevailing requirements of the Pennsylvania Sewage Facilities Act. It is the intent of this section to coordinate a simultaneous review of subdivision and land development plans with sewage planning modules at the municipal level, thereby avoiding the approval of lots that are not suitable for sewage disposal. In accordance with those standards, application for subdivision or land

development approval shall satisfy the following procedural requirements:

1. Minor Subdivision - The subdivider shall submit the sewage planning module and required associated information to the sewage enforcement officer at the time of final plat application. The subdivision or land development plan shall not be processed until documentation is provided to verify that the sewage enforcement officer has received the sewage planning module. All newly created lots, whether for immediate or future use, shall be tested and approved for sewage suitability.
 2. Major Subdivision - The subdivider shall submit a preliminary plan depicting general lot layout and street design, as required elsewhere herein. After preliminary approval, the subdivider shall submit the required sewage planning module and associated information to the sewage enforcement officer at the time of final plan application. The subdivision or land development plan shall not be processed until documentation is provided to verify that the sewage enforcement officer has received the sewage planning module.
- B. Existing Public Sewers - When a subdivision or land development has public sewers available on-site or within one thousand (1,000) feet of the site, sewer lines shall be included on the subdivision or land development plan and installation must be approved by the municipal authority responsible for the sewer system.
- C. Planned Sewer Area - When a proposed subdivision or land development is located in an area not presently served by public sewers, but which has received design data preparatory to sewer system installation within eighteen (18) months, then the municipality shall determine the necessity of installing house connections and/or capped mains, even though on-site facilities will be required in the interim. Installation of house connections and capped mains shall be in accordance with municipal design data and approved by the municipal engineer prior to approval of a preliminary or final plan.
- D. Private Sewerage System - When a subdivision or land development is to be provided with a private sewerage

system, a statement shall be submitted to the Municipality from the Pennsylvania Department of Environment Resources verifying that a permit has been issued approving the proposed facilities. Additionally, the Municipality must be satisfied that adequate provisions have been made to guarantee the construction and maintenance of the proposed private sewerage system.

D. Plan Notice

1. Subsurface Sewage Disposal - All subdivision and land development plans shall contain a plan note specifying that approval of the plan does not guarantee permit issuance for sewage disposal.
2. Public Sewers - All subdivision and land development plans shall contain a plan note specifying that connection to public sewer lines is required.

SECTION 5.08 WATER SUPPLY

A water supply system shall be designed and constructed by the subdivider or developer as required by the municipality, water company, or water authority in relation to the specific site of the proposed subdivision or land development. The water supply system shall be capable of meeting the domestic and fire protection needs of the site. When possible, the subdivision or land development should be served by a public water supply system approved by municipal water officials or a community water system approved by the Pennsylvania Department of Environmental Resources. If the subdivision or land development is to be supplied by a public or community water system, the subdivider or developer shall submit a written certification, commitment or evidence that the municipal water company or authority or the association of lot owners or private company, as applicable, has adequate water capacity and has agreed to provide water service.

Where the development is adjacent to or within 1,000 feet of a public water supply system or a community system approved by the Pennsylvania Department of Environmental Resources, the developer shall install a water supply system in the development and connect the system with the existing facilities. All construction shall be according to the specifications of the Township Engineer.

In those cases where a public or community water system is not available or practical, a well shall be provided for each lot. Wells shall be placed uphill from sewage disposal systems. Wells shall not be within one hundred feet (100') of any part of the absorption field of any on-site sewage disposal system and

they shall not be placed within fifty feet (50') of lakes, streams, ponds, quarries, etc.

Subdivision and land development plans shall contain a plan note specifying the source of water supply. Plans proposing the use of public or community water shall contain a note specifying that connection to the public or community water line, as applicable, is required. Plans proposing the use of individual wells shall contain a note specifying that the lot(s) has not been tested for the availability of water of adequate quality or quantity and no guarantee of water availability is provided.

SECTION 5.9 STREETS

In addition to relating to topography, natural features and solar orientation, streets shall be designed according to the function served, the use of abutting land, and standards of width, intersections, maximum grades and curvatures. The Municipality shall require that all developments have adequate access. Where major subdivision is proposed or may occur because of the patterns started by minor subdivision activity, the Municipality should require reservation for, or installation of, two or more streets to insure safe and convenient access. Elimination or vacation of previously approved streets shall be approved only when the Municipality determines that 1) alternate access has been provided in another, more suitable location, 2) further development is not possible utilizing the street, and 3) any land owners who purchased property with reliance upon the street agree in writing to its elimination.

The developer shall design and construct streets, including pavements, shoulders, gutters, curbs, and the like, as required by municipal ordinance.

A. Classification and General Design Goals

1. Major Streets - function primarily for the movement of fast traffic between points of heavy traffic generation. They are often known as arterial streets or highways. They shall be planned for continuation of existing streets in the system at the same or greater width in accordance with adopted municipal standards. Major streets shall contain as few intersections as possible.
2. Collector Streets - function to collect traffic from local streets and distribute it into major streets, and, as such, they will normally contain a relatively large number of intersections with local streets and few with main streets. A

collector street system may be required wherever a residential neighborhood near a major street is over 150 acres in area or where the local street pattern is so designed as to converge and serve over 500 one-family dwellings, or 100 multi-family units. Collector streets shall be planned for continuity and to lead more or less directly to one or more focal points or centers of traffic generation, and may become bus routes.

3. Local Streets - provide direct access to each lot and function to allow traffic to circulate toward the principal directions of travel, bus routes, schools and playgrounds; however, the design shall discourage through and high speed traffic. The street pattern shall be indirect and yet continuous to prevent through traffic, formed of straight, moderately winding, curved, looped or angular streets. Tee-intersections shall predominate and cross-intersections shall be minimized. There shall be an underlying systematic neighborhood pattern; however, gridiron and other rigid geometrical patterns should be avoided where possible.

The street pattern shall include extensions to the boundaries of the development to provide circulation between adjoining neighborhoods.

4. Cul-de-Sac Streets - provide direct access to properties from other streets. Ordinarily, a cul-de-sac is a short street with only one outlet and having an appropriate terminal for safe and convenient reversal traffic movement. Drainage should be towards the open end. If drainage is toward the closed end it shall be conducted away in an underground storm sewer.

B. Minimum Street Standards - See Chart on next page.

C. Supplementary Street Standards - In addition to the specific standards cited in Section B, the following street standards shall apply to design and construction of streets:

1. Intersections

- a. Streets shall be designed to intersect as nearly as possible at right angles (90 degrees). No street shall intersect

B. MINIMUM STREET STANDARDS

<u>STREET CLASSIFICATION</u>	<u>RIGHT-OF-WAY WIDTH</u>	<u>STREET WIDTH WITH CURBS</u>	<u>GRADE VERTICAL ALIGNMENT</u>	<u>RADIUM CURVATURE HORIZONTAL ALIGNMENT</u>	<u>REVERSE CURVE TANGENT</u>	<u>SIGHT DISTANCE</u>	<u>OTHER REQUIREMENTS</u>
Major Streets	80'	48'	6%	500'	200'	400'	Street width subject to PennDOT requirements
Collector Streets	60'	36'	8%	300'	100'	200'	
Local Streets	50'	34'	10%	150'	50'	125'	Pavement width shall be increased by 8' where on-street parking is planned or lots average 100' or less in width
cul-de-Sac Streets	50' (90' at turnaround)	26'	10% (5% at turnaround)	150'	50'	100'	Maximum length of 600'. Serve maximum 12 lots or dwelling units. Pavement width shall be increased by 8' where on-street parking is planned or lots average 100' or less in width

another at less than 75 degrees. An oblique street should be curbed approaching an intersection and should be at right angles for at least 100 feet therefrom.

- b. No more than two (2) streets shall intersect at any one point.
 - c. Proposed new intersections along one side of an existing street shall coincide with any existing intersections on the opposite side of the street. Where intersections cannot practically be connected, a minimum of 150 feet shall separate the center lines of offset local streets, and 400 feet minimum shall be provided for collector and major streets.
 - d. Street curb intersections shall be rounded with a minimum radius of twenty (20) feet for local streets and thirty (30) feet for collector or major streets. The radius point shall be concentric with that for the property line.
 - e. Intersections shall be designed with a flat grade. In hilly or rolling topography, a leveling area shall be provided at the approach to an intersection. The leveling area shall have a maximum grade of two per cent (2%) for sixty (60) feet preceding the intersection, measured from the nearest right-of-way line of the intersecting street.
 - f. Clear sight triangles of seventy-five (75) feet measured along the center line from the point of intersection, shall be provided and maintained at all intersections.
2. Street Names - shall not duplicate others nearby, and shall be subject to the approval of the Municipality. Street signs shall be erected to identify all streets. Such signs shall conform to municipal specifications and shall be installed by the developer in a manner and time specified by the municipality.
3. Street Expansion - where a subdivision adjoins un-subdivided land sufficient streets shall be planned to extend to the boundary lines so that all parcels may be subdivided and a coordinated street system

obtained.

