

SOUTH MANHEIM TOWNSHIP
SCHUYLKILL COUNTY, PENNSYLVANIA

ORDINANCE NO. 103 OF 2026

AN ORDINANCE AMENDING SECTION 100-20(B) OF THE SOUTH MANHEIM TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE RELATING TO LOT ANNEXATION PLANS; ESTABLISHING A SIMPLIFIED LOT ANNEXATION PROCEDURE; AUTHORIZING ADMINISTRATIVE REVIEW; AND REPEALING ONLY THOSE PORTIONS OF ORDINANCE NO. 96 OF 2020 RELATING TO SECTION 100-20(B).

WHEREAS, South Manheim Township adopted Chapter 100, Subdivision and Land Development Ordinance ("SALDO"), pursuant to the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 et seq.; and

WHEREAS, the Board of Supervisors has determined that lot annexations which do not create new lots, dwelling units, building rights, or land developments require a simplified administrative review process; and

WHEREAS, the Board of Supervisors finds that the current procedures contained in Ordinance No. 96 of 2020 relating to Section 100-20(B) impose unnecessary expense and delay upon property owners seeking only to enlarge an adjoining parcel; and

WHEREAS, the Board of Supervisors desires to preserve municipal oversight while eliminating unnecessary procedural requirements for qualifying annexation plans;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of South Manheim Township as follows:

**SECTION 1
AMENDMENT OF ARTICLE V**

Section 100-20(B) of Chapter 100 is hereby deleted in its entirety and replaced with the following:

§100-20 (B) LOT ANNEXATION

1. Applicability.

A Lot Annexation shall qualify for review under this Section where:

- a. Land is conveyed between contiguous parcels;
- b. The conveyance is solely for the purpose of increasing the size of an existing adjoining parcel;

- c. No new lot, tract, parcel, dwelling unit, principal use, or building lot is created;
- d. The annexation does not constitute a land development under the Pennsylvania Municipalities Planning Code;
- e. All resulting parcels comply with applicable zoning requirements or are rendered no more nonconforming than existed prior to annexation.

2. Submission Requirements.

The applicant shall submit to the Township:

- a. An original and three (3) copies of the proposed Deed of Annexation or other conveyance document;
- b. Application fee as established by resolution of the Board of Supervisors;

3. Administrative Review.

- a. The submission shall be reviewed by the Township Solicitor. The Township Solicitor may refer the application/Deed of Annexation to the Township Engineer for review if deemed necessary.
- b. The Township shall notify the applicant of its decision within forty-five (45) days of receipt of a complete application.
- c. Administrative approval of a qualifying Lot Annexation is the preferred review procedure, and referral to the Planning Commission shall occur only where the Township Engineer or Township Solicitor determines that additional review is reasonably necessary to protect the public interest or ensure compliance with applicable law.
- d. Administrative approval may be granted where the Township Solicitor or Township Engineer determines that:
 - (1) The annexation satisfies the requirements of this Section;
 - (2) No new lot or development rights are created;
 - (3) No public improvements are required; and
 - (4) No public health, safety, welfare, infrastructure, stormwater, access, or utility concerns are implicated.

4. Board Review.

If the Township Solicitor or Township Engineer determines that the annexation presents legal, zoning, access, infrastructure, drainage, utility, public safety, or policy concerns, the application may be referred to the Board of Supervisors for review and action.

5. Planning Commission Review.

Planning Commission review shall not be required for Lot Annexations processed under this Section unless specifically directed by the Board of Supervisors.

6. Recording.

Following approval:

- a. The approved deed shall be recorded in the Office of the Schuylkill County Recorder of Deeds;
- b. Recording shall occur within forty-five (45) days of approval unless extended by the Township;
- c. A recorded copy shall be provided to the Township within thirty (30) days following recording.

7. No Vested Right.

Nothing contained herein shall obligate the Township to approve any annexation application or prevent the Township from requiring additional review where warranted by the facts of a particular application.

8. Merger and Future Subdivision Restriction in the LDR District.

Where a Lot Annexation approved under this Section involves property located within the LDR Zoning District, the annexed lands and the receiving tract shall, upon recording of the approved deed, be deemed merged into a single lot for all zoning and subdivision purposes.

No portion of the annexed area, nor any lot created through a Lot Annexation approved under this Section, shall thereafter be re-subdivided, separated, conveyed, or otherwise re-established as an independent lot unless approved as a subdivision in full compliance with the Township Subdivision and Land Development Ordinance and Zoning Ordinance then in effect.

Approval of a Lot Annexation under this Section shall not create any vested right to later reverse, undo, or re-establish the pre-existing lot configuration.

SECTION 2

LIMITED REPEAL OF PRIOR ANNEXATION PROVISIONS

Section 100-20(B) ("Annexation Plans") of Chapter 100, Subdivision and Land Development Ordinance, as adopted and amended by Ordinance No. 96 of 2020, is hereby repealed in its entirety and replaced by the provisions set forth in this Ordinance.

It is the express intent of the Board of Supervisors that only Section 100-20(B) be amended and replaced.

The provisions of Section 100-20(A) ("Minor Subdivision") and Section 100-20(C) ("Revised Plan of Record"), together with all other provisions of Chapter 100 not expressly amended herein, shall remain in full force and effect and are hereby reaffirmed.

To the extent Ordinance No. 96 of 2020 amended provisions other than Section 100-20(B), those amendments shall remain effective and unaffected by this Ordinance.

SECTION 3

GENERAL REPEALER

All ordinances or parts of ordinances are repealed only to the extent they are directly inconsistent with the provisions of this Ordinance.

SECTION 4

EFFECTIVE DATE

This Ordinance shall become effective five (5) days after enactment.

ENACTED AND ORDAINED this 2nd day of September, 2026.

SOUTH MANHEIM TOWNSHIP
BOARD OF SUPERVISORS

ATTEST:

Secretary

Kelly Handley

Chair

John E. Brewer

Member

Salvador Lopez

Member

