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## **Article X — Floodplain and Environmental Protection Areas**

### **§ 21-1001 Intent.**

The intent of this Article is:

(a) To regulate development in areas of Alburdis in which alluvial soils lying adjacent to streams are known to possess characteristics indicative of flooding and/or chronic wetness and which, if indiscriminately developed, could pose hazards to the public health, safety, and welfare due to flooding and pollution.

(b) To reduce the financial burden imposed on the community, its governmental units, and its individuals by frequent and periodic floods and overflows on land.

(c) To permit certain uses which can be appropriately located in such areas and which will not impede the flow of flood waters or otherwise cause danger to life and property at, above, or below their locations along the flooding.

(d) To provide sufficient drainage courses to carry abnormal flows of stormwater in periods of heavy precipitation.

(e) To permit and encourage the retention of open land uses which will be so located and designed as to constitute an appropriate part of the physical development of Alburtis as provided for in the Comprehensive Plan.

### **§ 21-1002 Designation of Floodplain Areas.**

Floodplain areas shall be designated as follows:

(a) Areas designated as “Alluvial Soil” on the Official Zoning Map are based on the soil map prepared by the Soil Conservation Service, United States Department of Agriculture, and published in the Lehigh County Soil Survey, 1963. These areas contain one (1) or more of the following soil types which are identified by the Lehigh County Soil Survey as alluvial soils, which are water-deposited soils, and represent areas most often inundated by flood waters:

- (Aw) Atkins silt loam
- (AkA) Atkins silt loam, local alluvium
- (Hn) Huntington silt loam
- (Ln) Lindside silt loam
- (Mh) Melvin silt loam
- (MkA) Melvin silt loam, local alluvium
- (Ph) Philo silt loam

(b) The areas delineated as “Alluvial soil” on the Official Zoning Map shall be used only to determine where the provisions of the regulations in this Article shall apply. It shall not be considered an exact delineation for purposes of applying specific regulations of this Article.

### **§ 21-1003 Detailed Survey of Alluvial Soils Areas.**

All plans for uses requiring or involving structures and facilities such as septic systems and wells which will be located in or within a distance of one hundred (100) feet from areas designated as containing alluvial soils on the Official Zoning Map, and all plans for the development of recreational or utility uses within or adjacent to alluvial soils, shall be subject to the following procedure: To determine the exact extent and nature of areas susceptible to potential problems of flooding, wetness, or pollution in such areas, the Zoning Officer shall require that a detailed on-site survey be made. Such on-site survey may be made by a qualified engineer, soil scientist, or qualified sanitarian in accordance with accepted on-site survey techniques.

## § 21-1004 Uses Prohibited in Hazard Areas.

On any site or portion of a site which is found, based upon detailed investigation pursuant to the provisions of Section 1003, to contain potential hazards due to flooding, chronic wetness, or pollution, the use regulations of the district in which the site is located shall apply, except that the following uses shall be prohibited:

(a) All permanent residential dwellings and permanent commercial or industrial structures.

(b) The filling of marshlands, removal of topsoil, or the damming or relocation of any watercourse except with the approval of the Commonwealth of Pennsylvania, Department of Environmental Protection.

(c) Sanitary landfill, dump, junkyard, outdoor storage of vehicles and/or materials, including manure.

(d) On-site sewage disposal systems, not including a centralized package sewage treatment plan approved by the Commonwealth of Pennsylvania, Department of Environmental Resources.

## § 21-1005 Increased Minimum Lot Size for Other Special Areas.

(a) **One Acre Minimum Lot Size Requirement.** A minimum lot area of one (1) acre (43,560 square feet) shall be required when, in the affected area of any single lot, there exists any two (2) of the following natural features:

(1) Steep Slopes in excess of eight percent (8%) but not more than fifteen percent (15%) grade;

(2) Woodlands covering fifty percent (50%) or more of the affected area;

(3) Soil surface erodability is medium or high.

(b) **One and One-Half Acre Minimum Lot Size Requirement.** A minimum lot area of one and a half (1.5) acres (65,340 square feet) shall be required when, in the affected area of any single lot, there exists any two (2) of the following natural features:

(1) Steep Slopes in excess of fifteen percent (15%) grade;

(2) Woodlands covering seventy-five percent (75%) or more of the affected area;

(3) Soil surface erodability is medium or high.

(c) **Soil Surface Erodability.** Soil surface erodability shall be determined by reference to the Lehigh County Soil Survey, published by the Soil Conservation Service of the United States Department of Agriculture, as amended and reprinted from time to time.

(d) **Steep Slopes.** Steep slopes shall be determined by specific surveying measurements on the lot or lots in question as the average grade in the affected area, and shall not be taken from the United States Geological Survey or other similar large-scale topographic maps.

(e) **Affected Area.** For purposes of this § 21-1005, the term “affected area” shall mean any area of the lot where topsoil shall be removed or covered during development, including without limitation, the building site, parking, and driveway areas.

(f) **This Section Does Not Reduce Normal Lot Size Requirements.** Notwithstanding anything contained in this § 21-1005 to the contrary, should any lot proposed for development be located in a zoning district requiring a greater minimum lot area than as set forth herein, then the minimum lot area for any such lot shall be as required in such zoning district.

(g) **Maximum Driveway Grades.** All lots shall be accessible from the existing or proposed street by means of adequately and properly designed service drives having a maximum grade of twelve percent (12%).