4. Streets for Multi-family Development - shall be planned to connect with major or collector streets to avoid generating large volumes of traffic on local residential streets.
 5. Reserve Strips - the creation of reserve strips shall not be permitted adjacent to a proposed street in such a manner as to deny access from adjacent property to such street.
 6. Right-of-Way Widths - land for the right-of-way for the opening or extension of any street within a subdivision shall be dedicated by the developer. Where a property abuts a street which does not conform to the right-of-way width required by this Ordinance or other ordinances of the Municipality, the additional width necessary to meet current standards shall be dedicated when such land is subdivided.
 7. Auxiliary Street Improvements - In addition to the required pavement and shoulder widths, streets shall be designed and constructed with curbs, street lights, gutters, culverts, catch basins, sidewalks and other improvements required by municipal ordinance or deemed necessary for a proposed subdivision.
 8. Traffic Control and Speed Signs. Shall be erected within the subdivision and the signs shall conform to municipal specifications and shall be installed by the developer in a manner and time specified by the municipality.
- D. Unimproved Streets or Rights-of-Way - Subdivision on unimproved (unpaved) streets or access rights-of-way is discouraged. However, one lot may access via an unimproved right-of-way provided that the right-of-way is a minimum of 50' in width and so located and designed that a street could be installed in the event of future subdivision activity.
- E. Private Streets - Private streets are to be discouraged. They will be approved only if they are designed and constructed to meet public street standards and maintenance is guaranteed in perpetuity via a bonafide homeowner's association (or similar organization) agreement and appropriate financial security for repair and maintenance.

F. Street Construction Standards - Streets and rights-of-way shall be improved to meet Municipal standards. It shall be the developer's responsibility to satisfy all applicable municipal construction requirements and design standards, or in lieu thereof, deposit a security in compliance with Chapter 5, Section 5.18 of this Ordinance and established municipal policies. All public and private streets shall meet the following standards:

1. Adequate surface and subsurface drainage shall be provided.
2. All topsoil shall be removed from the area to be paved.
3. There shall be installed a base to consist of eight (8) inches of 2A modified rolled stone under the paved surface of the cartway.
4. The base course shall be constructed of minimum two inches (2") ID-2 Binder Course in accordance with the Commonwealth of Pennsylvania, Department of Transportation Manual Form 408. The base binder course being constructed with #2B stone with the specified bituminous residues on the aggregate shall conform to the Form 408 specifications.
5. The surface course shall be constructed of minimum one inch (1") ID-2 Binder Course in accordance with the Commonwealth of Pennsylvania, Department of Transportation Manual Form 408. The surface or wearing course being constructed with #1B stone with the specified bituminous residues on the aggregate shall conform to the Form 408 Specifications.

G. State Approval of Streets and Access - to insure that street designs comply with all applicable standards, the Municipality may submit any preliminary and final subdivision or land development plans to the Pennsylvania Department of Transportation for review and comment.

Subdivision and land development plans which will require access to a state highway under the jurisdiction of the Pennsylvania Department of Transportation (PENNDOT) shall contain a plan note specifying that a highway occupancy permit is required from PENNDOT before driveway access to the

state highway is permitted. The plan note shall also specify that plan approval does not guarantee that a PENNDOT permit will be issued.

SECTION 5.10 CURBS AND GUTTERS

Curbs and gutters shall be installed on each side of the street surface by the developer in accordance with the following specifications:

1. Curbs, gutters, or combination curbs and gutters shall be constructed according to the specifications set forth in Section 641, "Plain Cement Concrete Curb Gutter," in the Pennsylvania Department of Transportation Specifications, 1970, as amended.
2. Where vertical curbs are provided they shall be not less than six (6) inches wide at the top and seven (7) inches wide at the bottom. The overall depth of the curb shall be not less than twenty-two (22) inches. The curb shall rest on a six (6) inch crushed stone base.
3. The cross sections of gutters and combination curbs and gutters shall be constructed in accordance with the details shown on approved drawings.
4. Curbs and gutters shall be set and finished to the lines and grades given on the approved drawings.
5. The developer shall notify the Governing Body a minimum of twenty-four (24) hours in advance of the start of construction.

SECTION 5.11 SIDEWALKS

The installation of sidewalks by the developer may be required on both sides of the street, as determined by the Governing Body, in any subdivision where the installation is necessary for the public safety.

1. Sidewalks shall be within the right-of-way of the street and shall extend in width from the right-of-way line toward the curb line.
2. Sidewalks shall be four (4) feet wide, in one-family residential developments.

3. Sidewalks shall be five (5) feet wide in multi-family developments.
4. Sidewalks shall be ten (10) feet wide in Commercial developments.
5. Sidewalks shall be constructed according to the specifications as set forth in Section 676 "Cement Concrete Sidewalks" in the Pennsylvania Department of Transportation Specification, 1970, as amended.
6. The developer shall notify the Township a minimum of twenty-four (24) hours in advance of the start of the construction.

SECTION 5.12 STREET LIGHTS

Street lighting in all developments is required to be installed by the developer unless exempted by the Governing Body. The developer shall consult with the local power company regarding the design and installation of a street lighting system. The local power company's specifications and regulations shall prevail.

SECTION 5.13 POSTAL ADDRESS

All buildings within the subdivision shall be given a post office address by the developer with the approval of the local post office.

SECTION 5.14 DRIVEWAYS

Driveways shall be located in accordance with the development plan of the block and may be grouped in pairs or spaced separately. They shall be located not less than three (3) feet from the side lot line when spaced separately.

SECTION 5.15 MONUMENTS

Sufficient monuments shall be set to ensure that reliable survey points are available for all parts of the subdivision. At least one (1) monument shall be placed for every two (2) lots or every two hundred (200) feet of streets, whichever requirement is less. The monument shall consist of either a case iron box inside of which shall be placed a 3/4 inch steel pin three (3) feet in length, with the top of the pin set to serve as the survey point, or 4" square x 30" in length concrete containing an iron bar for strength and drill hole for line, set level with finished grade. All lot corners and changes in direction shall be identified by steel pins.

The top of the monument box shall be set at the finished grade upon completion of the grading of the street.

SECTION 5.16 UTILITIES AND OTHER IMPROVEMENTS

All subdivisions shall be designed and serviced with adequate utilities, including electricity and telephone service. The developer shall be responsible to cooperate with the utility companies to insure installation of the necessary utilities. All utilities shall be underground, except where developments of five (5) lots or less are exempted by the Pennsylvania Public Utility Commission. Where required, the developer shall obtain a letter from the utility company confirming that service may be extended to the development.

When required by the municipality, the developer shall provide a street lighting duct system, in accordance with the specifications of the appropriate public utility.

In areas where public water lines are available, fire hydrants shall be installed by the developer. Fire hydrants shall be located no more than 1000 feet apart and within 500 feet of any dwelling or inhabited structure. The nearest fire protection unit may be contacted for input regarding the design and placement of a fire hydrant network.

SECTION 5.17 REQUIRED IMPROVEMENTS

The land improvements required to be completed by the developer of a subdivision or land development, as set forth in this Chapter, shall be designed and installed in accordance with this Ordinance and other codes of the municipality. The improvements shall be of such size and capacities as are required for the development of the proposed subdivision and of extra sizes as may be necessary to serve nearby land which is an integral part of the neighborhood service or drainage areas.

The developer shall be required to extend the improvements to serve adjoining unsubdivided land. If streets or utilities are not available at the boundary of a proposed subdivision, the South Lebanon Township Board of Supervisors may require the developer to construct off-site extensions of the improvements. Procedures for providing any necessary extra-size and off-site improvements and general standards for pro-rating costs shall be coordinated with the municipality and shall be in accordance with the following:

- A. Extra-Size Improvements - The developer shall be required to pay for a part of the materials or construction of streets, sewers or water lines which are determined by the South Lebanon Township Board

Township Board of Supervisors according to the standards set forth in this Chapter to be in excess of the size required for the development of the subdivision and the integral neighborhood, service, or drainage area.

If a storm sewer, sanitary sewer, or a water main is required, but each less in size than the sewer trunk lines or water mains which are to be constructed and financed on a regional basis, the municipality shall construct the extra size utility and require a deposit in advance from the developer for the cost of the utility he is required to install and his portion of other costs which the municipality may assess against the benefitted property owners of the service or drainage area.

- B. Extensions to Boundaries - The developer shall be required to extend the improvements to the boundary of the proposed subdivision to serve adjoining unsubdivided land; however, where the Department and/or the municipality determines that a connecting street is necessary for the future subdividing of adjoining land, but the present construction of pavement and/or utilities therein are not warranted, the Department and/or municipality may require the dedication of land, the pavement intersections constructed, utilities extended at least three (3) feet beyond the pavement, and connections provided and made available for future extensions by other developers.
- C. Off-Site Extensions - If streets or utilities are not available at the boundary of a proposed subdivision, the Governing Body may require as a precedence to approval of a preliminary or final plan, assurances that such improvement extensions shall be provided as follows:
1. If the Governing Body finds the extensions across undeveloped areas would not be warranted as a special assessment to the intervening properties or a municipal expense until some future time, the developer may be required, if he wishes to proceed with the development, to obtain necessary easements or rights-of-way and construct and pay for extensions. Such improvements shall be available for connec-

tions by developers of adjoining land, or

2. The municipality may construct and pay for the extensions and assess the costs to the owners benefitted and require a deposit from the developer as described in subsection (A) herein. The municipality may establish a sinking fund to pay for such development costs and not collect the assessments on the intervening land until it is developed.

D. Prorating Costs - In making determinations for prorating costs for the construction of off-site extensions or extra-size improvements, the South Lebanon Township Board of Supervisors shall consider in addition to the standards set forth in this Chapter and other regulations of the municipality the following conditions:

1. The relative location and size of the proposed subdivision.
2. The traffic estimated to be generated by the development in relation to present streets,
3. The natural drainage area for sewers and the service area for water,
4. The development benefits that will accrue to the subdivision,
5. The sequence of land and utility development in the vicinity, and
6. Any other condition it may find pertinent.

SECTION 5.18 COMPLETION OF IMPROVEMENTS OR GUARANTEE THEREOF
PREREQUISITE TO FINAL PLAN APPROVAL

A. Performance Guarantee in Lieu of Installation - No plat shall be finally approved unless the streets shown on such plan have been improved to a mud-free or otherwise permanently passable condition, or improved as may be required by the subdivision land use ordinance and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers, storm water management facilities and other improvements as may be required by the subdivision land use ordinance

have been installed in accordance with this Ordinance. In lieu of the completion of any improvement required as a condition for the final approval of a plat, the subdivider or developer shall deposit with the municipality a fiscal security in an amount sufficient to cover the costs of any improvements or common amenities including, but not limited to roads, storm water detention and/or retention basis and other related drainage facilities, open space improvements, or buffer or screen plantings which may be required.

- B. Type Guarantee - Without limitation as to other types of financial security which the municipality may approve, which approval shall not be unreasonably withheld, Federal or Commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions shall be deemed acceptable financial security for the purposes of this Section. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth. Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements.
- C. Amount of Guarantee - The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred and ten percent (110%) of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the developer. Annually the South Lebanon Township Board of Supervisors may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the ninetieth (90th) day after either the original date scheduled for completion or a rescheduled date of completion.

Subsequent to said adjustment, the South Lebanon Township Board of Supervisors may require the developer to post additional security in order to assure that the financial security equals said one

hundred and ten percent (110%). Any additional security shall be posted by the developer in accordance with this subsection.

The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by an applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such costs. The Township Engineer shall review and approve the cost estimate or, for good cause, refuse to accept the estimate, in which case he shall calculate an accurate cost estimate of the required site improvements.

If the party posting the financial security requires more than one (1) year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional ten (10) percent of each year period beyond the first anniversary date from posting of financial security or to an amount not exceeding one hundred and ten percent (110%) of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one (1) year period by using the above bidding procedure. A developer who fails to complete the improvements within the allotted time specified in the financial guarantee shall, at least thirty (30) days in advance of the guarantee expiration date, renew or resubmit a financial guarantee. Failure to keep a financial guarantee in effect until the completion and approval of all improvements shall be a violation of this Ordinance.

- D. Progressive Installation - In the case where developer is projected over a period of years, the South Lebanon Township Board of Supervisors may authorize submission of final plats by sections or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.
- E. Release from Guarantee - As the work of installing the required improvements proceeds, the party posting the financial security may request the release, from time to time, of such portions of the financial security

necessary for payment to the contractor or contractors performing the work. Any such requests shall be made in writing to the South Lebanon Township Board of Supervisors, and within forty-five (45) days of receipt of such request the applicable municipal engineer, shall certify, in writing, to his employers whether or not such portion of the work upon the improvements has been completed in accordance with the approved plat. When the improvements are certified to be in accordance with the approved plat, the municipality shall authorize release by the bonding company or lending institution of an amount as estimated by the municipal engineer fairly representing the value of the improvements completed. If the municipality fails to act within said forty-five (45) day period, the release of funds shall be deemed to have been approved as requested. The municipality may, prior to final release at the time of completion and certification by its engineer, require retention of ten percent (10%) of the estimated cost of the aforesaid improvement.

The applicant shall assume the necessary expense incurred for the inspection of improvements. Such inspection costs shall be based upon a schedule established and amended from time to time as deemed necessary.

- F. Maintenance Guarantee - Where the municipality accepts dedication of all or some of the required improvements following completion, the municipality may require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications depicted on the final plat for a term not to exceed eighteen (18) months from the date of acceptance and dedication. Said financial security shall be of the same type as otherwise required in this Section with regard to installation of such improvements. The amount of financial security shall not exceed fifteen (15) percent of the actual cost of installation of said improvements.
- G. Remedies to Effect Completion of Improvements - In the event that any required improvements have not been installed as provided in this Ordinance or in accordance with the approved final plat, the South Lebanon Township Board of Supervisor is hereby granted the power to

enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the South Lebanon Township Board of Supervisors may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose. Failure to properly install the required improvements shall also constitute a violation of this Ordinance, punishable as provided by Chapter 8, Section 8.06 of this Ordinance.

SECTION 5.19 INSURANCE

The developer agrees to indemnify and save harmless the municipality against and from any and all loss, cost, damage, liability, and expense on account of damage to property of, or injury to or death of, the parties thereto or third person, caused by, growing out of, or in any way whatsoever attributable to the construction of said improvements and the use of the street delineated on the subdivision plat during construction. The developer further agrees, but without limiting its liability to indemnify the municipality to carry liability insurance contracts with a reliable insurance company covering the period of said construction in the sum of \$200,000 to \$400,00 for injury to or death of person(s), and in the sum of \$200,000 for damage to or destruction of property, which insurance contracts shall include the municipality as named insured.

SECTION 5.20 BUILDING CONSTRUCTION AND OCCUPANCY

A building or zoning permit may be issued and building construction started after the approval of the final plat. Occupancy shall not be permitted prior to the completion of streets, storm water management facilities and other improvements necessary for the reasonable use of the building, unless written authorization is granted by the South Lebanon Township Board of Supervisors where improvements have been guaranteed by valid bond or other security.

SECTION 5.21 STORM WATER MANAGEMENT

All plans submitted for approval must comply with Ordinance Number 14, an Ordinance establishing storm water management and design criteria for each subdivision of five lots or more or land development of an area in excess of twenty thousand square feet within South Lebanon Township.

CHAPTER 6 - FLOOD PLAIN MANAGEMENT

SECTION 6.01 INTENT

The purpose of the regulations set forth in this Chapter is to monitor the subdivision and/or development of flood plain areas in order to promote and protect the general health, welfare, and safety of the community; to require that each subdivision lot in flood plain areas be provided with a safe building site with adequate access; to insure that public facilities which serve such lots or development be designed and installed to preclude flood damage; and to protect individuals from purchasing lands which are unsuitable for development because of flood plain lands. The subsequent sections shall be considered requirements supplemental to those procedures and standards specified elsewhere in the Subdivision Land Use Ordinance, municipal zoning ordinances, the Lebanon County Floodproofing Building Code, and any other applicable ordinances and codes.

SECTION 6.02 DEFINITIONS OF TERMS UTILIZED IN THIS CHAPTER

- A. Building - A structure which has a roof supported by columns, piers, or walls, which is intended for the shelter, housing, or enclosure of persons, animals, or chattel or which is to house a use of a commercial or manufacturing activity.
- B. Development - Any man-made change to improved or unimproved real estate, including, but not limited to buildings, mobile homes, or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.
- C. Flood Plain - (1) a relatively flat or low area adjoining a river, stream, or watercourse which is subject to partial or complete inundation by water, (2) an area subject to the unusual and rapid accumulation of runoff of surface water from any source.
- D. Floodway - That portion of the one hundred (100) year flood plain including the channel of a river or other watercourse and adjacent land areas which are required to carry and discharge the one hundred (100) year flood where the activities permitted elsewhere in the flood plain district will not cumulatively increase the water surface elevation more than one (1) foot at any given point. Detailed studies of the Regulatory Flood by the Federal Insurance Administrator provide specific flood profiles and allow for the delineation of floodway and flood fringe areas within the bounds of the flood plain. For those areas where no floodway has been identified by the Flood Insurance Study, the floodway may be identified by other available studies or sources of information provided by a registered professional engineer.

- E. Regulatory Flood - The flood which has been selected to serve as the basis upon which the flood plain management provisions of this and other ordinances have been prepared; for purpose of this Ordinance, the one hundred (100) year flood, as defined by the Federal Insurance Administrator.
- F. Regulatory Flood Elevation - The 100 year flood elevation based upon the information contained in the Official Flood Insurance Study.
- G. Structure - A man-made object usually assembled of interdependent parts or components which is designed to have a more or less fixed location, whether or not permanently attached at that location.

SECTION 6.03 APPLICATIONS PROCEDURES AND PLAT REQUIREMENTS

The following procedures shall be required in addition to those specified otherwise in these regulations.

A. Pre-Application Procedures

- 1. It is suggested that prospective developers consult the Pennsylvania Department of Environmental Resources concerning soil suitability when on-site sewage disposal facilities are proposed.
- 2. Prospective developers shall consult the County Conservation District representative concerning erosion and sediment control and the probable effect of geologic conditions on the proposed development. Concurrently, a determination should be made as to whether or not any flood hazards either exist or will be created as a result of the proposed subdivision or development.

B. Preliminary Plan Requirements

The following information shall be required as part of the Preliminary Plan when a subdivision is in a flood plain area and shall be prepared by a registered surveyor:

- 1. A map illustrating the location of the proposed subdivision or land development with respect to the municipality's flood plain areas including information on, but not limited to, Regulatory Flood Elevations, boundaries of flood plain areas, proposed lots and sites, fill, and flood or erosion protective facilities.
- 2. Where the subdivision or land development lies

partially or completely in the flood plain area or where the subdivision borders on the flood plain area, the preliminary plan map shall include detailed information giving the location and elevation of proposed roads, public utilities, and building lots. All such maps shall also show contours at intervals of two (2) feet and identify accurately the boundaries of the flood plain area.

C. Final Plan Requirements

The following information shall be required as part of the Final Plan and shall be prepared by a registered engineer or surveyor:

1. All information required for submission of the Preliminary Plan plus any changes required by the South Lebanon Township Board of Supervisors.
2. A map showing the exact location and elevation of all proposed buildings, structures, roads, and public utilities to be constructed in flood plain areas. All such maps shall show contours at intervals of two (2) feet and identify accurately the boundaries of the flood plain area.

SECTION 6.04 DESIGN STANDARDS AND IMPROVEMENTS

The design standards and improvements specified herein shall be considered requirements in addition to those of Chapter 5 and otherwise listed in this Ordinance.

A. General

1. Where not prohibited by this or any other laws or ordinances, land located in flood plain areas may be platted for development with the provision that the developer construct all buildings and structures to preclude flood damage in accordance with this and any other laws or ordinances regulating such development.
2. Building sites for residences or any other type of dwellings or accommodations and building sites for structures or buildings other than residential uses shall be permitted in the flood plain only when in compliance with appropriate municipal zoning ordinances, the Lebanon County Floodproofing Building Code, and any other applicable regulations.

3. If the South Lebanon Township Board of Supervisors determine that only a part of a proposed plat can be safely developed, they shall limit development to that part and shall require that development proceed consistent with this determination.
4. When a developer does not intend to develop the plat himself and the South Lebanon Township Board of Supervisors determine that additional controls are required to insure safe development, they may require the developer to impose appropriate deed restrictions on the land. Such deed restrictions shall be inserted in every deed and noted on every recorded plat.
5. Lots which are within the flood plain shall be subject to the following:
 - a. Any lots created or revised shall have not more than 50% of their area within the flood plain, except that large lots may be exempted provided a minimum one (1) acre area of said lot is outside the flood plain.
 - b. Lot access to a public road shall not be restricted or prevented by flood plain areas.

B. Excavation and Grading

Where any excavation or grading is proposed or where any existing trees, shrubs or other vegetative cover will be removed, the developer shall consult the County Conservation District representative concerning plans for erosion and sediment control and to also obtain a report on the soil characteristics of the site so that determination can be made as to the type and degree of development site may accommodate. Before undertaking any excavation or grading, the developer shall obtain a Grading and Excavation Permit if such is required by the municipality.

C. Drainage Facilities

Storm drainage facilities shall be designed to convey the flow of surface water without damage to persons or property. The system shall insure drainage at all points along streets, and provide positive drainage away from buildings and on-site disposal sites.

Plans shall be subject to the approval of the South Lebanon Township Board of Supervisors. South Lebanon Township Board of Supervisors may also require a pre-

liminary underground system to accommodate frequent floods and a secondary surface system to accommodate larger, less frequent floods. Drainage plans shall be designed to prevent the discharge of excess runoff onto adjacent properties.

D. Streets

The finished excavation of proposed streets shall be no more than two (2) feet below the Regulatory Flood Elevation. South Lebanon Township Board of Supervisors may require, where necessary, profiles and elevations of streets to determine compliance with this requirement. Drainage openings shall be sufficient to discharge flood flows without unduly increasing flood heights.

E. Sewer Facilities

All sanitary sewer systems located in flood plain areas, whether public or private, shall be floodproofed to a point two (2) feet above the Regulatory Flood Elevation.

1. The South Lebanon Township Board of Supervisors may prohibit installation of sewage disposal facilities requiring soil absorption systems where such systems will not function due to high ground water, flooding, or unsuitable soil characteristics. The South Lebanon Township Board of Supervisors may require that the developer note on the face of the plat and in any deed of conveyance that soil absorption fields are prohibited in designated areas.
2. The South Lebanon Township Board of Supervisors may prescribe adequate methods for waste disposal. If a sanitary sewer system is located on or within 1000 feet of the proposed subdivision and/or land development, the South Lebanon Township Board of Supervisors shall require the developer to provide sewage facilities to connect to this system where practical, and shall prescribe the procedures to be followed by the developer in connecting to the system.

F. Water Facilities

All water systems located in flood plain areas, whether public or private, shall be floodproofed to a point two (2) feet above the Regulatory Flood Elevation. If there is an existing public water supply system on or near the subdivision, the South Lebanon Township Board of Supervisors shall require the developer to connect to this system where

practical, and shall prescribe the procedures to be followed by the developer in connecting to the system.

G. Other Public and/or Private Utilities and Facilities

All other public and/or private utilities and facilities shall be elevated or floodproofed to a point two (2) feet above the Regulatory Flood Elevation.

SECTION 6.05 PERFORMANCE GUARANTEE

No final plat shall be approved by the South Lebanon Township Board of Supervisors until the improvements required by this Ordinance are completed in a satisfactory manner and approved by the South Lebanon Township Board of Supervisors. In lieu of such construction, approval may be granted prior to completion providing:

- A. The developer enters into an agreement with the municipality guaranteeing that improvements will be installed in accordance with the plans, specifications, and schedules approved by the municipality prior to plat approval. This agreement shall also guarantee that no lot will be sold or building constructed in any flood plain area prior to completion of all protective works or measures planned for such lot and necessary access to facilities; and
- B. The developer provides a fiscal surety to guarantee performance of this agreement and completion of the improvements as planned. The surety may include a certified check, escrow account, irrevocable letter of credit or other bond acceptable to the municipality. The procedural requirements of Chapter 5, Section 5.18 of this Ordinance shall apply to any such bonding proposal.

SECTION 6.06 MUNICIPAL LIABILITY

The grant of a permit or approval of a subdivision and/or land development plan in the identified flood plain area shall not constitute a representation guarantee, or warranty of any kind by the municipality or by any official or employee thereof of the practicability or safety of the proposed use, and shall create no liability upon the municipality, its officials or employees.

CHAPTER 7 - ADMINISTRATION, FEES AND PENALTIES

SECTION 7.01 INTENT

This subdivision and land use ordinance shall be considered to set forth the minimum requirements for the protection of the public health, safety, comfort, property or general welfare, pursuant to the authority of the Pennsylvania Municipalities Planning Code, Act Number 247, 1968 sessions, as amended, or such statutes hereinafter in effect, and shall be construed most favorably to the Municipality as encouraging standards of planning and development exceeding these basic and minimum regulations.

SECTION 7.02 ADMINISTRATION AND ENFORCEMENT

The South Lebanon Township Board of Supervisors are authorized to administer the provisions of this subdivision and land use ordinance as herein provided, and to enforce the provisions of this Ordinance on behalf of South Lebanon Township.

In addition to other remedies provided herein, the South Lebanon Township Board of Supervisors may, on behalf of South Lebanon township, institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

The South Lebanon Township Board of Supervisors may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this ordinance. This authority to deny such a permit or approval shall apply to any of the following applicants:

- A. The owner of record at the time of such violation; and
- B. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation; and
- C. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation; and

- D. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the South Lebanon Township Board of Supervisors may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

SECTION 7.03 MODIFICATIONS

The provisions of this Ordinance are intended as minimum standards for the protection of the public health, safety and welfare of the residents and inhabitants of South Lebanon Township. The South Lebanon Township Board of Supervisors may grant a modification of the requirements of one or more provisions of this Ordinance if the South Lebanon Township Board of Supervisors concludes that the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modifications will not be contrary to the public interest and that the purpose and intent of this Ordinance is observed.

All requests for a modification shall be in writing to the South Lebanon Township Board of Supervisors and shall accompany and be part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the Ordinance involved and the minimum modification necessary.

All such modification requests shall be approved or disapproved by the South Lebanon Township Board of Supervisors. A written record of the action shall be kept for all modification requests.

SECTION 7.04 APPEALS

A subdivider or developer aggrieved by any action of the South Lebanon Township Board of Supervisors or the Municipality regarding refusal to approve a subdivision or land development plan may, within thirty (30) days of such refusal, appeal to the Common Pleas Court of Lebanon County. Any other appeals by aggrieved parties or other landowners shall be subject to the appeal procedures outlined in Article X of Act 247.

SECTION 7.05 SCHEDULE OF FEES

- A. **Fee Procedures** - Each subdivision or land development plan application shall be accompanied by the required review and recording fees, as established herein. Fees shall be payable at the time of plan submission (unless otherwise noted herein) and plan processing, approval and recording shall not be completed until all required fees are paid.

There shall be no refund or credit of fees or a portion of any fee should the subdivider or developer withdraw the plan during the review process or fail to receive plan approval.

The fee schedule set forth in this section may be amended from time to time by adoption of a resolution by the South Lebanon Township Board of Supervisors setting forth the new fees.

- B. **Township Fees** - Fees for review, processing and approval of subdivision and land development plans shall be payable to South Lebanon Township at the time of application, in accordance with the following schedule:

1. **Minor Subdivision, Not Involving New Lots**
(Lot addition, land exchange, division of double home or existing buildings, etc.)

FINAL PLAN-----\$40.00

2. **Minor and Major Subdivision or Land Development With New Lots/Units**
(See Chapter 3, Sections 3.03, 3.04, and 3.05 for explanation of minor and major classifications)

<u>Number of Lots/Units</u>	<u>Preliminary Plan Fee</u>	<u>Final Plan Fee</u>
1-5	\$100 (where applicable)	\$ 75
6-10	\$150	\$125
11-20	\$200	\$150
21-50	\$250	\$175
51-100	\$300	\$200
101-200	\$400	\$250
201 +	\$500 + \$2 per lot/ unit over 200	\$300 + \$2 per lot/unit over 200

3. Land Development Plans
 (Commercial, Industrial, Institutional, etc.
 For multi-family, residential, see #2 above)

<u>Acres*</u>	<u>Plan Review Fee</u>
0-2	\$100
2.01-5	\$150
5.01-5	\$200
10.01-25	\$250
25.01 +	\$300

*Acreage of tract for newly developed lot or acreage undergoing review for expansions.

- C. Engineer Review Fees - All applications involving storm water management or engineering review shall be accompanied by fees, payable to South Lebanon Township for the Township Engineer, in accordance with the following:

1. For review of subdivision and land development plans and requests for inspection:

	<u>1-5</u> <u>Lots/Units</u>	<u>6-19</u> <u>Lots/Units</u>	<u>10 or more</u> <u>Lots/Units</u>
Preliminary Plans	\$25/lot or unit	\$24/lot or unit	\$20/lot or unit
Final Plans	\$40/lot or unit	\$16/lot or unit	\$12/lot or unit
Inspections	\$20/lot or unit	\$14/lot or unit	\$14/lot or unit

2. For review of commercial, industrial, or institutional land developments, re-submitted plans, inspections, and other plans which do not qualify for the per lot or unit rate:
- a. A base fee of \$100 for review or inspection. Plan review or inspections requiring more than 2-1/2 hours of Township Engineer time shall be subject to an additional fee based upon the hourly rate established in #2 (b).
 - b. An hourly rate of \$40 per hour of Township Engineer review or inspection time.
3. All fees shall be payable at the time of application, except that:

- D. Lebanon County Fees - Fees for review and processing of Subdivision and Land Development Plans shall be payable to Lebanon County at the time of submission, in accordance with the Lebanon County Ordinance.
- E. Recording Fee - A recording fee shall accompany all final plan applications. The fee, currently \$12.00 per plan, shall be payable to the Lebanon County Recorder of Deeds and subject to change as that office may deem necessary.

SECTION 7.06 PENALTIES

Any person, partnership or corporation who or which has violated the provisions of this subdivision and land development ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the South Lebanon Township Board of Supervisors, pay a judgement of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Municipality as a result thereof.

District justices shall have initial jurisdiction in proceedings brought by the South Lebanon Township Board of Supervisors in accordance with this Section. No judgement shall commence or be imposed, levied or be payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgement, the South Lebanon Township Board of Supervisors may enforce the judgement on behalf of the Municipality pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation, further determines that there was a good faith basis for the person, partnership or corporation violating the Ordinance to have believed that there was no violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

SECTION 7.07 AMENDMENTS

Amendments to this Ordinance may be initiated by the South Lebanon Township Board of Supervisors. Before enactment of a proposed amendment or amendments the South Lebanon Township Board of Supervisors shall hold a public hearing thereon pursuant to public notice.

SECTION 7.08 VALIDITY

Should any section, subsection or provisions of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any other part thereof.

SECTION 7.09 EFFECTIVE DATE

This Subdivision Land Use Ordinance shall become effective on five (5) days after the adoption date.

Adopted this 5th day of June, 1990.

ATTEST:

Curtis E. Kulp (SEAL)

SOUTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS

Paul E Krause (SEAL)
CHAIRMAN

George T Ritter (SEAL)
VICE-CHAIRMAN

Mark H. Krutowsky (SEAL)
MEMBER

I hereby certify this to be a true and accurate copy of the South Lebanon Township Subdivision and Land Use Ordinance.

Curtis E. Kulp
Curtis E. Kulp
Secretary-Treasurer

**SOUTH LEBANON TOWNSHIP
RESOLUTION NO. 1056**

WHEREAS, the South Lebanon Township Board of Supervisors last adopted a fee schedule for review of Subdivision and/or Land Development plans on June 5, 1990; and,

WHEREAS, South Lebanon Township Board of Supervisors finds that the rules and regulations which govern Subdivision and Land Development have changed, therefore giving rise to the need to amend the fee schedule,

NOW, THEREFORE, BE IT RESOLVED, that the South Lebanon Township Board of Supervisors hereby fixes the cost of filing fees for review and processing of all Subdivision or Land Development Plans within the Township in accordance with the following Schedule:

A. Minor Subdivision, Not Involving New Lots \$100
(Add-on, annexation, land exchange, etc.)

B. Minor and Major Subdivisions or Land Developments with New Lots/Units

<u># of Lots/Units</u>	<u>Preliminary Plan Fee</u>	<u>Final Plan Fee</u>
1 - 5	\$ 200 + \$ 100/Lot	\$ 100 + \$ 30/Lot
6 - 10	\$ 300 + \$ 100/Lot	\$ 200 + \$ 30/Lot
11 - 20	\$ 400 + \$ 90/Lot	\$ 300 + \$ 30/Lot
21 - 50	\$ 500 + \$ 80/Lot	\$ 400 + \$ 30/Lot
51 - 100	\$ 600 + \$ 70/Lot	\$ 500 + \$ 30/Lot
101 - 200	\$ 700 + \$ 60/Lot	\$ 600 + \$ 30/Lot
201 +	\$ 800 + \$ 50/Lot	\$ 700 + \$ 30/Lot

C. Land Development Plans
(Commercial, Industrial, Institutional, etc.)

<u>Acres*</u>	<u>Plan Review Fee</u>
0 - 2	\$ 800
2.01 - 5	\$ 1,200
5.01 - 10	\$ 2,000
10.01 - 15	\$ 2,400
15.01 - 25	\$ 2,800
25.01 - 50	\$ 3,500
50 - 100	\$ 4,000
100 +	\$ 5,000 + \$ 10 per acre for each acre over 100 acres

- Acreage of tract to be based upon lot size of tract undergoing land development or acreage of disturbed land area stipulated in the erosion & sediment control permit application, whichever is larger.

D. Engineer Review Fees – All applications involving storm water management or engineering review shall be accompanied by fees, payable to South Lebanon Township for the Township Engineer, in accordance with the following. Plan reviews or inspections requiring more than fees charged, shall be subject to an additional fee based upon the hourly rate established in #2b.

1. For review of subdivision and land development plans and requests for inspections:

	<u>1-5 Lots/Units</u>	<u>6-19 Lots/Units</u>	<u>20 or More Lots/Units</u>
Preliminary Plans	\$ 60 per lot/unit	\$ 40 per lot/unit	\$ 30 per lot/unit
Final Plans	\$ 50 per lot/unit	\$ 30 per lot/unit	\$ 20 per lot/unit
Inspection	\$ 40 per lot/unit	\$ 30 per lot/unit	\$ 20 per lot/unit

2. For review of commercial, industrial, or institutional land development, resubmitted plans, inspections, or other plans which do not qualify for the per lot/unit rate:

- A base fee of \$500 for review or inspection. Plan reviews or inspections requiring more than 5 hours of Township Engineer time shall be subject to an additional fee based upon the hourly rate established in #2 b.
- An hourly rate of \$ 100 per hour for Township Engineer review or inspection time.

3. All fees payable at the time of application, except that:

- Inspection fees based upon the per lot/unit or base fee rates shall be paid by separate checks with the final plan, prior to recording the final plan; and
- The hourly rate specified in #2 b. for review of supplemental review fees shall be payable after review, but before plan approval; and
- The hourly rate specified in #2 b. for inspection or supplemental inspection fees shall be payable after inspection but before final approval of release of applicable financial guarantees.

4. Review Special Reports (traffic, environmental, etc.) Hourly Rates

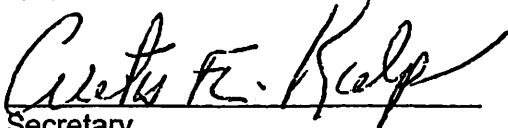
NOTE:

- County Fees are not included in the above schedule. Applicant shall pay County fees directly to the County Planning Department.
- For projects which have a combined Preliminary/Final Plan, fees shall be paid in cumulative.

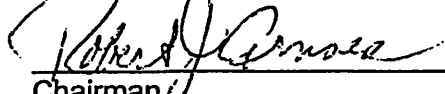
Any Resolution, or part of Resolution, conflicting with this Resolution shall be hereby repealed insofar as the same affects this resolution.

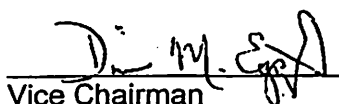
ADOPTED THIS 23RD DAY of MARCH, 2004.

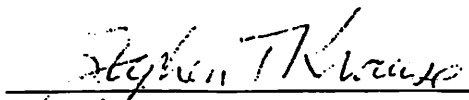
ATTEST:


Secretary

SOUTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS


Chairman


Vice Chairman


Supervisor

**SOUTH LEBANON TOWNSHIP
ORDINANCE NO.# 270**

AN ORDINANCE TO AMEND AND TO BE INCORPORATED INTO THE EXISTING SOUTH LEBANON TOWNSHIP SUBDIVISION LAND USE ORDINANCE, ORDINANCE NO. 164, AMENDING CHAPTER 5 "REQUIRED IMPROVEMENTS AND DESIGN STANDARDS", BY ADDING A NEW SECTION 5.02.O, PUBLIC DEDICATION OF PARK AND OPEN SPACE LAND; AND BY AMENDING CHAPTER 4, "PLANS AND PLATS: REQUIRED INFORMATION", SECTIONS 4.02.D AND 4.02.E.

WHEREAS, the South Lebanon Township Supervisors have adopted a Recreation, Parks and Open Space Plan which contains recommendations for the mandatory dedication of park and open space land; and,

WHEREAS, South Lebanon Township has previously adopted a Subdivision Land Use Ordinance, Ordinance No. 164, as South Lebanon Township's ordinance governing subdivision and land development; and,

WHEREAS, South Lebanon Township does not currently provide for such dedication as a requirement of the Subdivision and Land Development Ordinance; and

WHEREAS, the South Lebanon Township Supervisors have deemed it necessary for the protection, health, and welfare of the residents of South Lebanon Township to adopt an ordinance, which mandates and regulates the dedication of park and open space land.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED by the South Lebanon Township Supervisors, as follows:

"SOUTH LEBANON TOWNSHIP ORDINANCE NUMBER 164, THE SUBDIVISION LAND USE ORDINANCE" is hereby amended for all subdivision and land development in South Lebanon Township in the following manner:

SECTION 1: Chapter 4, Section 4.02, Minor Subdivisions, is hereby amended by adding new subsection D-(6), as follows:

"D (6). Each subdivision and land development shall include the mandatory dedication of park and open space land or the payment of a fee-in-lieu thereof, consistent with the provisions of this ordinance. The plan shall include notes which explain the calculation of the amount of land or the fee-in-lieu thereof, and the applicant's intention to offer same, or pay same, whichever may be appropriate, to the Township at the time recording of the approved plan."

SECTION 2: Chapter 4, Section 4.02, Minor Subdivisions, is hereby amended by adding new subsection E-(5), as follows:

"E(5). The Owner's certification and dedication statement shall include mandatory dedication of park and open space land or the payment of a fee-in-lieu thereof consistent with and as required by this ordinance."

SECTION 3: Chapter 5, Section 5.02, Required Improvements and Design Standards, is hereby amended by adding new subsection O., as follows:

O. Parkland and Open Space Requirements:

1. The land reserved and dedicated to the Township for park and open space usage shall be a single lot which shall comply with the requirements of this ordinance, the South Lebanon Township Zoning Ordinance, and the following specific requirements:
 - a. The land, where feasible, must be a minimum of 5 acres in size (unless the intended use is for a special use park or linear park development).
 - b. The land, where feasible, shall be in such a location that additional adjacent land abutting two or more boundary lines shall be undeveloped, and available for purchase by the Township for expansion of the recreation area, and of such character (terrain, topography, physical features, etc.) that the adjacent land can reasonably be developed into a park or recreational land which assessment and determination shall be made by the Township Supervisors.
 - c. The land shall be easily and safely accessible for vehicles, pedestrians, and/or bicycles.
 - d. A maximum of 15% of the tract may consist of floodplain, wetland, steep slopes, utility easements or rights-of-way, or other features that otherwise render the lots undevelopable for its intended

recreation use.

- e. The tract shall have accessibility to utilities including, water, sewer, and power, unless deemed unnecessary by the Township for the intended park facility development such as a greenway/linear park development.
 - f. The tract shall not contain stormwater facilities designed to detain or retain stormwater for the parent tract or another site.
2. Consistent with the standards of the South Lebanon Township Recreation, Park and Open Space Plan, the amount of park and open space land required to be dedicated shall equal at least 10 acres of park land per 1,000 residents, or 0.025 acres of land per residential lot or equivalent residential dwelling shall be dedicated under this part.
 3. Where the Township Supervisors determine that because shape, location, access, topography, or other physical features of the land, that it is impractical to dedicate land to the Township or set aside recreation area as required by Section 5.02(O)(2) above, the Township Supervisors shall require payment of a fee-in-lieu of such land which shall be payable to the Township prior to recording each final plan and shall be in an amount equal to the percentage of the total number of dwelling units for each phase.

The initial fee in lieu of land shall be set at \$750 per residential lot or equivalent dwelling unit. This fee may be adjusted from time to time by resolution of the Township Supervisors. The fees collected hereunder shall be utilized by the Township for recreational purposes and shall be administered in accordance with Section 503 (11) of the Pennsylvania Municipalities Planning Code.

A fee authorized under this Section shall, upon its receipt by the Township be deposited in an interest bearing account. Interest earned on such an account shall become funds in that account. Funds from such accounts shall be expended to acquire land and/or design and construct recreation facilities, and/or pay for recreational planning and plan development.

4. Upon agreement by the developer, the Township may accept the construction of recreational facilities, the payment of fees-in-lieu thereof, the private reservation of land for recreational purposes, the dedication of land in other areas of the Township, or a combination of the above.

If the developer proposes the private reservation of land, through either the inclusion of such land as common elements of a condominium or planned community as contained in the Pennsylvania Uniform

Condominium Act, 68 Pa.C.S. ss 3103 et seq. or the Pennsylvania Uniform Planned Community Act, 68 Pa. C. S. ss 5101 et seq., then such documentation shall be recorded, and shall provide that the land cannot be further developed. Furthermore, the Township shall be granted the rights to maintain the land as set forth in Article VII of the Municipalities Planning Code dealing with the maintenance of common open space in planned residential developments. Notwithstanding the foregoing, the developer may request that the Township Supervisors approve transfer of the land to an organization dedicated to the conservation of natural resources with deed restrictions preventing further development acceptable to the Township Solicitor.

5. The landowner shall enter into an agreement with the Township setting forth the fees to be paid, the facilities to be constructed, or the land to be privately reserved and the method of its maintenance. All such agreements shall be executed prior to final plan approval.


SECTION 4: All ordinances or part of ordinances conflicting with the Provisions of this ordinance are hereby repealed.

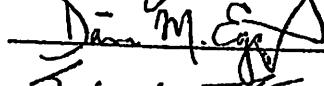
SECTION 5: Except as modified herein, the South Lebanon Township Subdivision Land Use Ordinance as presently enacted shall remain in full force and effect.

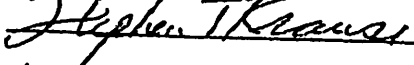
SECTION 6: This Ordinance shall become effective upon its enactment.

ORDAINED and ENACTED this 25th day of March, 2003.

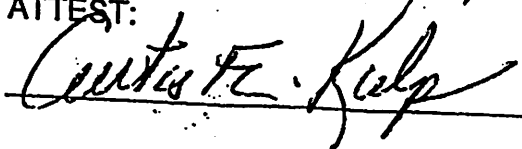
SOUTH LEBANON TOWNSHIP SUPERVISORS
Lebanon County, Pennsylvania







ATTEST:



RESOLUTION NO. 1064
RECREATIONAL FEE INCREASE

RESOLUTION OF THE BOARD OF SUPERVISORS OF SOUTH LEBANON TOWNSHIP,
LEBANON COUNTY, PENNSYLVANIA (hereinafter "the municipality").

WHEREAS, on March 25, 2003 by Ordinance Number 270 , pursuant to the provisions and allowances of the Municipalities Planning Code, the South Lebanon Township Supervisors amended the South Lebanon Township Subdivision and Land Development Ordinance to require the mandatory dedication of park and open space land for all residential subdivisions located within the Township; and,

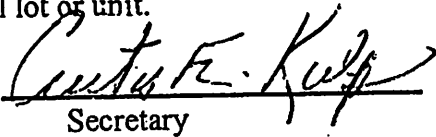
WHEREAS, Ordinance Number 270 provided for an alternative of the payment of \$750 per residential lot as a fee-in-lieu of the dedication of park and open space; and,

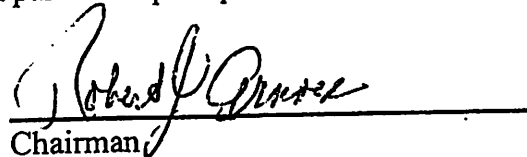
WHEREAS, Ordinance Number 270 provided that the fee-in-lieu of land may be adjusted from time to time by Resolution of the Board of Township Supervisors; and,

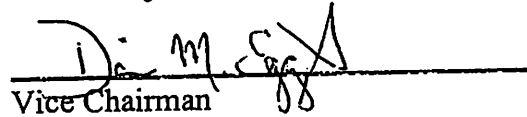
WHEREAS, the cost of land, the cost of improvements of land, the cost of building materials and labor for the construction or improvement of park land have all increased significantly over the course of the recent two year period, thereby justifying a need for an increase in the fee-in-lieu of land to be required for each residential lot in all land subdivisions in South Lebanon Township.

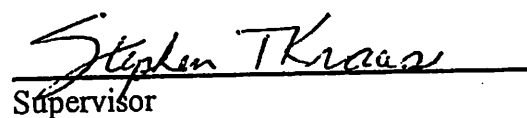
NOW, THEREFORE, BE IT RESOLVED that the Supervisors of the Township of South Lebanon hereby amend Section 3, Paragraph O, Subsection 3 of Ordinance Number 270 and do hereby establish that the fee-in-lieu of dedication of park and open space land is set at \$1,225 per residential lot or unit.

ATTEST

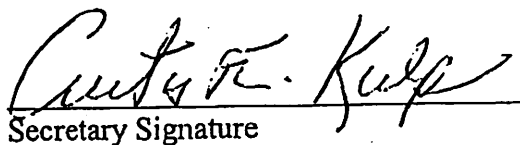

Secretary


Chairman


Vice Chairman


Supervisor

I, Curtis E. Kulp , Secretary, South Lebanon Township Board of Supervisors, hereby certify that the foregoing is a true and correct copy of the Township's Resolution No. 1064 adopted August 24, 2004.


Secretary Signature

S E A L

SOUTH LEBANON TOWNSHIP

ORDINANCE NUMBER 288

AN ORDINANCE AMENDING ORDINANCE NUMBER 164 (SOUTH LEBANON TOWNSHIP SUBDIVISION LAND USE ORDINANCE AS FOLLOWS: AMENDING CHAPTER FIVE (REQUIRED IMPROVEMENTS AND DESIGN STANDARDS), SECTION 5.09 (STREETS), SUBPARAGRAPH (F) (STREET CONSTRUCTION STANDARDS) BY ESTABLISHING STANDARDS FOR THE PREPARATION OF SUBGRADE AND THE MATERIALS AND THE CONSTRUCTION OF PAVEMENT BY THE DEVELOPER; BY AMENDING SECTION 5.16: (UTILITIES AND OTHER IMPROVEMENTS) BY PROVIDING FOR THE INSTALLATION OF FIRE HYDRANTS ON THE SUBDIVIDED PROPERTY LOCATED WITHIN THE COMMERCIAL AND MANUFACTURING DISTRICTS; BY AMENDING CHAPTER THREE (PROCEDURES) SECTION 3.05 (MAJOR SUBDIVISIONS OR LAND DEVELOPMENT – FINAL PLAN) SUBPARAGRAPH E BY ELIMINATING THE WORD SUBSTANTIALLY IN PARAGRAPH FOUR.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of South Lebanon Township, and it is hereby ordained and enacted by the authority of the same as follows:

SECTION ONE. Chapter Five (Required Improvements and Design Standards) Section 5.09 (Streets) Subsection (F.) Subparagraphs 3, 4, and 5 (Street Construction Standards) is hereby amended to read as follows:

3. In Residential Districts, there shall be installed a subbase to consist of eight inches (8") in two lifts of compacted 2A Modified rolled stone under the paved surface of the cartway. In Commercial and Industrial Districts, there shall be installed a subbase to consist of twelve inches (12") in three lifts of compacted 2A Modified stone under the paved surface.

4. In Residential Districts, the base course shall be constructed of minimum five inches (5") of compacted Superpave Asphalt Mixture, 25.0 mm Base Course, PG 64-22. In Commercial and Industrial Districts, the base course shall be constructed of minimum of five inches (5") of compacted Superpave Asphalt Mixture, 25.0 mm Base Course, PG 64-22 and three inches (3") of compacted Superpave Asphalt Mixture, 25.0 mm Binder Course, PG 64-22.. The construction to be in accordance with the Commonwealth of Pennsylvania, Department of Transportation Manual Form 408 and as hereinafter amended.

5. In All Districts, the surface course shall be constructed of minimum of one and a half inches (1 1/2") of compacted Superpave Asphalt Mixture, 9.5 mm Wearing

Course, PG 64-22. The construction to be in accordance with the Commonwealth of Pennsylvania, Department of Transportation Manual Form 408 and as hereinafter amended. The surface or wearing course shall conform to the Form 408 Specifications and as hereinafter amended.

SECTION TWO. Chapter Five (Required Improvements and Design Standards) Section 5.16, (Utilities and Other Improvements) is hereby amended to add the following to the Third Paragraph of Section 5.16:

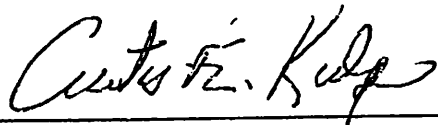
In any Commercial or Industrial zoning district in South Lebanon Township, where a public water supply system is installed in a development, the developer shall provide fire hydrants along the perimeter of any building to be constructed on said subdivided lot no less than 1,000 feet apart. All fire hydrants to be installed along the perimeter of any building shall be accessible to fire fighting apparatus. This provision shall apply to all lots located in the Commercial or Industrial Zoning Districts including the construction of any commercial or manufacturing facility in said Zoning Districts.

SECTION THREE. Chapter Three (Procedures) Section 3.05 (Major Subdivision or Land Development – Final Plan) Subparagraph E paragraph four is hereby amended to delete the word substantially.

SECTION FOUR. This Ordinance shall become effective in five (5) days.

Adopted this 28th day of June, 2005.


ATTEST:

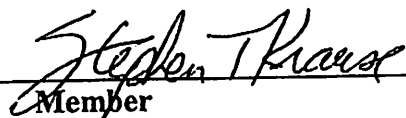


Secretary

**BOARD OF SUPERVISORS OF
SOUTH LEBANON TOWNSHIP**

BY: _____
Chairman

BY:  _____
Vice-Chairman

BY:  _____
Member

SOUTH LEBANON TOWNSHIP

ORDINANCE NUMBER 302

AN ORDINANCE AMENDING ORDINANCE NUMBER 278 (SOUTH LEBANON TOWNSHIP ZONING ORDINANCE) ARTICLE I (DEFINITIONS) BY AMENDING THE DEFINITION OF LOT, THROUGH PROVIDING FOR ONE FRONT YARD AND ONE REAR YARD AND THE AREA PROVIDING PRIMARY ACCESS TO THE LOT BEING DESIGNATED AS THE FRONT YARD, AND PERMITTING ACCESSORY USES IN THE REAR YARD; AMENDING ARTICLE 1 (DEFINITIONS) BY PROVIDING FOR A DEFINITION OF WOOD FIRED BOILERS WHICH CONTAIN A FIRE BOX WITH WATER PIPES RUNNING TO AN ATTACHED/UNATTACHED BUILDING TO TRANSFER HEAT FOR SPACE AND WATER HEATING; AMENDING ARTICLE THIRTEEN (SUPPLEMENTAL DISTRICT REGULATIONS) BY ADDING SECTION 13.22 PROHIBITING WOOD-FIRED BOILERS IN ALL ZONING DISTRICTS EXCEPT THE A-AGRICULTURAL DISTRICT; AMENDING ARTICLE SIX (A-AGRICULTURAL DISTRICT) SECTION 6.02. (PERMITTED USES) BY RENUMBERING SUBSECTION M AS N AND BY ADDING A NEW SUBSECTION M PERMITTING WOOD-FIRED BOILERS; AMENDING ARTICLE 8 (R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT) SECTION 8.02 (PERMITTED USES), SUBSECTION D (TOWNHOUSES) SUBSECTION 7 BY ADDING A NEW SUBSECTION 12 BY PROVIDING THAT ALL ACCESSORY BUILDINGS APPROVED PURSUANT TO A SUBDIVISION PLAN AFTER DECEMBER 31, 2007 SHALL BE ATTACHED TO THE PRINCIPLE STRUCTURE, BE CONSTRUCTED OF THE SAME MATERIAL AS THE STRUCTURE, AND THE EIGHTY (80) SQUARE FOOT REQUIREMENT NOT BE INCLUDED IN THE SQUARE FOOTAGE FOR ANY GARAGE; BY ADDING A NEW PARAGRAPH D TO SUBSECTION 7 PROVIDING THAT ALL TOWNHOUSES CONSTRUCTED AFTER DECEMBER 31, 2007 SHALL HAVE A TEN FOOT EASEMENT ALONG THE EDGE OF THE REAR YARD FOR INGRESS AND EGRESS TO THE REAR YARD OF THE ATTACHED TOWNHOUSES AND PROHIBITING ANY FENCES, SHEDS, TREES OR OTHER OBSTRUCTIONS IN THE EASEMENT; AMENDING ORDINANCE NUMBER 164 (SOUTH LEBANON TOWNSHIP SUBDIVISION LAND USE ORDINANCE) CHAPTER 2 (DEFINITIONS) SECTION 2.01 (GENERAL TERMS) BY ADDING A PARAGRAPH TO THE

DEFINITION OF SUBDIVISION BY PERMITTING A SUBDIVISION FOR THE PURPOSE OF ERECTING A BUILDING AND/OR DWELLING ONLY ALONG AN APPROVED PUBLIC STREET OR A PRIVATE STREET IMPROVED TO SOUTH LEBANON TOWNSHIP'S STREET SPECIFICATIONS.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of South Lebanon Township, and it is hereby ordained and enacted by the authorities of the same as follows:

SECTION ONE: Ordinance Number 278 (South Lebanon Township Zoning Ordinance) Article One (Definitions) Lot, Through is hereby amended to add the following to the definition:

a. **LOT THROUGH** – The through lot shall have one (1) front yard and one (1) rear yard. The area of frontage providing primary access to the lot shall be designated as the front yard. Fences, hedges, walls, sheds, swimming pools, and any other accessory uses are permitted in the rear yard at the discretion of the Board of Supervisors of South Lebanon Township;

SECTION TWO: Ordinance Number 278 (South Lebanon Township Zoning Ordinance) Article One (Definitions) is hereby amended to add the following definition:

b. **WOOD-FIRED BOILERS** – Wood fired or coal-fired boilers containing a fire box with water pipes running to an attached or unattached building to transfer heat for both space and water heating.

SECTION THREE. Ordinance Number 278 (South Lebanon Township Zoning Ordinance) Article Thirteen (Supplemental District Regulations) is hereby amended to add a new section 13.22 as follows:

SECTION 13.22 – Wood Fired Boilers. Wood Fired Boilers are prohibited in all zoning districts except in the A-Agricultural District.

SECTION FOUR. Ordinance Number 278 (South Lebanon Township Zoning Ordinance) Article Six (A-Agricultural District) Section 6.02 (Permitted Uses) is hereby amended to renumber Subsection M as N and adding a new Section M as follows:

M. Wood-Fired Boilers provided the boiler be 200 feet from an adjoining residential building and contain a smoke stack a minimum of 15 feet from ground level.

SECTION FIVE: Ordinance Number 278 (South Lebanon Township Zoning Ordinance) Article Eight (R-2 Medium Density Residential District) Section 8.02 (Permitted Uses) Subsection D (7) is hereby amended to read as follows:

Detached accessory buildings or structures used for storage only shall be permitted on individual lots provided the size of the structure does not exceed eighty (80) square feet and the height is no more than eight feet six inches. This provision shall apply to townhouses which were approved pursuant to a subdivision plan as of December 31, 2007. Detached accessory buildings or structures are prohibited for all townhouses approved pursuant to a subdivision plan after December 31, 2007. All townhouses which were approved pursuant to a subdivision plan after December 31, 2007 shall provide for storage areas of 80 square feet and the height be no more than eight feet six inches which shall be attached to the structure, provided the exterior of the attached structure is constructed of the same material as the structure and provided all requirements of this ordinance are met. The eighty square feet of storage area is in excess of any square footage calculated for a garage. Garages and other normal accessory structures may be attached to the structure of each individual lot provided all of the requirements of this Ordinance are met. Detached accessory buildings and structures for common use by the entire development shall be permitted on common areas as per Article 13 of this Ordinance.

SECTION SIX. Ordinance Number 278 (South Lebanon Township Zoning Ordinance) Article Eight (R-2 Medium Density Residential District) Section 8.02 (Permitted Uses) Subsection D (7) is hereby amended a new Subsection 12 as follows:

12. All Townhouses approved pursuant to a subdivision plan after December 31, 2007 shall have a ten foot easement along the edge of the rear yard for purposes of an ingress and egress to other rear yards of the attached townhouses. No fences, sheds, trees, shrubs or other obstructions shall be placed within the ten foot easement.

SECTION SEVEN. The definition of Subdivision set forth in Ordinance Number 164 (South Lebanon Subdivision Land Ordinance, Chapter 2 (Definitions), Section 2.02 (Specific Terms) is hereby amended to add the following paragraph:

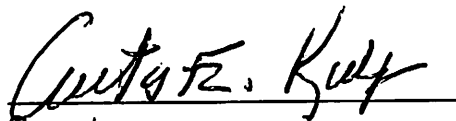
The Subdivision to create a lot for purpose of erecting a building and/or dwelling must be along an approved public street or a private street improved to South Lebanon Township's street specifications.

SECTION EIGHT. All other Ordinances inconsistent with this Ordinance are hereby repealed.

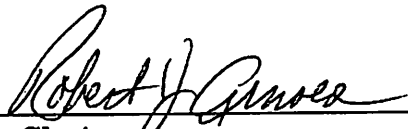
SECTION NINE. This Ordinance shall become effective in five (5) days.


ORDAINED AND ENACTED this 14th day of May, 2008.

ATTEST:


Secretary

BOARD OF SUPERVISORS

BY: 
Chairman

BY: 
Vice-Chairman

BY: 
Member